**Final Evaluation Report**

of the ROLHR UNPFN Component

(Project cycle duration: 2013-2015)

*Report prepared by UNPFN-ROLHR Evaluation Team*

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| **LIST of ACRONYMS** |  |
| A2J | Access to Justice |
| CA | Constituent Assembly |
| CAT | Convention against Torture  |
| CEDAW | Convention of Elimination of All form of Discrimination against Women |
| CoD | Commission of Disappearance |
| CPA | Comprehensive Peace Agreement  |
| CPSJ | Center for Peace, Security and Justice |
| CTA | Chief Technical Advisor |
| CVCP | Conflict Victims Common Platform |
| DAG | Dalit, Janajati, Madhesis and other marginalized groups |
| DEX (or DIM) | Direct Execution (or Direct Implementation modality) |
| DLAC | District Legal Aid Committee |
| EMCVAJ | Enhancing Marginalized Conflict Victims' Access to Justice  |
| GESI  | Gender and Social Inclusion |
| IA | International Alert |
| IC | Interim Constitution |
| ICCPR | International Covenant on Civil and Political Rights  |
| ICESCR | International Covenant on Economic, Social and Cultural Rights |
| IGA | Income-generating activity |
| IP | Implementing Partner |
| JED | Judgement Executive Directorate |
| JP | Joint Programme |
| JSCC  | Justice Sector Coordinator Committee  |
| LACC | Legal Aid and Consultancy Center |
| MA | Managing Agent |
| M&E | Monitoring and Evaluation |
| MOLJCAPA  | Ministry of Law and Justice Constituent Assembly and Parliamentary Affairs |
| MoPR  | Ministry of Peace and Reconstruction  |
| NBA | Nepal Bar Association |
| NDC | National Dalit Commission |
| NEX (or NIM) | National Execution (or National Implementation modality) |
| NJA | National Judicial Academy |
| NNDSWO | Nepal National Dalit Social Welfare Organization |
| NPD | National Programme Director |
| NPTF | Nepal Peace Trust Fund |
| NWC  | National Women Commission |
| OAG | Office of the Attorney General |
| OECD | Organization for Economic Cooperation and Development |
| PFN/PBSO-PBF | Peacebuilding Fund Nepal |
| ProDoc | Project Document |
| PSA | Public Sensitization Announcement |
| PUNOs | Participating UN agencies |
| Q | Question |
| RRF | Resource and Results Framework |
| RoLHR  | Rule of Law and Human Rights  |
| S/GBV | Sexually and Gender-based Violence |
| SC  | Supreme Court (of Nepal) |
| SLAC  | Socio-Legal Aid Committee |
| SOPs | Standard Operating Procedures |
| SRSG | Special Representative of the UN Secretary General |
| TJ | Transitional Justice |
| ToR | Terms of Reference  |
| ToT | Training of Trainers |
| TRAC | Target for Resource Assignment from the Core |
| TRC  | Truth and Reconciliation Commission |
| TU  | Tribhuvan University  |
| UNSCR | United Nations Security Council Resolution |
| UN Women | United NationsEntity for Gender Equality and the Empowerment of Women |
| UNDP  | United Nations Development Program |
| UNICEF | United Nations International Children’s Fund |
| UNPFN | United Nations Peacebuilding Fund Nepal |
| UNRCO | United Nations Residential Coordinator’s Office  |
| VSF | Victim Support Forum  |
| WVAF | World Vision Advocacy Forum |

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**Executive Summary**

The UNPFN contributed to the implementation of the wider five-year “Strengthening the Rule of Law and Human Rights Protection System in Nepal” Programme (ROLHR). The implementing parties of the UNPFN were UNDP and UN Women. Partnering institutions on the side of the Government were the Supreme Court of Nepal (SC), the Ministry of Law and Justice, Constituent Assembly and Parliamentary Affairs (MOLJCAPA) and the Ministry of Peace and Reconstruction (MoPR).

Gender and social inclusion were specifically highlighted in Nepal’sComprehensive Peace Accord (2006) and the Nepal Peace and Development Strategy subsequently put in place in 2010. The Strategy especially emphasized gender-sensitive interventions as part of long-term peace-building efforts based on the experience of past discriminations and S/GBV including psychological abuses of conflict affected women and marginalized, excluded and disadvantaged individuals that often remain(ed) unaddressed. One area for the transitional justice (TJ) process was to address above mentioned situations.

In particular, conflict victims from remote districts including the far and mid-western part of Nepal were blatantly denied access to justice, legal aid support, socio-psycho counselling, and information about the TJ, and consequently, felt a lack of confidence in the formal justice system. Hence, UNDP designed a JP to strengthen the rule of law and in view of protecting and promoting human rights to address and rectify the lack of confidence in the formal justice system in Nepal.

The overall focus of the UNPFN programme was to achieve and consolidate sustainable peace by creating the conditions for systemic change in the justice sector. The Joint Programme (JP) consisted of three Results or Outcome areas, combining a number of integrated interventions addressing upstream systemic capacity issues (supply side) with a package of access-to-justice centered services and related sensitization and communication campaigns targeting both the general public and, through a separate set of tailored solutions, victims of violence seeking redress for criminal offenses suffered during the civil war.

UNDP and UN Women as joint implementing parties committed to this strategic goal through a set of three specifically tailored project outcomes, viz.: 1. Improved efficiency of courts and increased delivery of judicial services to women and the vulnerable; 2. Women and vulnerable groups have better access to legal aid services; and 3. Criminal Justice System is more responsive to conflict victims and female victims/survivors of GBV.

The JP had a dual focus on both thegrassroots demand and supply side, and the upstream level targeting Justice Sector coordination, policies, the introduction of mechanism, procedures, standards etc., and mainstreaming gender and social inclusion into the next generation of justice sector personnel. In terms of geographical coverage the JP was implemented in five pilot districts in the Mid- and Far-Western Development Regions, specifically targeting the most conflict-affected victims and the marginalized, excluded and powerless such as members of castes considered inferior, indigenous people, orphans, women and girls, the economically deprived etc.

It was assumed that the provision of such a holistic package would lead to increased confidence of Nepal’s people and especially the (most) conflict affected population, in the justice sector as a whole and by extension, in the (post-conflict) institutional branches of judiciary, executive and legislature. This was supposed to ultimately strengthen social cohesion and help in fostering a re-established social contract between the people and the State; with the proviso that this theory would need to be tested within the confines of the JP’s intervention area which was limited to five districts selected in the most affected geographical zone.

In spite of delays suffered in the constitutional process and the transitional justice portfolio being shifted to the RCO’s remit of a consolidated (“post-UN Mission”) human rights portfolio, the JP was by and large implemented across the entire range of its initially foreseen activities, with the formulation of its Outcomes statements and projected general performance targets remaining unaffected.The data collection and analysis to gauge progress against targets was based on the following main sources: review of an extensive range of documents: UN reports, studies, plans, work-plans, technical reports prepared by IPs etc.; as well as interviews and group meetings with managers and staff of UN agencies and other key stakeholders including beneficiary institutions, individual beneficiaries, IPs etc.

Following a series of political decisions, the continuous stalemate regarding transitional justice solutions (which was part of Outcome 3/criminal justice support to victims) is no longer a concern of the JP, as such. Even though TJ was initially an integral part of the JP results framework, mid-way into the implementation cycle of the programme this specific component was shifted to the RCO’s programme portfolio of strategic, human rights-related issues.

Either way and be it as it may, while this is an issue that the UN is duty bound to address and actively pursue in terms of its general agenda, the final responsibility in this regard rests with Nepal’s Government. Hence, the UN cannot directly be held responsible for any related delays or lack of achievements against the planned portfolio targets, given that the fundamental related decisions were stalled at the highest level and still remain pending.

The triangulation of data collected through perusing through documents and interactions with IPs and other stakeholders allowed for some patterns to emerge. Based on the information gathered, the final set of recommendations the evaluation team could gather from the interviews is matching the main findings of the various in-house evaluations carried out by the various IPs and participating UN agencies, the evidence of which is scattered throughout the body of periodic reviews.

The most urgent issues across the JP Outcome areas and Outputs is the need to rapidly scale up A2J modalities under Results 1 and 2 (addressing the supply side/systemic capacity building and demand side, respectively) which were pilot tested in the five selected “hot spot” districts targeted during the implementation period, given the identified high demand for such services.

In terms of major concerns, there is a need to reduce overlap and duplication between different A2J supply side interventions and packages provided by different IPs through related and sometimes comparable service solutions. There is already tangible evidence that the various interventions esp. in support of access to justice can mobilize synergetic effects and reap accruing respective benefits, the final step of reflective coordination still needs to be taken.

Undoubtedly, the easiest way to come up with a firmly integrated package in a participatory way would no doubt be to call in all related stakeholders and share experiences and services provided, to design a truly integrated final package consisting of those modalities that stood the test of time during the pilot phase (i.e., the JP’s implementation cycle).

Other than coordination and scale-up issues, recommendations also pinpoint the areas and issues of M&E, a business process review of financial machinery of the state, strengthening services and resources to disabled, strengthening the institutional capacity of institutional beneficiaries/justice sector entities regarding PME and reporting capacity, upscaling ToT trainings, linking A2J to access to micro-credits, ensuring a link-up with JS and UN entities responsible for child and youth protection in the legal sphere, linking peacebuilding (and other ROLHR activities) to community-based entities in the interest of synergies, enhancing district level psycho-social counseling at SLAC level.

