



TEMPLATE 4.4

PEACEBUILDING FUND (PBF)
ANNUAL PROJECT PROGRESS REPORT

COUNTRY: Nepal
REPORTING PERIOD: 1 JANUARY – 31 DECEMBER 2013

Programme Title & Project Number	
Programme Title: Rule of Law and Human Rights Programme	
Programme Number (if applicable) PBF/NPL/A-2	
MPTF Office Project Reference Number: ¹ 00085964	

Recipient UN Organizations
List the organizations that have received direct funding from the MPTF Office under this programme: UNDP, UN Women

Implementing Partners
List the national counterparts (government, private, NGOs & others) and other International Organizations: Supreme Court of Nepal, Ministry of Law, Justice, Constituent Assembly and Parliamentary Affairs, Ministry of Peace and Reconstruction

Programme/Project Budget (US\$)	
PBF contribution (by RUNO)	US\$ 2,200,000
Government Contribution (if applicable)	
Other Contributions (donors) (if applicable)	
TOTAL:	US\$ 2,200,000

Programme Duration	
Overall Duration (months)	24
Start Date ² (dd.mm.yyyy)	15.03.2013
Original End Date ³ (dd.mm.yyyy)	14.03.2015
Current End date ⁴ (dd.mm.yyyy)	

Programme Assessment/Review/Mid-Term Eval.
Assessment/Review - if applicable <i>please attach</i>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date:
Mid-Term Evaluation Report – if applicable <i>please attach</i>

Report Submitted By
Name: Tek Tamata
Title: Programme Analyst

¹ The MPTF Office Project Reference Number is the same number as the one on the Notification message. It is also referred to "Project ID" on the [MPTF Office GATEWAY](#)

² The start date is the date of the first transfer of the funds from the MPTF Office as Administrative Agent. Transfer date is available on the [MPTF Office GATEWAY](#)

³ As per approval of the original project document by the relevant decision-making body/Steering Committee.

⁴ If there has been an extension, then the revised, approved end date should be reflected here. If there has been no extension approved, then the current end date is the same as the original end date. The end date is the same as the operational closure date which is when all activities for which a Participating Organization is responsible under an approved MPTF / JP have been completed.

Yes No Date:

Participating Organization (Lead): UNDP
Email address: tek.tamata@undp.org

PART 1 – RESULTS PROGRESS

1.1 Assessment of the current project implementation status and results

For PRF projects, please identify Priority Plan outcome and indicators to which this project is contributing:

Priority Plan Outcome to which the project is contributing. SO. 2: Citizens' confidence in the judiciary and criminal system has increased as a result of these institutions becoming more capable, accountable and responsive to Nepal's diverse society.
Priority Plan Outcome indicator(s) to which project is contributing. Communities use justice systems to resolve conflicts without recourse to violence ensuring human rights of women/girls in particular.

For both IRF and PRF projects, please rate this project’s overall achievement of results to date: on track

For both IRF and PRF projects, outline progress against each project outcome, using the format below. The space in the template allows for up to four project outcomes.

Outcome Statement 1: Improved efficiency of courts and increased delivery of judicial services to the women and vulnerable

Rate the current status of the outcome: on track

Indicator 1: # of women and members of vulnerable communities who have benefitted from court services in five districts (UNDAF 4.2.2)	Baseline: TBD by Baseline Survey Target: 20% increase in number of women and members of vulnerable groups who have received court services Progress: Numeric data not yet available
Indicator 2: % of backlogged cases decreased in district courts in five districts	Baseline: TBD by Baseline Survey Target: Case backlog decreased by 30% in five districts Progress: Numeric data not yet available
Indicator 3: National Judicial Academy’s Guide for Judges on Quality Court Decisions’ implemented effectively in five districts	Baseline: 0 districts have implemented the Guide Target: Guide implemented effectively in five districts Progress: No measurable progress yet

Output progress

List the key outputs achieved under this Outcome in the reporting period (1000 character limit). Outputs are the immediate deliverables for a project.

