

UNDP Management Response

Management response to the Midterm Review of the Support Project for Implementation of Legal Sector Master Plan ¹

Project Title: Support Project for Implementation of Legal Sector Master Plan

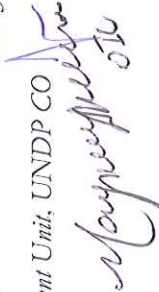
UNDP Project ID (PIMS) #: 00087142

Midterm Review Mission Completion Date: February 2016

Date of Issue of Management Response: September 17, 2018

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Context, background and findings

The Project was initiated in the 1st of January 2014 and completed by 31st of July 2017. A 7-month extension of the project was approved by the Government. UNDP initiated the process of implementing the Mid-Term Review in July 2015, and the consultant was on board in November 2015, and starting the 10 days country mission on the 5th of January and completed the mission by end the 16th of January 2016. The first MTR draft was received in January 2016 and the final draft was dated in February 2016.

¹ This template is in alignment with the [Management Response Template](#) for UNDP project-level evaluations in the Evaluation Resource Centre.

Recommendations and management response

Midterm Review recommendation 1. The project should ensure that the selected activities are strategic and coherent. There is a risk that the project may try to engage in too many small activities, which are individually important and priorities of the relevant Ministry, but which collectively do not achieve the Government's vision of becoming a Rule of Law State by 2020. There is also the need to strike a balance between activities to address immediate Government priorities, and longer term strategic initiatives. As each activity has associated management requirements, it may be more effective to implement fewer activities with a larger budget for each activity, rather than many small activities. There are some benefits to implementing a wide range of small activities, however realistically the demands upon the project cannot be met in full.				
Management response: All activities under this project are based on the Government's priorities through the discussion with all parties concerned. However, it is well noted of the recommendation to balance between immediate and long term intervention.				
Key action(s)	Time frame	Responsible unit(s)	Tracking ²	
			Comments	Status ³
Further prioritization during the new project design	2017/06	MoJ led by the Project Manager - UNDP led by Head of Governance Unit	The new project was designed ensuring that the selected activities are strategic and coherent to support the Government in achieving the Government's vision of becoming a Rule of Law State by 2020. The new Strategic Support to Strengthen the Rule of Law in Lao PDR started in August 2018.	completed
Midterm Review recommendation 2. The project is piloting several innovative initiatives – for example, using MoJ personnel to provide legal assistance (rather than lawyers), and the implementation of legal information kiosks at provincial courts. At the time of the evaluation, there had been a limited period of implementation (reportedly 5 legal aid clients had been received in Xiengkhoang at the time of the evaluation). It is important that these pilot initiatives are robustly assessed, to determine whether they are effective and good value for money, and if so, whether they can be scaled up (either by UNDP or another donor). For example, what are the advantages and disadvantages of using MOJ staff rather than private lawyers to provide legal assistance? The project is collecting data				

² If the MTR is uploaded to the ERC, the status of implementation is tracked electronically in the Evaluation Resource Centre database (ERC).

³ Status of Implementation: Completed, Partially Completed, Pending.

including client satisfaction surveys and case statistics. This links in with UNDP's Strategic Plan Output indicator 3.4 (Number of clients who have used the legal aid service, disaggregated by sex). However, the criteria or process to assess the higher level performance of these innovative activities was not clear at the time of evaluation (ie, are these policy approaches the most effective and which activities should be discontinued or scaled up).				
Management response: Agree with the recommendation that the criteria or process to assess the higher level performance of the legal aid services should be strengthened to inform whether the policy approaches are appropriate or which activities should be discontinued or scaled up.				
Key action(s)	Time frame	Responsible unit(s)	Tracking	
			Comments	Status
Develop an assessment tool with clear criteria or process	2017/06	MoJ led by the Project Manager - UNDP led by Head of Governance Unit	The plan to develop an assessment tool with clear criteria / process was included in the new project to assess and scale-up or roll-out successful pilot initiatives.	?