**1.Technical background and situational context**

2015 is the final year of theUnited Nations Peacebuilding Fund Nepal’s (UNPFN) Project’s duration or life span. Hence, in coordination with the UNPFN coordination unit situated in the UN-RCO, UNDP and UN Women commissioned for a final external evaluation to determine the performance of the ROLHR project’s PFN-funded component. The evaluation was to be carried out in line with standard evaluation criteria as well as special cross-cutting concerns and queries formulated by PFN/PBSO-PBF.

In view of effective time loss induced by administrative delays and interruptions (incl. the earthquake but also for systemic and man-made reasons including the NIM) both prior to and during the project implementation for some if not most UNPFN activities, a no-cost extension was requested and granted. Therefore, the programme effectively only ended on October 30 2015 in terms of activities, whereas the administrative close-out is to conclude in early 2016.

The two-week evaluation (10 days in-country) which was originally planned to commence in the third week of July was effectively kicked off in late September 2015. Due to the situation along the southern border of the country that escalated in October 2015, the final stakeholder meeting with one of the key stakeholders and beneficiaries (namely, the Supreme Court) could only be organized in the 2nd week of November.

The evaluation is supposed to identify lessons learned and best practices. It will inform the implementing partners of thelarger ROLHR programme about how to tailor activities to strengthen the operational and programmatic capacity of the implementing partners and poor and vulnerable communities. The purpose here is to generate insights and recommendations on how to best address the identified pertinent challenges during the remaining phase (some 30 months or 2.5 years) of the larger ROLHR programme umbrella.

Likewise, the evaluation is meant to generate effective recommendations on which elements of the evaluated two-year cycle should be replicated or scaled up, in similar or amended fashion.When relevant, thechanges in the political environment should be analyzed with respect to their impact in the area ofaccess to justice of poor and vulnerable.

The evaluation objectives are to assess the project’s approach and results, including the ROLHR-UNPFN programme’s strategic contribution to peace-building in Nepal (impact efficiency and effectiveness); the validity and relevance of the underlying assumptions and theory of change; achievements with respect to stated strategic peace-building impact and outcomes incl. any relevant PMP indicators, rather than only outputs and activities as per the project results framework; achievements to reach intended beneficiaries with services and/or to include stakeholders in project implementation; abilities to respond and mitigate risks outlined in the project document; the catalytic nature in terms of additional financial comments or triggering peace relevant processes; and risk taking as well as, if applicable, innovative approaches.

The following paragraphs provide a concise overview of how the situational context evolved in which the UNPFN was implemented:

Following the mutual endorsement of the Comprehensive Peace Agreement (CPA) by the conflicting parties in 2006, the peace process took more time than expected for completion and thus remained relatively fragile. Key components of the peace process comprised the following: the Interim Constitution was promulgated in 2007, combatants were finally ‘integrated’ in 2012, elections for the second CA took place in November 2013, TRC and Disappearance Commissions were formed in early 2015 and finally, the CA promulgated a new constitution on 20 September 2015.

When the UNPFN programme was designed, the first CA that had been elected in 2008 had just been dissolved due to the differences among the major parties how to federate the country. During the same period, former Maoist combatants were integrated into the Nepal Army and the Ministry of Peace and Reconstruction (MoPR) was establishing government offices such as police posts, schools and other buildings that had been destroyed during the armed conflict. Meanwhile, the institutions associated with rule of law such as the Nepal Police were struggling to win back the confidence of the people because they had directly been involved in the armed conflict.

The existing laws such as Civil Code (*Muluki Ain*) and other security related legislations remained sub-par, i.e. below the standards of the new Constitution and coreinternational human rights treaties such as ICCPR, ICESCR, CAT, CEDAW and so on ratified by Nepal. Rule of law institutions such as the Nepal Police and other law enforcement agencies started to have inclusive representation in the state structure since the promulgation of the Interim Constitution in 2007. When the process of enhancing gender and socio-ethnic inclusiveness thus began, the presence of women and other marginalized groups was still not reaching satisfactory levels, i.e. at least close to gender equality.

Justice system institutions, including the courts remained mostly supply side centric as if they were established to serve the state rather than its people. However, the second strategic plan of the Supreme Court which was being implemented during that time, exposed a number of weaknesses of the justice delivery system, including the scattered legal aid system in the country. This created awareness about shortcomings in the justice system, thereby demanding the necessary attention and action to improve the rule of law and access to justice.

Since the implementation of the UNPFN began, the Civil and Criminal Codes and their respective procedural codes, TRC Bill have been tabled and discussed in the Legislative-Parliament and the latter is promulgated as an Act. Likewise, a legislation to criminalize torture is also tabled in the Legislative-Parliament. Most importantly, the new constitution has been promulgated in 2015 with improved contents from the rule of law and human rights perspective but with challenging tasks remaining related to its implementation and issue of decentralization through a federal set-up.

The establishment of the TJ mechanisms was not carried out in line with what had originally been envisioned, and was reflected, in the CPA, Interim Constitution and decision of the Supreme Court. The victims expressed grievances about the promulgation of the Ordinance on Truth and Reconciliation and Investigation of Disappearances Commission during the conflict and challenged that legislation to the SC with a subsequent court judgment ruling in their favour. Despite of these concerns, the TRC and CoDare established and now doing their ground works.

Further, the victims struggled to challenge the impunity through filing First Information Reports to the police to use the existing justice mechanisms. Time and again, the justice delivery system’s weaknesses were exposed in crime investigations involving marginalized groups and female victims. In particular, this remains the case for sexual and gender-based violence against marginalized groups and female victims of conflict. This can be linked to deficient gender representation in the Nepal Police service as well as in the justice sector institutions, in general.

During the inception of the UNPFN, victims were struggling hard to challenge the Ordinance promulgated by the President having impunity clauses for serious offences like rape, torture, enforced disappearance, extra-judicial killings. Following the Supreme Court’s ruling not to grant impunity for such serious offences, the government again introduced the legislation with a possibility to grant an amnesty for such serious offences. This Bill was then passed by the Legislative-Parliament.

Victims and the international community including the UN and human rights organizations have raised concerns over the legislation. Victims again challenged the legislation in the SC. The latter then formally declared some provisions of the legislation in contradiction to the Constitution (“*ultra virus”)* whereas some other provisions were corrected in line with the previous supreme court judgment, i.e. not granting impunity or an amnesty. However, the SC accepted the continuation of already appointed commissioners and their offices.

Despite many of the issues that were mentioned in the project document’s risk assessmentabove, overall, the programme’s foreseen interventions against planned outcomes werecontinuously implemented with the exception of the Transitional Justice component which was dropped from the programme portfolio andtransferred to the portfolio managed by the RC’s office.Indeed, the current situation following the promulgation of the new Constitution is likely to lead to a number of opportunities for up-scaling or replicating elements and modules of the programme.

The purpose of the evaluation was to determine the extent to which the project objectives were achieved and have effectively contributed to peacebuilding. The evaluation also assessed the project’s contribution to collective UNPFN peacebuilding results in order to support the assessment of the Fund’s overall achievements and its contribution to social cohesion and peacebuilding in Nepal.

The evaluation focused on the period during which the ROLHR Project has been implementing its activities, that is from the beginning of April 2013 to the end of June, 2015. Changes in the political environment were analyzed with respect to their impact in the area of access to justice of the poor and vulnerable (incl. lower castes, females, indigenous populations etc.).

**2. Methodology**

The assessment of programme outcomes is guided by the standard OECD criteria of relevance, effectiveness, efficiency and sustainability. In order to address these standard evaluation criteria and the cross-cutting thematic concerns related to peacebuilding, conflict sensitivity, gender and social inclusion etc., the evaluation team applied a tool-kit of interview techniques. Based on semi-structured interview threads informed by data gleaned from the desk review as well as contextual knowledge and related hypotheses to be tested, mainly qualitative data was gathered during the interviews.

Moreover, reported data related to quantitative indicators was cross-checked, wherever applicable. Key to analyzing information collected during the interviews was the triangulation of information collected during primary informant sessions with qualitative data gleaned from other interviews regarding the same issue(s). These logical consistency checks whether the information “adds up” were applied both to qualitative and quantitative data as well as between these spheres (qualitative vs. quantitative and vice versa; qualitative vs. qualitative; and quantitative vs. quantitative data).

The matrix on the following page summarizes the main elements and steps in the evaluation.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Evaluation Criteria and Questions** | **Methodology** | **Object and Scope** | **Data Collection Sources**  | **Evaluation End Products** |
| *Standard evaluation questions* applied to specific UNPFN outcomes and related RoHLR contextEarly impactRelevanceSustainabilityEfficiencyEffectiveness*5 specific dimensions* * Impact on peace building
* Conflict sensitivity
* Gender and social inclusion
* Coordination
* Disbursement mechanism

(JP) value-added- Application and mainstreaming of - UN Programming principles- Partnerships leveraged- Responsiveness of UNPFN and RoHLR to change in external needs and requirements- UNPFN governance structure- Strategic pitch | Tailored interview questions to different groups and categories of key informants; incl. individual interviews and focus group discussions*Programme-related methods and tools*:- Impact screening- Relevance and effectiveness screening*UNPFN -related Tools:**-* Quantitative analysis of UNPFN performance indicators- Mapping of geographical and time spread- UNPFN matrix/semi-structured interview guidelines and questions- Tools for tracking and assessing performance of cross-cutting issues- Analysis of financial data: budget allocations, expenditure/by agency/by category of expenditure/programme-related/UNPFN related etc. | PBF level PMP Impact UNPFN strategic outcome(s) (PMP etc.)Focus on 3 UNPFN Programme OutcomesAnalysis of financial expenditure analysisContribution of PFN approach overallSub analysis of TJ program component and context | Document Review Key informants and stakeholder institutions: i.a., UN agencies UNDP, RoHLR and UNWOMEN, GoN and field level beneficiaries, INGOs etc.Direct observation, interview project staff, IP, direct beneficiary, engaging implementing partners, local stakeholders, end recipients | Assessment of short- to medium term results achieved and the UNPFN contribution to peace buildingAssessment of what has worked and not worked, and whyFindings, recommendations on replicability and scale up;building on lessons learned from UNPFN implementation and programming experience to inform RoHLR continuation and PFN replicability and scale up |

**3. Challenges faced and related limitations**

**3.1 Evaluability and data collection**

The scope and purpose of the evaluation was to determine the extent to which the programme’s objectives were achieved and effectively contributed to peacebuilding, during and beyond the actual life span of the programme, thus also partly extrapolating towards the future based on the programme cycle’s implementation period. The evaluation was to also assess the project’s contribution to collective UNPFN peacebuilding results to help determine the Fund’s overall contribution to peacebuilding in Nepal.