A mapping-exercise was conducted to identify the scope and responsibilities of the Court-Client Information Desks and the Supreme Court Communication Strategy. ‘In-Camera’ court-hearing procedures were strengthened through an assessment of existing practices – to inform an improvement strategy – and revisiting of the existing guidelines. This will encourage victims to seek redress without fear of retributions, and make the judicial process more effective. The Supreme Court was supported to review the framework for court-referred

mediation to align it with international best practices through development of a guideline and training-modules. IEC materials and PSAs were developed and aired to strengthen awareness about court- and mediation services. An assessment of judgment executions, including consultations with justice officials, was conducted to identify lacunas and recommend improvement actions.

Outcome progress

Describe progress made during the reporting period toward the achievement of this outcome. This analysis should reflect the above indicator progress and the output achievement. Is there evidence of the outcome contributing to peacebuilding and to the specific conflict triggers (3000 character limit)?

As 2013 was the inception year of the Project measurable data and factual evidence of progress achieved by the Project is limited. This year, the Project has done the preparatory work to conduct a perception survey in 2014 to establish baselines, and accordingly such data will be available next year. Many of the activities undertaken this year have been preparatory by nature – needs and capacity assessments, mappings and policy analysis – and their full impact will only be seen once the initiatives they serve to inform are fully implemented. Even so, the Project has made important gains towards strengthening legal frameworks and justice services, and improving access to rule of law institutions and justice for Nepal’s vulnerable populations. With the support of the Project progress has been made in relation to In-Camera Hearings and justice administration generally, through consultative and inclusive processes. The administration of justice initiatives were very successful in building a common understanding about the importance of effective judgment execution as an indispensable component of justice delivery among the stakeholders, which will potentially lead to an increase judgment executions.

Reasons for low achievement and rectifying measures

If sufficient progress is not being made, what are the key reasons, bottlenecks and challenges? Were these foreseen in the risk matrix? How are they being addressed and what will be the rectifying measures (1500 character limit)?

Certain activities under this component encountered obstacles, which ultimately led to their postponement. This included the baseline- and perception survey, that was scheduled as one of the initiating activities. The survey was met with some skepticism and push-back from the Supreme Court, which feared it might reveal a very negative image of the court system. Thus, the survey has not yet been completed and any information gains from it – such as adjustments to the Programme’s M&E framework – have not been capitalized. The Supreme Court has now agreed to the survey being conducted in the first half of 2014, and considering that the overall RoLHR Programme will continue until 2017, this will still allow for effective utilization of its results. The activities planned to strengthen the collaboration and coordination between the formal and informal justice system and strengthening of mediation services have also been postponed for 2014. This was done to secure proper and sustainable alignment of these initiatives with the pending Mediation Act, which among other things will establish the Mediation Council. Endorsement of the Act was expected in 2013, but was delayed due to the CA election and government formation process. Finally, the development of the Citizen Charter and publication of court decisions encountered some administrative delay from the implementing partners. The preparations for these activities were completed, and implementation is planned for early 2014.

Outcome Statement 2: Women and vulnerable groups have better access to legal aid services

Rate the current status of the outcome: on track

<p>Indicator 1: # of women and members of vulnerable communities who have benefitted from legal aid services in five districts (UNDAF 4.2.3)</p>	<p>Baseline: TBD by Baseline Survey Target: # of women and representatives from vulnerable groups have received legal aid services in five districts (TBD as increase compared to baseline) Progress: Numeric data not yet available</p>
<p>Indicator 2: % of women and members of vulnerable communities satisfied with legal aid services they have received in any of five districts</p>	<p>Baseline: TBD by Baseline Survey Target: Satisfaction with received legal aid services amongst women and vulnerable groups in five districts increased by 25% Progress: Numeric data not yet available</p>
<p>Indicator 3: N/A</p>	<p>Baseline: N/A Target: N/A Progress: N/A</p>

Output progress

List the key outputs achieved under this Outcome in the reporting period (1000 character limit). Outputs are the immediate deliverables for a project.