Midterm Review recommendation 3. The role of the Secretariat was not clear to all stakeholders. Some stakeholders believed that the purpose of the Secretariat was to coordinate all activities under the LSMP. Other stakeholders believed that the LSMP was only intended to coordinate UNDP's activities, and that other development partners should coordinate their own projects directly with the relevant line Ministry. If the purpose of the Secretariat is only to coordinate UNDP's activities, then the role of the Secretariat is probably unsustainable beyond the life of the project and the level of staffing is probably excessive. If the purpose of the Secretariat is to coordinate all projects under the LSMP, then this requires greater commitment by counterparts and development partners to bring their activities under Secretariat framework, including by sharing their Annual Workplans. It would also require greater commitment by UNDP to encourage additional participation of other development partners at Secretariat meetings.				
Management response: The role of LSMP Secretariat is to coordinate all activities under the LSMP supported by different donors and not necessary supported only by UNDP. It is well noted of the recommendation that the Secretariat should play a better commitment and role in coordinating all projects under the LSMP. UNDP will continue encouraging other donors to take part at Secretariat meetings				
Key action(s)	Time frame	Responsible unit(s)	Tracking	
			Comments	Status

The Secretariat to facilitate regular meetings between Government and donors to discuss key issues around access to justice and legal sector. This can be implemented using the existing mechanism of Legal and Institutional Sub-Sector working group	2017/06	Moj led by Head of LSMP Secretariat and the Project Manager - UNDP led by Head of Governance Unit	Completed meetings in Feb, May and June 2017.	Completed
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Midterm Review recommendation 4. SPLSMP M&E system has a comprehensive series of activity level indicators. The logframe includes less emphasis on higher level impact measures. Given the importance of training and capacity development within the project, the project should explore including some higher level measures to assess the project's impact. For example, in relation to training outcomes – whether there were changes in terms of knowledge gained (ie, pre-test versus post-test results), changes in workplace behavior, or changes in results linked to the training.

Management response: This recommendation is well taken

Key action(s)	Time frame	Responsible unit(s)	Tracking	
			Comments	Status
For new project, develop a better M&E system, taking into account changes in terms of knowledge gained, changes in workplace behavior, or changes in results linked to the project intervention through trainings.	2017/06	Moj led by the Project Manager - UNDP led by Head of Governance Unit	New project was designed with a better M&E system, taking into account changes in terms of knowledge gained, changes in workplace behavior, or changes in results linked to the project intervention. Relevant activities are planned under the new project.	Completed

Midterm Review recommendation 5. In addition to building the legal architecture of the State, the project has focused mainly on criminal justice issues. While JICA is supporting the civil law reform process, there are likely a range of other thematic issues which could be supported to help the Government with their vision of greater regional integration – for example, commercial and investment law, environmental law, labour law etc. The project has provided some support for environmental issues relating to mercury, by leveraging UNDP experts based within the Ministry of Natural Resources and Environment. However, the project and the Secretariat could play a useful role in supporting the Government to attract and obtain support from other experts whether within or outside of Lao PDR – for example, by assisting the Government to scope support from the World Bank, Asian Development Bank or DFID which have specialist expertise in commercial law development. This is not to suggest that any project should be delivered through the Secretariat, but rather, that the Secretariat has the potential to play a bridging role to reach out to specialist institutions, and to assist the Government in assessing their priorities and managing the scope of any engagement.

Management response: The recommendation is well taken. The current draft of concept note for the new project has already taken into account Commercial and regulations related law, and climate change and related law will be most likely areas of intervention. In fact, UNODC has been involving in the penal code development on environmental crimes.

Key action(s)	Time frame	Responsible unit(s)	Tracking	
			Comments	Status
As Laos has integrated into regional and international development, the Secretariat will play a useful role in attracting and obtaining support from other experts for a range of other thematic issues.	2017/06	Moj led by Head of LSMP Secretariat and the Project Manager	New project was designed taking into account Commercial and regulations related law, and climate change related law will most likely be areas of intervention.	Completed

Midterm Review recommendation 6. In preparation for a potential successor project, UNDP and development partners should commence discussions with the Government over potential co-funding contributions. The Government has made significant contributions to the SPLSMP, especially in the allocation of human resources and office space. However, the priorities of the justice sector exceed the amount of funding which donors are likely to be able to provide. Co-funding contributions offer the possibility of providing for additional activities, while further demonstrating the commitment of the Government to the project.

Management response: The recommendation is well taken.

Key action(s)	Time frame	Responsible unit(s)	Tracking	
			Comments	Status

The Government and UNDP should initial the discussion on co-funding for the new project after the SPLMP.	2017/06	MoJ led by the Project Manager - DIC – MPI led by the Director General - UNDP led by Head of Governance Unit	Discussion on possibility of co-funding was initiated in July 2017 and will be continued under the new project.	Completed
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