The data collection and analysis was based on the following main sources: review of an extensive range of documents: UN reports, studies, plans, work-plans, technical reports prepared by IPs etc.; as well as interviews and group meetings with managers and staff of UN agencies and other key stakeholders including beneficiary institutions, individual beneficiaries, IPs etc.

First and foremost, it needs to be mentioned that given the prevalent concerns about the security situation the evaluation team could not collect direct beneficiary data in the project implementation districts in Mid- and Far-Western Region. Hence, it was not possible to ascertain information found in written sources and collected during interviews with IP, UN agency and government representatives, with observations and beneficiary data collected in the field through interviews of direct or indirect end beneficiaries. This being said, quite a few interventions targeted central level institutions or, as under the student and internship schemes, even direct individual beneficiaries that could be interviewed at central level.

Furthermore, there are a couple of issues that need to be highlighted with regard to the programme’s evaluability, namely a. the transitional justice component having been shifted outside the JP’s portfolio; b. perception survey data not being circulated by the Government which affects related high-level performance indicators that can thus not be officially informed with data and thus yield no measurements; c. limited availability and/or access to financial information which renders specific efficiency analyses (namely, “cost-benefit” or “value for money”) impossible in most cases.

Other than concerns about data availability, the evaluation notes that in a number of cases, the provided documentation comprises M&E data that either refer to micro-level project or annual/quarterly implementation results and related indicators that would contribute to UNPFN logframe indicators the evaluation is concerned with. In other cases, the reporting was done against the larger ROLHR programme of which the UNPFN is a component, rather than specifically discussing UNPFN performance indicators.

Since output data was not comprehensively provided to the evaluation team only a sub-set of related indicators could be informed in this evaluation. With regard to the Government’s decision not to officially release perception survey data on high-level indicators, the underlying reason might be concerns about the technical quality of the final data data set (reliability, precision, comprehensiveness etc.) or “poor results”.

As palliative measure, in a few cases it was possible to use proxy indicators some of which have their own technical issues in that from a logical point of view they are “borderlines cases” of acceptable substitutes. Other than this, the technical review of the results framework revealed that in some cases, the SMARTness of some indicators was compromised at the design stage.

The lack of detailed financial data matching the requirements for a standard efficiency analysis might be due to limitations of accounting standards and/or limitations in the actual data entry into the ATLAS data management platform during the programme implementation period.

The sub-set of five target districts being referred to in the reference documents does not match in three cases. In case the total number of programme districts was eight rather than five (Dadeldhura, Doti, Kailali, Kalikot, Surkhet, Achham, Dailekh, Dang) and at any given moment in time, there were only five implementation districts, this could essentially lower the sub-set of five target districts that enjoyed implementation throughout the entire programme life span to only two. Under such a “worst case scenario” regarding evaluability, a total of six districts (3 + 3; three of the initial set of five and their three replacements) would effectively not have been targeted throughout the full programme duration.

**3.2 The GESI dimension**

The specific aspect of Gender and Social Inclusion (GESI)was given a specific importance in the terms of reference in that the ToR of the evaluation coordinator and the national legal expert also stressed a background in GESI as an important selection criterion. In addition, the second national consultant was to be a dedicated GESI evaluation expert.

The terms of reference of the GESI evaluator were geared towards analyzing the degree to which the UNPFN programme design and composite interventions addressed the needs of women and marginalized groups. In addition, the GESI expert was meant to ensure that gender and social inclusion dimensions are incorporated into all steps of the inquiry, analysis and evaluation reporting.

The dedicated GESI evaluator could only be hired towards the very end of the mission which prevented her from participating in most of the stakeholder meetings. Nevertheless, steps were taken to address this potential issue and it is felt that all potential risks of falling short with respect to the expected final analysis have been sufficiently addressed if not over-compensated for in terms of depth and width of GESI analysis.

However, in reviewing available reporting data, it became clear that available reporting data against key indicators has not always been consistently gender disaggregated. For instance, reporting against some indicators only refers to victims and the general number cases rather than disaggregating them by GESI. Accordingly, the reader might feel the discussion of indicators could have been more in line with GESI considerations. Here, the shortage in available suitably disaggregated statistical data should be borne in mind, and related grievances attributed to those deficiencies rather than to the willingness or capacity of the evaluation team.

On the other hand, the actual design of the scope and intent of some specific UNPFN interventions is to strengthen the systemic capacity of justice sector mechanisms and service providers. This implies that women/girls and marginalized strata of society are included among the beneficiaries, since the target group is all-inclusive; meaning spanning across Nepal’s entire citizenry.

**3.3 Programme and mission overlap**

The original ROLHR which was entirely funded through PBSO/PBF resources quickly managed to successfully leverage additional fresh resources from donors. This led to the peacebuilding-related ROLHR component (including but not limited to transitional justice) being joined by additional components not or not exclusively dealing with peacebuilding. The expanded ROLHR grew into an extended programme platform for an array of programme (sub-)components and projects concerned with the wider policy landscape and general systemic issues pertaining to the rule of law, access to justice and the protection and promotion of human rights in Nepal.

The scope and structure of the outcomes defined in the original ROLHR Project Document (signed 26 Feb 2013) underwent a change in that the number of outcomes increased from two to three without changing the substance of the programme content. The original UNPFN-funded programme component had been conceived as—and effectively remained—a 2-year programme (project duration of 24 months). By contrast, the greater ROLHR programme that apparently had been realized thanks to the catalytic effects induced by the PBF, ended up being designed with a 5-year time horizon.

Whereas it is clear to the evaluators that their taskit to only evaluate the peacebuilding- and UNPFN-funded component of the larger ROLHR programme and thus is not concerned with the larger ROLHR.However, to various stakeholders including IPs and beneficiaries this distinction might not be evident. A similar risk of confusion exists at the level of assessments and reporting documents where evidence and data on and beyond the UNPNF-RoLHR component might be co-mingled.

Incidentally, a similar risk of confusion exists in the sense that the portfolio of PBF/UNPFN-fundedprogrammes stretches well beyond the PBF-funded RoLHR component both in time and scope (cf. following graph; the overlap of the portfolios marked by a star depicts the location of the UNPFN-RoLHR component which is situated in the area of overlap between the sector-wide multi-donor RoLHR programme platform and the PBF/UNPFN-funded thematic group of projects which are all aligned to the overall peacebuilding goal but don’t as such form a stand-alone programme).

Internally, in terms of the UNPFN-ROLHR programmes set-up, whereas the three outcomes were distributed among the two implementing agencies UNDP and UN Women, within the outcomes, there are single agency as well as dual agency sub-projects or key activities/outputs.

Furthermore, it would have been judicious had the findings and recommendations emanating from the UNPFN-RoLHR final evaluation been available to inform the wider RoLHR mid-term evaluation that also looks at the results achieved under the UNPFN-RoLHR. In addition, there might have also been a slight risk of confusing stakeholders and beneficiaries by two quite similar evaluationsbeing carried out at the same time.

**3.4 Risk analysis – programme and evaluation**

The UNPFN risk analysis proved to be very accurate in that it covers a number of elements that would influence the programme implementation. Whereas most programme components wereimplemented regardless of ups and downs in the political and security context, the programme sub-component of Transitional Justice was particularly affected by the factors foreseen in the programme’s risk log.

In addition and directly affecting the evaluation rather than a programme component that is part of the sub-projects to be evaluated, the recent promulgation of a new constitution (on 20 September 2015) further escalated the political unrest affecting the entire country due to a supply shortage of essential commodities. This led to serious restrictions on movement outside Kathmandu, seriously hampering the evaluation plan in that travelling to the districts to evaluate the programme on the ground within the five programme implementation districts was no longer possible.

Consequently, grassroots-level beneficiaries and stakeholders can nolonger be interviewed to evaluate the impact of the program at the ground level. Rather than meeting the beneficiaries in the districts, the alternative modality of inviting a select few institutional beneficiaries, implementing parties and other stakeholders to Kathmandu was opted for. Thus, interviewswith local staff from implementing NGOs, SLAC legal staff and UNDP field monitoring staff served as replacement for the absence of genuine field level interviews conducted on the ground.

Furthermore, a national holiday that fell into the period of in-country presence meant resulted in a number of originally scheduled interviews not taking place. Thus, the interviews that the mission did manage to carry out do not completely reflect the entire range of stakeholders. For instance, the Ministry of Peace and Reconstruction, all members of the project’s own governance fora or structures, and the Office of Attorney General could not be interviewed; whereas the Supreme Court’s Registrar could only be interviewed in November by one of the evaluation team member’s, namely the national evaluation expert.