To improve access to justice for vulnerable groups, the MoLJCAPA was supported to initiate a reform of the legal aid regime into a nationwide socio-legal aid framework. This support included consultations with diverse stakeholders – including legal aid service providers, justice officials and civil society, review of the existing legislative framework, and establishment of five ‘pilot’ District Socio-Legal Aid Centers. Lessons learned from the ‘pilot’ centers will be used to inform the national legal aid reform policy. To increase awareness about legal aid, 1500 copies of an ‘easy-read’ version of the UN Guidelines on Legal Aid were distributed, and 732 school students were given legal awareness training. To increase diversity in the legal profession, by capacitating law students and graduates representing vulnerable groups, an internship program was launched (16 graduates enrolled), and a guideline for the scholarship program to be launched next year was developed.

Outcome progress

Describe progress made during the reporting period toward the achievement of this outcome. This analysis should reflect the above indicator progress and the output achievement. Is there evidence of the outcome contributing to peacebuilding and to the specific conflict triggers (3000 character limit)?

The Project has established five ‘pilot’ Socio-Legal Aid Centers in the selected districts, which have been operational since the beginning of December 2013, and have since helped women and other vulnerable groups to become more aware of their rights and made higher quality legal services available to them, and thereby increased their ability to assert their legal rights and benefits (no numeric data is available yet). The lessons learned from these ‘pilot’ centers will be used to inform the legal aid reform policy, which will be completed next year. Likewise, the establishment of an ‘affirmative action’ internship program with the aim of increasing the representation of vulnerable groups in the legal profession is a significant

achievement in its own right. Many of the challenges faced by vulnerable people, when they are trying to seek and achieve justice for sexual and gender based violence, caste-based discrimination and similar issues, are caused or exacerbated by a lack of diversity in the legal profession. However, the lasting impact hereof initiatives – i.e. improved sensitivity towards and representation of vulnerable groups amongst members of the legal profession – will not be visible until after the internships are completed and the participants embark on their professional legal careers. For the implementation of Law Scholarship programme, a draft proposal has been received from Nepal Law Campus and is in the process of being reviewed. There is also a need to clarify the funding process for the Letter of Agreement with the Nepal Law Campus.

Reasons for low achievement and rectifying measures

If sufficient progress is not being made, what are the key reasons, bottlenecks and challenges? Were these foreseen in the risk matrix? How are they being addressed and what will be the rectifying measures (1500 character limit)?

Overall the progress achieved under this outcome is satisfactory. The establishment of the five 'pilot' District Socio-Legal Aid Centers was somewhat delayed, due to the CA elections in November. The election made consultation and engagement with district justice officials difficult, as many of them were assigned to election monitoring duties. Nonetheless, the centers were established by December 2013, an accomplishment that can be attributed to the strong ownership of the Ministry of Law and Justice and the close partnership between the Ministry and the Project. Important initial steps were taken towards the establishment and implementation of the scholarship programme; however, the launching of the programme was postponed to 2014. In addition to the complexity of programme, contributing to the delay were administrative difficulties and changes in the senior management of the Nepal Law Campus and their approach to taking forward the scholarship programme in the more sustainable manner and increasing the number of seats for enrolment for targeted groups. It is estimated that all the preparatory work to resolve critical issues will be completed during the first half of 2014, and the scholarship scheme will be launched in the second half of 2014.

Outcome Statement 3: Criminal Justice System is more responsive to conflict victims and female victims/survivors of GBV

Rate the current status of the outcome: on track

<p>Indicator 1: # of conflict affected victims who have benefited from relevant information regarding redress through the victim support dialogues in five districts</p>	<p>Baseline: TBD by Perception Survey Target: # of conflict victims benefited from relevant information (TBD as increase compared to baseline) Progress: Numeric data not yet available</p>
<p>Indicator 2: % of conflict affected victims who are satisfied with the criminal justice system’s response to their needs in five districts</p>	<p>Baseline: TBD by Perception Survey Target: TBD as increased percentage compared with baseline Progress: Numeric data not yet available</p>
<p>Indicator 3: # of conflict affected victims who have received compensation (monetary or non-monetary) in five</p>	<p>Baseline: TBD by Perception Survey Target: Ratio of the conflict affected victims who received compensation increased by</p>

districts (UNDAF 8.1.3)	20% Progress:Numeric data not yet available
-------------------------	--

Output progress

List the key outputs achieved under this Outcome in the reporting period (1000 character limit). Outputs are the immediate deliverables for a project.