Nevertheless, the final analysis shows thateven though not all the stakeholder entities and groups under the three outcomes were covered, the size of the (effective sample) sub-set of interview partners can be deemed representative and was thus satisfactory for all intents and purposes.

**4. Evaluation findings, conclusions and recommendations**

**4.1 Peacebuilding-specific dimension**

Specifically with regards to peacebuilding, the evaluation has collected data and thusgained insight into a host of strategic and technical issues. This evidence is presented hereunder. For the purpose of this report, the evaluation mission has chosen to present said evidence in the form of answers to the following questions related to cross-cutting dimensions and thematically specific evaluation criteria:

**4.1.1 Peacebuilding and GESI**

*Q1. What avenues did women and vulnerable groups have to provide feedback on the project, orotherwise influence how and what the project was delivering?*

This question relates to the dimension of project implementation. Since the evaluation team could not carry out a data collection mission at field level no pertinent evidence could be directly collected from end beneficiaries. However, by way of triangulating related data collected during central level interviews (including managers/high-level national officials, IP staff and central level recipients of the internship and scholarship schemes), a number of pertinent observations and different reports and suggestions can be put forward hereunder.

-In discussing said issue with project staff members and implementing agencies and in finding further evidence in the reports by PUNOs and implementing partners, it became clear that ad hoc-type *processes* (rather than standardized mechanisms) for collecting feedback had been set up through the JP, allowing to collect some feedback for reporting purposes. However, the evaluation team noted that during its interactions with the internship and scholarship recipients, the beneficiaries had a very strong desire to share their experiences. This implies that beneficiaries should be encouraged to provide such feedback even on a regular basis through low-threshold formal or informal mechanisms specifically set up for such purposes. These mechanisms should ideally be tied into a bottom-up data collection machinery to also cover continuous perception based monitoring data.

-UNDP field level monitoring units analyze data from field level monitoring to report on programme implementation and develop recommendations on how to tap into synergies across programmes. These units cover projects across the entire programme portfolio of the UNDP country office, i.e. including governance (beyond the justice sector), economic empowerment and climate change. This is a UNDP mechanism situated above the IP “ground-level” M&E mechanisms that monitor their own entity’s field level project delivery and captures individual level complaints and recommendations from the field. However, given the fact that field level missions are covering a wide geographical area and thematic scope and don’t have continuous field level presence, beneficiaries are very unlikely to proactively seek out this existing avenue of providing on feedback on projects.

-As an aside, field monitors pointed out that recommendations based on feedback from the field collected during joint monitoring visits are regularly resulting in specific ideas on how to link up existing UNDP projects/programmes (e.g., projects on support through micro-credits for setting up micro-enterprises and post-conflict integration). There are concerns that some of their most innovative findings might not be heard and effectively influence decision making at the top managerial level. This is a matter that obviously goes beyond UNPFN and concerns the entire programme portfolio. (It might just be that field level monitoring staff are not fully aware of the extent to which their input which collates beneficiary level concerns and higher-level related analysis and recommendations are effectively used for evidence-based management purposes.)

-The monitoring framework developed for the project is based on the UNDP standard, i.e. the project has its own specific M&E plan which was updated on an annual basis. For capturing and tracking updates on field level progress (especially from SLAC), there is an Excel-based database system which is supposed to be replaced by a genuine relational database. Each SLAC provides monthly as well as quarterly progress data in an Excel format. The field officer compiles and verifies this data prior to forwarding it to the project unit. Similarly, a specific template has been developed for routine data collection (at SLAC, Court desk). For training or event reporting, there is a specific template (“activity log”) to capture participant data in disaggregated form. In order to better capture qualitative information from the clients/ beneficiaries level the project is now considering to mobilize UNDP field staff. Related specific data collection checklists have been designed; and joint meetings with the UNDP field office team have already taken place.

-However, there is evidence that at the ground level the national justice sector, while having M&E mechanisms in place, exclusively focuses on higher-level monitoring from a supply-side perspective (implementation of the Judiciary’s Strategic Plan). This mechanism cannot really be considered as an avenue for women and vulnerable groups to provide feedback.

-The mission could not validate to what extent there might be mechanisms such as complaint boxes in place. However, even if there were such boxes, the evaluation team would question the effectiveness of such a mechanism given the impression gained from the interviews that overall, national institutions have M&E mechanisms in place that do not match international professional standards: they are not streamlined, not computerized, and the organigrammes don’t foresee slots for specialized analysts.

-Moreover, the practice in place at district level justice sector entities is that whoever has a complaint should directly submit it to the chief officer in place. From a cultural perspective and in light of existing gender-based and socio-economic power differentials between women and socially marginalized and senior (mostly male, mostly high-caste officers), this in itself constitutes a barrier for marginalized groups to take forward their complaints.

-Setting up dedicated low-threshold complaints desks or similar mechanisms at the SLAC/DLAC level should be looked into. This might be a way to more pro-actively solicit suggestions and feedback and could also be linked to (national institution) M&E processes looking at the KAP dimensions (degree of satisfaction with services delivered, collect data on how mechanisms can be improved or new formulas of service provision introduced).

*Q2. Were project inputs and benefits fairly distributed among different genders and communities while at the same time increasing access for the most vulnerable? How did the project ensure gender balance and inclusion in trainings, workshops, other activities? How were these approaches communicated to stakeholders?*

-Inputs and benefits were by and large fairly mainstreamed in the program design and activities as well as in the overall programme implementation processes. Examples include:

* There are many activities related to capacity building of key stakeholders on issues of S/GBV, UN resolution 1325,1820, TJ, SOP of In-camera court hearings, orientation services about access to justice-related rights and entitlements, court procedures, provisions related to legal aid and service etc.;
* Establishment of Social Legal Aid Centers providing legal aid services and socio- psychological counselling to people including conflict victims, victims of S/GBV irrespective of their gender, culture, creed, socio-economic status etc.;
* Awareness and dialogue program on different issues addressing both national and local stakeholders and resulting in increased participation of women and marginalized people under the programme;
* Sexual and gender-based violence is especially pervasive in conflict, post-conflict and humanitarian settings where women and girls are targeted for abuse. So activities related to TJ and access to justice were indeed very relevant to improve access to justice for women and other communities;
* Affirmative action-related activities for the professional development of women, Dalits, indigenous peoples, Madhesis, the mentally and/or physically disabled and other marginalized and vulnerable strata of the population rank among the programme’s most important inputs of improving gender equality and social inclusion in the justice sector.

-The programme tried to maintain and update GESI disaggregated data for each activity, e.g. SLAC, Information Desk, training activities including affirmative action.

-In terms of legal professional development, the following activities and results can be noted:

* The scholarship program addressing inclusiveness and gender balance registered the following achievements: 12 female beneficiaries (2 Madhesi, 2 members of indigenous groups, 2 Dalit, 4 female individuals, 1 individual from a backward area from Kalikot district, 1 entrance topper) and 8 scholarship recipients (2 Madhesi, 2 indigenous, 2 disabled, 1 individual from a backward/Bajhang district, 1 entrance topper);
* Under the 6 Months Law Internship Program: a total of 35 new lawyers benefitted from the program out of which 24 were female and 11 male; amongst whom 15 had a Brahmin/Chhetri background, whereas the others comprised 12 Janajati (indigenous groups), 4 Dalit, 4 Madhesi and others.
* Bar Council Examination (Coaching): 55 law students received coaching support (23 female and 32 male, out of whom 24 Janajati, 4 Dalit, 5 Madheshi).
* Paid Lawyers Capacity Development Training: 22 participants benefitted, out of which 2 were female and 20 were male. All the contents (topics) of the training were designed with a general focus on legal issues but focussing on gender sensitive issues and how to deal with female victims.

-A total of 1,459 women and members of vulnerable groups benefitted from court services in the five project districts and found court services received largely satisfactory.

-Social Legal Aid Center (SLAC) in 5 Districts: 2,393 women (67% out of a total of 3,561 vulnerable people) benefitted from legal aid services including remedial services.

-By the third quarter of 2015 17,958 female individuals out of 35,104 (or 51% of the total number) benefitted from the legal awareness program.

-A legal help desk was established in 5 districts courts. A total of 4,744 clients was oriented out of which 1,845 female (or 39% of the total) individuals benefitted.

-A Victim Support Forum (VSF) was established in 5 districts. 20 additional local level dialogues on transitional justice issues were conducted. Criminal justice, sexual and gender based violence (SGBV), coordination among the stakeholders, rule of law, human rights including victims support were discussed through dialogues.

-In addition, trainings on UNSC Resolutions 1325 and 1820 relating to human rights and on the concept of Do-No-Harm were conducted in five districts targeting government and non- court and law officials. 50 justice sector actors and human rights defense attorneys were trained on UNSCR 1325 and other normative frameworks.

-4,903 victims directly benefitted from receiving relevant information regarding redress through the victims support dialogues in five districts. 504 women who are affected by the conflict received logistics support and 928 women received legal support. 8,167 victims received compensation from government institutions.

-In terms of study visits (including a South-South component), visits to South Africa were organized for JS staff in order for them to observe and witness the practice of in-camera hearings; as well as a visit to Arizona/USA, to gain knowledge about the Access to Justice Commission.

-A revision of the BA/LLB Curriculum of the TU Nepal Law Campus resulted in adding a subject on Gender, Law and Justice to the syllabus and compulsory subject in 7 semesters of standard course work. In addition, a specific chapter on Women, Senior Citizens and Disabled persons and Social Welfare was added as course work for the 10th semester.

-51% women and a total of 71% of Dalits and other vulnerable groups (women and men confounded) benefitted from legal awareness and mobile legal aid clinics.

-The programme ensured gender balance and inclusion in trainings, workshops, and other activities through the following measures and approaches:

* Selection process of participants equally focused on GESI balance in trainings, workshops, internships, and in the coaching and scholarship program. Over a total of 20 key events, the gender balance was remarkably equal (55% or 16,164 male and 45%or 13,368 female participants);
* The selection criteria for improving legal profession development clearly and specifically target marginalized communities;
* The review of the BA/LLB’s curriculum at law campus mainstreamed a total of 62 subjects from a GESI perspective and added Gender Justice and Inclusion subjects in 7 semesters of the BA/LLB course;
* Development of Contents of the Training and Workshop directly and indirectly related to gender justice and participation of marginalized people (S/GBV, UN Resolution 1325, 1820, in-camera hearings, GBV and transitional justice, Legal Aid provision for women and marginalized communities, media program on TJ etc.;
* Women and vulnerable groups, agencies and the UNDP GESI program specialist were consulted in the process of designing the programme.
* The GESI officer's position was included in the Human Resource Structure of ROLHR;
* GESI specific interventions were incorporated and integrated into every single activity of the program.
* Collaboration and coordination with national and local organizations working for Dalits, women rights and indigenous communities (through NDC, NWC and NNDSWO etc.)
* Review of guidelines, policies, Acts and curricula from a perspective of gender, human rights and inclusion (Legal Aid Act, in-camera hearing, BA/LLB Syllabuses, Code of Conduct of Lawyers).
* Scale-up of SLAC, court information desk.

-These approaches were communicated to stakeholders through the following channels:

* Advertisement through electronic and print media (local FM, newspapers);
* Collaboration with the Nepal Bar Association and district bar association;
* Publication of information material about TJ and related media broadcasts;
* Citizen Charter in Courts with brief information about the service available in the courts and particular subjects related to gender;
* Establishment of Legal Help Desks and information centers;
* Organizing orientation classes for victims and other needy people.

*Q3. What challenges of access for participating women and vulnerable groups were identified, monitored and addressed?*

-There is no gender or inclusion-related balance in the recruitment of court paid lawyers, given that women or members of disadvantaged communities participating in training sessions on the court paid laywers manual are very rare. It should be noted here, however, that the JP or, for that matter, ROLHR do not have any authority to directly recruit or appoint any court paid lawyers, and cannot object against recruitment decisions by relevant district authorities as per the provision of the SC.

-No women or individuals belonging to other disadvantaged communities participated as experts in the review of the guidelines on in-camera hearing, the development of the SOPs on in-camera hearing, the development of the manual and operational guidelines for court paid lawyers or the review of the Legal Aid Act. In defense of the project is must be noted that the number of experts who stem from such communities might indeed be quite small, if not non-existent; and that attempts are made to capture voices from the community through interviews, client observation at SLAC and court cline desk level, and literature review. However, it should have been possible to find female experts (regardless of the community background) to enlist their services for contributing to the development of manuals and guidelines. In this context, it is worth mentioning that the principle of gender balance and social inclusion was to be upheld with regard to all of the above, in line with the related agreement between NJA and ROLHR. Likewise, if the provision of training for legal aid lawyers appointed for one year is to remain valid then the related approach also needs to be reviewed.

-There is a lack of collaboration and coordination among entities and local organizations in conducting related trainings and workshops. On the other hand, the district team collaborates with local organizations to jointly carry out interactive and awareness raising activities etc. at community level.

-Female victims of conflict and S/GBV are reluctant to come forward in disclosing their story due to their fearing a lack of confidentiality, which makes it difficult to extend the programme’s services to them.

*Q4. What safety, security and confidentiality considerations for participating women and vulnerable groups were identified, monitored and addressed (where relevant)? If relevant, what practices of obtaining informed consent did the project adopt?*

-First and foremost, there is the practice of mentioning artificial (pseudo) names when preparing the files for individual cases. Without informed consent of the concerned person their individual details cannot be published or used in case files.

-In-Camera Hearing Operational Guidelines were prepared by the NJA and a total number of 96 participants from 13 districts was trained, including court officers, Government Attorneys, Police Officers, Advocates and District Administration Office staff, and representatives from Women and Children’s Offices. The main objectives of the training were to bring uniformity in implementing in-camera hearings and maintaining the privacy and confidentiality in cases where the victims are women or children. Those not concerned in the case are not allowed to sit in the observer’s bench at the time of related hearings.

-In the case of S/GBV it is not allowed to disclose names and other case-related detailed information related to victims and suspects in cases brought to the attention of SLACs or legal aid counselling.

-Some types of cases heard in–camera are subject to privacy and confidentiality and it is prohibited to disclose any related information outside the court hearings without prior informed consent of the concerned victims.

*Q5. Did the project assess its impact on gender relations in the community and, if so, what strategies were used to address these?*

-The project maintained gender disaggregated visitor logs of people visiting SLACs to obtain legal aid and counselling services.

-Gender disaggregated data were maintained for each training, workshop, internship, scholarship program and support provided to individuals preparing to sit the bar entranceexam.

-A system was established at regional level to monitor all programs of UNDP. The monitoring reports are prepared on the basis of 5 core criteria, namely the project timeline, evidence based reporting, joint accountability, impartiality and neutrality, and utility focus.

-A mid-term assessment report of the project was prepared internally, by project staff (March, 2014).

-The local community benefitted from the Legal Help Desks and information centres through being granted access to information about their legal rights, legal aid and the legal process of TJ.

-Local action plans were prepared to implement UNSC Resolutions 1325, 1820 and TJ following local level trainings among communities within the project districts.

*Q6. Is there evidence that the project advanced any key national human rights, gender or inclusion policies?*

The related evidence can be summarized as follows:

* Review of guidelines related to in-camera hearings and preparation of SOPs for In- camera hearing sessions.
* Review of existing Legal Aid Act and preparation of legal aid policy.
* Justice Sector Coordination Committee Operational Manual endorsed by the central JSCC.
* Access to Justice Commission established.
* Development of SLAC operational guidelines.
* One integrated national legal aid policy developed (as draft document) includingan extensive and inclusive consultation process.
* Strategic Plan of the Judiciary reviewed from a gender perspective.

**4.1.2 Strategic contribution to peacebuilding & conflict sensitivity of project design and implementation**

*Q7. What was done to understand the context (and changes in the context) and how was thisused to modify plans?*

-From the very outset of the programme it had been decided that in spite of the delays in the constitutional development process, there was need for a programme providing means and ways to redress grievances stemming from conflict-related crimes and human rights violations. Hence, the platform of the RoLHR JP is based on the strategic decision to pilot test specific modalities and mechanisms of access to justice to provide supply-side solutions and address demand-side requirements and expectations, both for victims of crimes and the general public with a specific focus on vulnerable groups in society including women, members of minorities and disadvantaged groups, the disabled etc.

-In general, the programme and sub-programme/project roll-out and implementation showed flexibility in adapting to changing circumstances and addressing challenges. For instance, when it became clear that the first cut of legal training scholarship recipients was not particularly representative in terms of gender nor minority criteria, this shortcoming was swiftly addressed and rectified through introducing harsher guidelines for the screening of candidates.

-Likewise, when it became clear that some scholarship recipients of initial intakes were not aligned with the programme’s expectations in terms of general orientation, a set of guidelines (“code of conduct”) stipulating entitlements and obligations was introduced to address this issue. Similarly, SOPs and guidelines were introduced elsewhere (In-Camera Court hearings) to explicate and regulate the applications of other instruments, tools and processes whenever the need arose.

-Another example would be how the bottlenecks related to the TJ agenda were addressed by the decision to shift this specific programme component to the RC’s programme portfolio. While pull factors might actually have outweighedpush factors in this specific case, the PFN component of the RoLHR managed to strategically reposition itself by quite elegantly off-loading the most problematic programme component to the RCO where, all things considered, the TJ agenda is now placed in a strategically much more suitable environment given the political implications (RCO vs. JP programme environment, post-mission TJ focus of the SRSG/RC’s activities).

*Q8. What kind of feedback mechanisms ensured continuous involvement of project beneficiaries and stakeholders?*

-Most importantly, there is the mechanism of UNDP field level monitoring. Specific M&E staff with professional training analyze data collected during field level monitoring to report on programme implementation. Field monitoring units monitor all programmes and projects in their geographical zone and specifically look at possibilities of how to address issues including the population’s related grievances and suggestions on how to link up different intervention types (e.g., in the case of the RoLHR programme, specific micro-credit and IGA interventions linked to training for conflict victims etc.).

-Moreover, joint monitoring visits regularly lead to novel innovative ideas on how to realize synergies etc. A related critical observation would be that not in all cases will even good ideas and suggestions result in specific changes, due to shortage of budget resources or idiosyncracies of project planning that don’t always allow for the degree of nimbleness required to immediately amend projects beyond a certain degree of flexibility. Normally, more drastic changes that require modifications in the allocation and/or RRF can be introduced through annual planning or at the stage of a mid-term review.