Implementation of activities supporting conflict-victims commenced in partnership with a local NGO, and support to the transitional justice process was initiated through ‘pilot’ interactions with civil society, government agencies and justice institutions. An awareness-raising campaign about the court and Human Rights Commission decisions on issues related to withdrawal of cases, impunity and accountability was also initiated. Considering the political climate and the sensitivity surrounding transitional justice, impact and effect of these initiatives cannot be expected overnight. Even so, small but significant signs of improvement in the willingness to engage on these issues are manifesting among the implementing partners. A ‘Do No Harm’ ToT workshop was conducted and attended by implementing partners and Programme staff, which reinforces this positive development, as the participants share the knowledge obtained in their daily work on issues with post-conflict relevance.

Outcome progress

Describe progress made during the reporting period toward the achievement of this outcome. This analysis should reflect the above indicator progress and the output achievement. Is there evidence of the outcome contributing to peacebuilding and to the specific conflict triggers (3000 character limit)?

The Project has supported the on-going debate and advocacy for the establishment of a transitional justice mechanism(s) in line with international human rights and humanitarian law standards, but any material progress towards this end has not been attainable under the political circumstances. The contributions to the debate were specifically valuable because the Supreme Court put a hold on the establishment of Truth and Reconciliation Commission, as it found the the Ordinance not to be in compliance with international standards. Further, the Project initiated the implementation of activities to support conflict-victims in partnership with the local NGO 'World Vision Advocacy Forum'. This support includes legal aid, referral services, institutional development of the so-called Victim Support Forums, targeted logistic support, advocacy and coordination with concerned stakeholders at national, regional and local level. The design and planning of support and activities have been informed by thorough assessments of already available services and identified needs, and in close consultation with victims groups. Beneficiaries have responded very positively to these initiatives, but numeric data is not available yet. Finally, the Project have received and reviewed proposals from interested agencies to undertake the Project component on strengthening the institutional capacity of the judiciary to increase conflict affected women/girls' access to gender responsive justice in the five project districts of Mid- and Far-West of Nepal. The recommended proposal will be submitted to UN Women RPAC in early March 2014, and the contract is expected to be signed by late March 2014.

Reasons for low achievement and rectifying measures

If sufficient progress is not being made, what are the key reasons, bottlenecks and challenges? Were these foreseen in the risk matrix? How are they being addressed and what will be the rectifying measures (1500 character limit)?

The Project component designed to support conflict victims and promote a holistic and victim-centric transitional justice process has seen lesser advances in the past year, due to the stalling of the Truth and Reconciliation Ordinance, and the general political sensitivity surrounding these topics. The latter was reinforced by the CA elections in November, and the on-going government formation process is holding up any transitional justice policy-making. Accordingly, the planned policy-level activities within this component - including establishment of a high-level working group for addressing SGBV, implementation of a gender-responsive strategy for the transitional justice mechanism(s), and trainings of justice officials on the complementarity principle - have been postponed for 2014. The Project is currently in the process of preparing the ToR for the component on strengthening the institutional capacity of the judiciary to increase conflict affected women/girls' access to gender responsive justice.

Outcome Statement 4: N/A

Rate the current status of the outcome: on track

Indicator 1:	Baseline: Target: Progress:
Indicator 2:	Baseline: Target: Progress:
Indicator 3:	Baseline: Target: Progress:

Output progress

List the key outputs achieved under this Outcome in the reporting period (1000 character limit). Outputs are the immediate deliverables for a project.