*Q9. How were changes in project plans communicated to beneficiaries and stakeholders?*

-As mentioned above, adaptive responses to identified issues or bottlenecks requiring a programme adjustment (introduction of code of conduct, guidelines, revision of criteria etc.) was smoothly introduced and/or disseminated through the existing communication strategy. In fact, on a related note, the high number of communication tools and modalities is a reason for concern in the sense that sometimes there is even risk of “overkill” through the abundance of messages which obviously also encapsulates the inherent risk of disseminating (slightly) different message contents due to differences in interpretation unless exactly the same wording of messages is used.

*Q10. Did the project work around/reduce identified dividers and strengthen connectors? How didit accomplish this?*

-While the main focus of the A2J activities is on the marginalized and vulnerable including women, dalits, the disables, minorities, indigenous populations etc., the first JP Outcome area in particular will benefit the entire populationregardless of their socio-economic, cultural or gender background, since it focuses on general supplyof quality services by and through the JS. Even JP Outcomes 2 and 3 are not exclusively focussing on the above-mentioned groups. For instance, the interventions of the participating Dalit NGO responsible for activities to strengthen the referral network system, while certainly focussing on providing better access to justice to dalits and female victim of violence etc. are not exclusively benefitting the afore-mentioned groups, but the population in general.

-Some (potential) beneficiaries under the third JP Outcome area (justice for victims of crime, conflict-related human rights violations) decried the slow progress if not stalemate in terms of transitional justice or the lack of integration of the Women’s and Childrens’ Office in the programme’s activities. In the first case, the chances for TJ concerns to be effectively addressed were increased by moving this particular component outside the JP’s remit, to the SRSG’s post-Mission portfolio. In the case of the Women’s and Children’s Office, a potential divider was that UNDP’s attempts to bring UNICEF on board the JP had failed. Rather than getting discouraged by this reticence on the part of the sister agency, the JP PUNOs forged ahead and implicated the Women’s and Children’s Office in its activities (the In-Camera Hearing guidelines training sessions), in the interest of the overall effectiveness of the JP but thereby potentially also building bridges for a future collaborative effort involving UNICEF.

-Furthermore, in terms of potential dividers at the organizational level, while the original ProDoc had been designed by UNDP, UN Women joined the programme platform as equal partner and took on specific components related to its core mandate. As mentioned above, it is certainly hoped that in the future, the JP’s proactive stance vis-à-vis involving the Women’s and Children’s Office even without UNICEF will not have any negative effects on inter-agency relations or the JP but to the contrary, allow for future increased levels of collaboration and synergies for the benefit of any follow-up activities building on the JP’s (pilot) experiences in the interest of (future generations of) beneficiaries on a national scale.

-From the outset, the logic of the JP design had been to upscale the service packages to a larger, potentially nation-wide level if the piloted approaches were to prove successful. Since this is pretty much the case across the board, the evaluation can recommend a scale-up which might allow the entire nation to get a chance to benefit from the tested services and the strengthened capacity of the JS.

*Q11. Were there any unintended negative consequences of the project implementation?&Q12. Did the project create any divisions in the community, between social groups or other projectbeneficiaries or stakeholders?*

-Cf. above the second answer to Q10.

*Q13. What was the balance of cost and benefits to participants (including potential negativeimpact)?*

-The evaluation team could not identify any potential negative impact on participants among the JP beneficiaries. (Regarding any specific negative impacts for the JP stakeholders, cf. the answer to Q10.)

*Q14. Did the project affect power relations in the community and, if so, what specificstrategies/actions were used to address these?& Q15. Did the project seek to empower specific vulnerable groups?*

-The purpose of the JP is to re-balance unequal power relations in addressing the needs of the disenfranchised, marginalized, vulnerable and conflict-affected victims (mostly, but not exclusively, female victims of S/GBV) in terms of equitable access to equal and egalitarian justice.

-Hence, it is hoped that power relations have indeed been, and will further be, affected in the hoped-for sense. Whether indeed this has been the case in reality can only be surmised by the evaluation. Had it been possible to travel to the field an answer to this question might have been more straightforward. Given the absence of direct beneficiary interviews at the field level, the mission can only deduce and extrapolate that over the coming years, at least the pool of legal experts benefitting from the various study and professional training-related support mechanisms/interventions will most likely strengthen the representation and thus, influence of the targeted groups within the legal community as well as within the nation’s community of the Nepalese people.

-Should some of the trained lawyers and legal experts actually return to their communities or districts of origin to practice law at court, through their own legal practice as attorney/barrister, as paid lawyer, DLAC staff etc., whether specifically targeting their respective community of origin or not, there will most definitely be a positive impact in further strengthening justice for all in many respects (in terms of supply catering to the need, an increase in the demand since the presence of one of their own as legal expert might trigger an increase in grievances being put forward and submitted to the JS, the role model effect encouraging other youngsters to embrace a professional career in the JS since they see that it can be done etc.).

*Q16. How did the project help forge new partnerships between actors not previously workingtogether? How did the project help forge greater understanding about the concerns ofdifferent community members?*

-Specifically the innovative modalities and mechanisms used and introduced by the JP, in combination with training and sensitization activities targeting judges, legal support staff, police officers etc. resulted in promoting the agenda of human rights esp. in favour of communities and categories of victims that previously and traditionally did not enjoy equitable access to justice; in particular, Dalit and other discriminated against socio-economic, religious or cultural strata, ethnic minorities and female victims of S/GBV. For instance, there is one anecdotal success story of a particular judge who following the gender sensitivity training immediately applied the learned principles to a case that he was trying. In another district, training participants became the champions of the minority rights agenda.

*Q17. How were beneficiaries selected? If some were excluded, why? How were these decisionscommunicated to the affected actors?*

-Individual beneficiaries of interventions specifically targeting vulnerable groups and/or individuals were selected in line with the pre-defined target criteria. In the case of the scholarship and internship awards, given the limited number of beneficiary slots for scholarships etc., a very small number of sample beneficiaries could only be selected. The reason here was the lack of resources given the limited pilot design.

-It is assumed that those applicants whose bids needed to be turned down were always informed of these particular circumstances. The mid-term review recommended to be pro-active in sharing information about the selection of beneficiaries to mitigate frustration about “unfair affirmative action”.

*Q18. How were implementing partners and service providers selected? If some were excluded,why? How were these decisions communicated to the affected actors?*

-The implementing partners on the institutional side were selected based on their position within the justice sector and their systemic role and function.

-Service-providing IPs entrusted with implementing and testing innovative mechanisms and platforms such as the SLAC, the referral network and victim support fora etc. were selected based on competitive bidding and thus, their comparative advantage(s), willingness to get involved and perform, as well as their financial expectations. In total, this allowed to establish the value for money that could be expected through specific local NGOs signalling their interest in providing services in being part of the JP implementation and testing structure.

*Q19. Were any changes made in the project regarding approach, partnerships, beneficiaries etc.suggested by project mid-point assessment, context/risk analysis? Did it affect projectresult(s)?*

-The mid-term assessment led to the insight that efforts to involve the Prime Minister’s Office should be pursued since this might yield additional benefits in terms of sensitization and strategic weight of promoting equal rights and equal access to justice etc., in particular with regard to promoting the S/GBV agenda.

-The assessment also recommended the review and adjustments of the scholarship programs design to address operational challenges in supporting the demand side of the JS (and the JP).

-The mid-term assessment also resulted in a set of recommendations of how to improve the JP’s conflict sensitivity that were subsequently implemented.

-Moreover, the mid-term review suggested that the understanding of the theory of change among staff, IPs and beneficiaries should be further strengthened through information, consultations and collaboration on intervention planning and design as well as impact monitoring.

-It was also suggested to further increase the already strong national ownership of the JP through “impact-focused and value-adding discussions and decisions” with the IPs.

-Likewise, it was recommended to build stronger relationships at the local level to mitigate risks of potential political instability stemming from the constitution drafting process.

-In particular for activities meant to specifically benefit women and vulnerable groups, direct interactions between field-based staff and staff dedicated to gender and social inclusion issues were encouraged.

-Finally, it was recommended to properly and continuously disaggregate data, across the board.

-The above recommendations were largely implemented with a likely quite significant positive effect on the overall performance of the JP which it would otherwise not have been able to achieve.

*Q20. What was the composition (gender, social groups, etc.) of project staff and does it reflect thediversity of project stakeholders?*

-Overall, the gender ratio among project staff was 75% male vs. 25% female, which leaves room for improvement but probably also reflects the assumed even stronger gender bias among the national talent pool of professionals available for hiring. (N.B.: DAG are refer to Dalit, Janajati, Madhesis and other marginalized groups.)Among personnel staffing the Information Desk, 75% were male and 25% female 25%, with DAG representing 40 %, which is likely attributable to the same reasons.

-Overall, individuals belonging to the DAG category filled 45% of ROLHR staff positions, with 40% of central level project staff having a background of belonging to underrepresented groups. This is an impressive figure in view of the still overwhelming dominance of Newar, Bahun and Chhetri in the court system (91% in 1999 which is likely to havesomewhat decreased below 90% in the meantime, but not too much).

-ROLHR central level project staff consists of 70%males and 30% females, which arguably might qualify as a success in view of the more equal gender ratio than at the overall project level.

-The gender bias among SLAC staff was worse than at overall JP level in that the male proportion reached 79%, with females claiming 21% of the positions. This might be attributable to the urban-rural divide which results in a higher number of qualified females at central, urban level as opposed to the rural level. While the project level staff draws from the urban talent pool, the SLACs only exist in the remote rural areas where the availability of qualified females is far lower and which is unlikely to attract qualified female candidates from the Capital. Likewise, qualified candidates from the regions will likely prefer working in Kathmandu which further reduces the recruitment base for filling available SLAC positions with (highly) qualified female candidates. However, in terms of DAG representation, 50% of the staff represented marginalized groups.

*21. What were the capacities for conflict, gender and inclusion of the project staff and what was*

*done to enhance these skills?*

-Judging from the interactions the evaluation team had with project staff including regular UNDP field monitoring staff that are supporting the project implementation monitoring as part of their overall duties, the quality of the local staff is quite excellent. Staff display a high degree of professionalism, engagement and personal involvement in the project’s activities and general thrust.

-Those individuals appointed who meet criteria of inclusivenesshave a high reputation in the legal field and are ranked as among the best in their respective areas of expertise.

-Among the IPs, the selected NGOs have demonstrated capacity in their assigned areas of intervention as proven through their respective track record ofprevious responsibilities in project management.

-In terms of skills upgrading, training sessions on specific technical areas were carried out. For instance, the JP’s inception workshopprovided a specific orientation session on gender and social inclusion issues and on UNDP’s diversity policy to incoming staff and as a refresher to previous UNDP contract holders.

-A noteworthy example and arguably even success story in terms of IP capacity building is the South-South exchange that allowed Nepalese experts to be trained in South Africa’s In-camera hearing bench model through a bilateral study visit arrangement.

*22. Did project staff job descriptions include criteria for conflict, gender and inclusion sensitivity*

*and was staff performance assessed in regards to these?*

-Under its "Corporate Competencies" section, project staff job descriptions included related staff selection criteria such as the need to consistently displaystrong sensitivity regarding culture, gender, religion, race, nationality and age, and related adaptability; and absence of bias.

-It is worthwhile stressing that there was a dedicated GESI specialist focal person among the ROLHR staff organigramme. Gender assessments were prepared and GESI was a separate part of the JP standard monitoring and reporting template, reflecting the GESI-friendly disposition of the JP’s monitoring and evaluation framework that had numerous pertinent results and related indicators and targets.

-Staff performance was assessed against GESI criteria.

*23. Did the project assess (and, when necessary, improve) the conflict, gender and inclusionsensitivity capacities of its implementing partners and service providers?*

-IPs were selected through a competitive process in that the terms of reference and the review of project proposals received were screened against general and specific GESI criteria, the latter being in line with specific project requirements as identified via the needs assessments and mapping exercises carried out during the project design stage.

*24. How were implementing partners and service providers held to account for equitable andsensitive delivery of services / benefits?*

-The Project monitored the fulfilment of GESI criteria on a routine bases through its implementation and progress delivery monitoring and reporting procedures and mechanisms.

-GESI criteria were systematically mainstreamed across activities and their respective performance indicators and targets. Some activities had gender and social inclusion principles and guidelines directly incorporated, through check lists, training manuals, resource and reference materials, sensitization content etc.

-Finally, other than project staff, implement partners also received a thorough introduction to GESI principles and their practical application during the JP Inception Workshop which was held in July 2013.

*25. Was all project data and information disaggregated by gender and social groups?*

-While the RRF’s results statements, indicators and targets were by and large GESI-adequate and disaggregated, the actual data (e.g. the 2nd proxy indicator at impact level; under Outcome 3, the number of victims etc.) was not always up to GESI standards.

-The SLAC supported cases are mentioned with data disaggregated by gender and social group/ethnicity. The project kept track of SLAC district-level updates on disaggregated beneficiary or client data. Similarly, the quarterly and annual reports contain a specific section on GESI that contains disaggregated GESI information in summary form.

-In general, the evaluation team is not convinced that lumping gender and social inclusion together is the best approach in terms of M&E best practice. A target or reporting figure of x women and members of vulnerable groups can consist of a whole lot of different constellations. For instance, a target against a lumped indicators might be reached while not including a single woman. Conversely, it might also be achieved by targeting only women, many or even all of whom might actually not belong to disadvantaged groups. Hence, a need is felt to be more specific in terms of defining targets and in collecting and reporting detailed data: i.e., number of women by socio-cultural background; gender disaggregation of disadvantaged/marginalized ethnic groups and even proper disaggregation of other vulnerable groups (mute and deaf etc.). For all these different groups have specific needs and characteristics and only finely disaggregated monitoring will allow to keep track of trends and changes as opposed to mere oscillations which unspecific monitoring won’t be able to distinguish. After all, the point of monitoring developments against such indicators is to measure changes and detect any issues that might require programme adjustments and other related management responses.

*26. Did project reports systematically identify gender and inclusion gaps, successes and lessonslearned? – Where the project assessed these in their mid-term assessments, an evaluation of the extent to which the project was able to respond to issues that came up half way through project implementation and address them through management responses in the final months of project implementation should be conducted.*

-Some weaknesses were identified as to reporting on gender and inclusiveness which largely stem from inconsistencies as to the degree of data disaggregation in the data management value chain. At the central coordination level, ROLHR managers and analysts need to work with data collected and prepared for aggregate analysis by the IPs. This means that they cannot be held responsible for any such lack in data disaggregation provided they did persistently remind IPs to eradicate gender, age and general DAG blindness. IPs claimed that they had enhanced their related M&E capabilities and the quality of their reporting but in some cases admitted that there was still room for improvement, pointing out skills deficits at the ground level where actual data is collected and produced in the statistical/data management sense.

-The mid-term as assessment specifically honed in on the need to address related concerns in the selection process leading to the distribution of scholarships under the related intervention. It can be confirmed that the recommendation to rectify this issue was successfully implemented proving the value of the mid-term review.

-Other issues mentioned during the mid-term review related to much broader and thus also vaguer notions such as “more should be done to engage specifically with women and vulnerable groups in relation to activities that are intended to benefit them directly, including direct interactions between field-based staff and staff dedicated to gender and social inclusion issues”, “more efforts have to be put into addressing operational challenges and supporting the demand side of the justice system” and efforts to “increase the understanding of the content of the theory of change amongst the project staff”.This would have been difficult to assess even had the recommendations been much more specific and action-oriented. Specifically for the first two items, the fact that the mission could not assess the project at field level in the districts negatively affected the evaluation team’s ability to look into this issue.

-In the section on findings and recommendations related to the JP’s strategic contribution to peace-building, the mid-term assessment concluded that while “national ownership (...) is strong (it) should translate into more effective participation of implementing partners, which must be ensured through more impact-focused and value-adding discussions and decisions”. It is not possible to derive from this statement whether all or some of the NGOs or governmental JS institutions among the IPs, or both, were criticized, here. However, from the interactions the evaluation has had with the NGOs among the IPs, it is difficult to imagine implementing partners that are more involved and more genuinely co-owning a programme.

-As a case in point, one of the NGOs (WVAF) focussing on S/GBV support mechanisms such as help desks and victim support fora under JP Outcome 3 was involved in setting up and running multi-pronged confidence building measures for S/GBV victims through DLACs, an issue they had identified as a weakness and blind spot of regular DLAC activities. The fact that WVAF covered the financial gap between JP funds available and the needed amounts to ensure operational functionality of five legal help desks at district level bears testimony to their degree of involvement and resolution in the face of “impact-focused and value-adding decisions”. Similar anecdotes were shared by the other NGOs.

-UN Women brought two amendments to the project activities it was responsible for in order to enhance gender and social inclusiveness.

**4.1.3 National Mechanisms and Priorities**

*28. Relevance, including complementarity and added value for national efforts to consolidate peace and to national strategies or initiatives.*

-The RoHLR was a supplementary project to support the Judiciary’s second Strategic Plan. The reform of the judiciary was direly neededand the Strategic Planprovided the necessary platform for the UN to get involved. Root causes of the conflict were also lack of access to justice compounded by other factors such as a strong gender and caste bias in favour of men and upper castes, respectively, across all the justice sector institutions including the Police, Government attorneys, courts and so on. Hence, this Project has helped to reform the judiciary and the entire justice sector, as a whole. In doing so, it added tremendous value to the national efforts as laid out in the national JS strategic plan which is considered as among one of the most successful and most relevant government initiatives.

-Especially through the scholarship and other related skills-building support schemes (internships, exam preparation etc.), the JP has likely sown the seeds to a harvest of many legal experts with a GESI background, for many future generations to come; provided the scholarship program is not only continued but scaled up well beyond the very small yearly intake it currently has. In 1999, 80% of government positions and more than 90% of JS positions were controlled by the “élite” castes representing around 20% of the total population, while there were zero dalits(whose demographic weight is around 40% of the population) among court staff(see online resource <http://questgarden.com/119/86/3/110316130904/>). It were these same patterns of inequality that led to the Maoist rebels’ uprising. If upscaled and continued, there is bound to be a transformative effect to the jurisdiction and thus body of legal decisions to be referenced since on a yearly basis scores of GESI lawyers will keep joining the ranks of the judiciary thus slowly tipping the scales in favour of GESI and DAG representation and related sensitivity. If this momentum could be sustained over several decades, the general culture of jurisprudence and the atmospherical character of courthouses country-wide will undergo a lasting sea change in terms of inclusiveness, representativeness and perceived popular accessibility,

*29. Sustainability, assessing in particular the project exit strategy.*

-After completion of the project and its activities many of the JP’s initiatives will remain an integral part of the justice sector system, such as providing GESI-oriented scholarships and academic support schemes to bolster the inclusiveness of the JS staff and talent pool.

-Trainings and other capacity building interventions such as study visits (South Africa, US)that took place under the umbrella of the JP will continue to positively affect the justice sector in that they triggered systemic changes and heightened quality standards through up-lifting JS competencies and capacities.