Outcome progress

Describe progress made during the reporting period toward the achievement of this outcome. This analysis should reflect the above indicator progress and the output achievement. Is there evidence of the outcome contributing to peacebuilding and to the specific conflict triggers (3000 character limit)?

Reasons for low achievement and rectifying measures

If sufficient progress is not being made, what are the key reasons, bottlenecks and challenges? Were these foreseen in the risk matrix? How are they being addressed and what will be the rectifying measures (1500 character limit)?

1.2 Assessment of project evidence base, risk, catalytic effects, gender in the reporting period

<p><u>Evidence base</u>: What is the evidence base for this report and for project progress? What consultation/validation process has taken place on this report (1000 character limit)?</p>	<p>The evidence base includes the Report of the Justice Sector Coordination Committee, Draft Annual Report of the Judgement Execution Directorate, and the Decision Minutes of the Central Legal Aid Committee. Further evidence and validation has been gained from the various needs assessment, mapping exercises, and stakeholder consultations (national and local level) conducted as part of the Programme's activities (described above). Adding to this, the Programme has received continued feedback and input from its regular engagements with all partners, including: the Supreme Court and other representatives from the judiciary; the Office of the Attorney General; Ministry of Law and Justice, particularly the Legal Aid Reform Steering Committee; officials of the Central- and District Legal Aid Committee(s); officials of the Justice Sector Coordination Committee; I/NGO and civil society.</p>
<p><u>Funding gaps</u>: Did the project fill critical funding gaps in peacebuilding in the country? Briefly describe. (1500 character limit)</p>	<p>N/A</p>
<p><u>Catalytic effects</u>: Did the project achieve any catalytic effects, either through attracting additional funding commitments or creating immediate conditions to unblock/accelerate peace relevant processes? Briefly describe. (1500 character limit)</p>	<p>As the first contribution to the RoLHR Programme, the Project had a catalytic effect in initiating all the activities described above. This is particularly true for the contributions made to the transitional justice related activities under outcome 3, which form a very important contribution to peace process in Nepal, but have so far only received funding from the UNPFN and UNDP. Finally, the Project's activities related to justice administration (outcome 1) and access to justice (outcome 2) have secured a successful launching of these components of the overall RoLHR Programme and thus helped secure an additional funding commitment from Finland.</p>
<p><u>Risk taking/ innovation</u>: Did the project support any innovative or risky activities to achieve peacebuilding results? What were they and what was the result? (1500 character limit)</p>	<p>N/A</p>
<p><u>Gender marker</u>: Is the original gender marker for the project still the right one? Have gender considerations been mainstreamed in the project to the extent possible? Briefly justify. (1500 character limit)</p>	<p>The original gender marker for this project is still applicable. Gender mainstreaming and meaningful participation of women is always taken into account, whether it be in relation to activity design or implementation, such as trainings and workshops, including the RoLHR Programme's inception workshop. Further, several key activities of the Programme are designed specifically to increase access to justice for women and vulnerable groups. This includes the internship programme (9 out of 16 students enrolled are women), strengthening of in-camera hearing procedures and socio-legal aid. Finally, the Programme has strived for inclusive and diverse representation in the process of</p>

	recruitment of Programme staff, and at the moment the RoLHR Programme employs four female staff members including an international Access to Justice Specialist and a national Legal Aid Officer.
--	---

PART 2: LESSONS LEARNED AND SUCCESS STORY

2.1 Lessons learned

Provide at least three key lessons learned from the implementation of the project. These can include lessons on the themes supported by the project or the project processes and management.

Lesson 1 (1000 character limit)	The carve-out of the component designed to strengthen the capacity of the National Human Rights Commission (NHRC') and the following (limited) re-design of the overall RoLHR Programme did cause some delay for implementation, as well as some challenges in securing funding for the Programme. This also caused some delay for implementation of this Project. In hindsight it would appear as if the initial concerns regarding the NHRC component voiced by the development partners, particularly concerns about maintaining effective and apparent independence and autonomy of the NHRC, should have been addressed more seriously from the outset.
Lesson 2 (1000 character limit)	Recruiting the Programme staff proved to be a very time-consuming task, particularly in relation to the National Programme Manager and the international experts. As a result, these positions were only filled in the last quarter of 2013, which resulted in one hand delays in some Project activities, and on the other impacted also on the wider expected RoLHR, UNDP Programme. The reasons behind this cumbersomeness are many, and not all under control of the Project – for example, it was very difficult to find an eligible candidate for the National Programme Manager position, and also UN Women's Access to Justice Analyst position – but the risk of such delay could have been mitigated somewhat by a sooner and more targeted initiation of the recruitment process.
Lesson 3 (1000 character limit)	Many of the activities, indicators, baselines and targets of the Programme are planned to be informed by a baseline-/perception survey, which was planned to be conducted in the first quarter of implementation. However, this particular activity was met with some skepticism and push-back from the Supreme Court, which feared that the survey would reveal a very negative image of the court system. As a result, the survey has not yet been completed and any potential information gains from it – such as adjustments to the Programme's monitoring and evaluation framework – have not been capitalized. Whether this has had any negative effects on the success of the Programme remains to be seen. In any event it is difficult to make specific recommendations as to how this issue could have been handled differently or been avoided, as the Supreme Court was involved in the design of the RoLHR Programme and activities and had

	not raised these concerns at this stage.
Lesson 4 (1000 character limit)	
Lesson 5 (1000 character limit)	

2.2 Success story (OPTIONAL)

Provide one success story from the project implementation which can be shared on the PBSO website and Newsletter as well as the Annual Report on Fund performance. Please include key facts and figures and any citations (3000 character limit).

PART 3 – FINANCIAL PROGRESS AND MANAGEMENT ARRANGEMENTS

3.1 Comments on the overall state of financial expenditure

Please rate whether project financial expenditures are on track, slightly delayed, or off track: on track

If expenditure is delayed or off track, please provide a brief explanation (500 characters maximum):

3.2 Comments on management and implementation arrangements

Please comment on the management and implementation arrangements for the project, such as: the effectiveness of the implementation partnerships, coordination/coherence with other projects, any South-South cooperation, the modalities of support, any capacity building aspect, the use of partner country systems if any, the support by the PBF Secretariat and oversight by the Joint Steering Committee (for PRF only). Please also mention if there have been any changes to the project (what kind and when); or whether any changes are envisaged in the near future (2000 character maximum):

The Programme's partnerships with various governmental and non-governmental agencies have worked very well in its first year, and they have been based on mutual respect and cooperativeness. As the lead implementing partner, the Supreme Court of Nepal has always shown strong ownership for all Programme activities. Similarly, the MOLJCAPA's active involvement with and allocation of expertise for the initiation of the legal aid reform has been very encouraging. A good example hereof is the Ministry's initiative to form its own 'Expert- and Steering Committee' to guide the formulation of the legal aid policy reform and the implementation of the socio-legal aid scheme. Other government agencies such as the JED, NJA, OAG and MOPR have also been very engaging, even though some of these partnerships thus far only have amounted to planning of future activities. This Project also helped towards delivering as one by fostering strong partnership and close working relationship have been cultivated between UNDP and UN Women, and OHCHR Geneva, all of which were very willing to engage with and support the Programme in key strategic matters. Finally, the Programme has developed good rapport with various civil society representations and organizations – including the NBA, ICJ, ICTJ, WVAF and JURI-Nepal – development partners, and a strong collaboration with Tribhuvan University's Faculty of

Law.No South-South Cooperation activities have been pursued, since the primary focus of the Programme this year has been on assessments and information gathering. However, the Programme aims to incorporate South-South Cooperation as part of its capacity building strategy as implementation goes forward, through study tours, exchange visits and by inviting representatives with relevant experience to Nepal. No commitments have been made yet, but relevant topics to explore next year include court referred mediation, legal aid reform and inclusive and innovative transitional justice processes.