-This evaluation marks the end point of the ROLHR’s UNPFN-funded component. However, the ROLHR cycle will continue for several years to come, and it is intended to upscale the interventions that worked successfully and further complement and expand the activities’ scope whenever applicable. Hence, while it is correct to say that the JP is coming to an end, its content is not. To the contrary, the successful activities will now need to be upscaled to the entire nation under the auspices of the ROLHR which has been the overarching programme anchor of the UNPFN JP, all along. Hence, one cannot really talk of a phase-out and a genuine test of the exit strategy since effectively, while the funding mechanism is being phased out, the programme supported through the UN’s ROLHR programme platform will now effectively be upgraded.

*30. Ownership of results (which could be reflected in the upscaling of project results, and/orsecuring of further resources or continuation of activities in any other forms).*

-Another important related evidence is the upscaling of SLACs in the five PFN project districts to another five ROLHR districts outside the PFN remit. For this to happen, non-PFN ROLHR funding was used increasing the total number of SLACs to ten.

-Another example of project appropriation is that the Supreme Court has already decided to continue with selected activities of the JP during the remaining years of the ROLHR programme.

*31. Whether the project had identified the right partnerships needed to achieve the intendedpeacebuilding impact.*

-The project is built around the partnership with the MoLJ, NBA, AG Office and Judiciary including its wings. However, it appears that the NBA and OAG entertain grievances that most resources and opportunitieswere directed towards the judiciary. As a consequence, their inter-institutional relations soured and recently reachedrock-bottom. Recently, the NBA appears to have submitted a correspondence in which it announced its intention to discontinue its engagement to withdraw from the project, however, following the RoHLR management’s intervention the announcement seems to have been stalled for the time being. The management of the RoHLR would be well advised to reach out to the concerned parties to try to settle the matter, for good.

-IPs were selected in consultation with relevant JS institutional stakeholders to identify the most suitable entities to achieve the intended results while addressing target beneficiary groups’ needs.

*32. Analysis of the UN comparative advantage to implement the project.*

The following observations apply to both the UNPFN component of the ROLHR as well as ROLHR as a whole:

-The Supreme Court as leading institution in Nepal’s justice sector had taken the necessary measures preparing justice sector reform through its Second Strategic Plan which served as guiding platform for the JP. The SC alone, however, would never have been able to design and manage a comparablycomplexand ambitious project in the justice and rule of law sector on its own. The involvement of the UN as neutral party to develop the project and implement it together with justice sector institutions and national NGOs as civil society representatives made it possible to tackle the immense challenge of reforming the justice sector. If any single donor country had attempted to implement the same project, its neutrality would have been questioned, potentially undermining its success and impact.

-Through its leading role in driving the agenda of promoting normative values (human rights, gender equality, fight against discrimination etc.) as well as its key international role in carrying out large and complex peace-building missions, the UN had a clear comparative advantage vis-à-vis other international organizations that might have been in a position and willing to engage in the full-scale justice sector reform of Nepal.

-The UN has a broad and deep international experience in the field of democratic governance including justice sector reform and peace-building initiatives in a comparable context. Hence, in the design and implementation of the JP, the PUNOs could draw on a vast body of evidence of lessons learned and best practices from implementing similar projects around the globe.

-Last but not least, beneficial south-south exchange and learning contacts such as to the South African In-Camera Hearing Bench specialists were facilitated thanks to the UN’s related connections.

**4.2 Standard evaluation criteria**

**4.2.1 Relevance**

*To what degree was the Project justified and appropriate within the national environment and development priorities?*

-The relevance of the JP was very high given Nepal’s on-going peacebuilding process and the post-conflict context with its dire need to re-establish the citizens’ trust into State institutions and the impartiality and accessibility of the Justice Sector, for all. In that respect, transitional justice, redress of S/GBV and the establishment of functioning justice sector institutions on the supply side along with support to the demand side (access-to-justice promoted, public knowledge about rights and entitlements increased etc.) met crucial needs that also directly contributed to peace consolidation and social cohesion.

-The delays with regard to the official TJ agenda of the State notwithstanding, the JP’s relevance in this regard cannot be over-estimated since, in many ways, through its direct and indirect effects on social cohesion and rule-of-law at district and community level it had a foundational character beyond the immediate effect of empowering the capacity of the justice machinery in getting it running (again) in a better way than before the conflict. It must be noted that even in the absence of a conflict which was not least (partially) triggered because of injustices in the legal sector and before the courts of law, addressing these deficiencies and lacunae was long overdue.

-There is reason to believe that, had the justice sector reform of which the JP is an integral part if not the driving force, been carried out a long time before, the likelihood of an armed conflict would have been significantly reduced. On the other hand, the advent of the JS reform clearly is an effect of the CPA and one can speculate whether without the events that led to it such a reform would have been likely anytime soon.

*Were the objectives of the Project and its design appropriate at the time the Project was initiated, and did they remain so throughout the project implementation period?*

-The above statements come with the proviso that for the introduction of innovative A2J mechanisms, the scope of the JP was deliberately limited in concentrating on (some of the) worst-affected districts in remote, previously severely conflict-affected areas of Nepal. In this respect, it was a pilot that was not only of high relevance content-wise, but even numerically in the sense that it addressed a relevant proportion of the worst-affected communities. Hence, there is a combined logic of addressing grievances within the worst “hot spots”, first, while at the same time pilot testing innovative modalities to then upscale the model at national level, all of which are highly relevant dimensions of the JP design.

-While the victim support programmes (help desks, victim support fora etc.) providing legal aid to psycho-social counselling, forensics services and assistance in pressing charges and advocate support once cases have been taken to court, the relevance of overall services provided in terms of gender justice clearly goes beyond the peacebuilding agenda: The JP supported the introduction and promotion of general issues of gender equality and democratic governance (to paraphrase one of the basic precepts of human rights: all citizens are equal before the law and have the same rights and obligations, regardless of caste, gender, socio-cultural background etc.) in Nepal, which are supposed to be henceforth upheld and further expanded in its wake.

-The JP, as integral part of the government’s JS reform agenda as enshrined in the Second Five Year Strategic Plan of the Nepal Judiciary (2009/2010-2013/2014), was aligned with the Nepal Peace and Development Strategy, the National Action Plan for the Implementation of UNSCR 1325 and 1820, and the Strategic Plan for Nepal’s National Human Rights Commission (2011-2014). Furthermore, as a result of the JP’s mid-term review in early 2014, JP management committed to seek alignment with the strategies of the National Dalit Commission (NDC), the National Women’s Commission (NWC), the Guidelines for the Nepal Peace Trust Fund (NPTF) and the CPA.

*Did the scope and funding of the activities match the expected results?*

-The specifically earmarked GESI budget was 29% of the total project budget. While at first sight this is quite a high percentage, on second thought it might be deemed insufficient to properly address all GESI-relatedoutputs and activities.

-If the logic of pilot testing innovative modalities at a reduced scale is advanced the JP was definitely not under-funded. However, some IPs commented that the specific activities that they had been entrusted with stopped short in scope and funding of existing needs. While from the pilot perspective this could be defended, in terms of a stringent ethically oriented “do no harm” approach the risk of not following through with a tested modality that proved successful and/or not addressing all the existing demand might lead to negative consequences of (additional) frustration or complaints. For instance, WVAF argued that the discontinuation of the five help desks it established and ran at district level between November 2013 and, following a brief extension, December 2014, resulted in quite some dissatisfaction among local stakeholders including local government/JS institutions and the population. According to WVAF, the help desks should become a perennial feature and be supported through ROLHR until the end of its programme cycle before phase-out and hand-over to the government and/or NGOs.

-NNDSWO made the point that it had identified a slight strategic overstretch in the JP design. They argued that it might have been better to focus on a mere 2-3 pilot districts rather than five to ensure that the desired impact could be achieved and ensure “do no harm” (cf. above) principles could be guaranteed. Likewise, more money could have been invested into applied research and testing out synergies between the various A2J modalities rather than testing them in different locations with the same districts which would also (have) reduce(d) reducing the influence of contextual variables.

-In further reflecting on the point above, while all five selected districts were highly conflict-affected and among the worst in terms of socio-economic development, there were geographical (hills vs. plains: Dailekh & Dadeldhura are hilly; Surkhet presents a mix of hills and plains; the others are in the plain) and possibly related slight socio-economic differences in the pilot districts. If indeed the similarities between the districts outweigh their differences then the reasons for relative success or failure of specific intervention modalities within these districts should present a homogeneous pattern.

-However, in the case of apparent differences in the effectiveness, the specificities of the selected districts could now be looked at more closely, after the fact, possibly through commissioning specific in-depth (evaluation-oriented) research studies.For instance, NNDSWO were wondering about the reasons why in Kailali district the coordination between JS actors was apparently much better than in the other districts; and this even though it had a substantially higher number of projects and JS actors (NGOs), already (can it be attributed to the personal engagement of government/JS staff in the region and/or the NGO staff, there; combined with the geographical factor? etc.).

-In the case of the activities addressing informal justice institutions the IP and JP management agreed that establishing a formal referral network would not be possible in the very short timeframe remaining available under the JP (at that point, less than a year), in view of the time required for the requisite prior amendment of laws and the limiting funds (USD 25,000 for five districts, i.e. USD 5,000 per district).Hence, it was agreed to test the set-up of an informal network; incl. mediation/arbitration.—Apart from showing the flexibility of the JP stakeholders in creatively adjusting the scope and implementation strategy of specific activities, this point begs the question why the budget for this item was so small, esp. in light of the absolute under-expenditure of the JP vis-à-vis available funds (cf. further below the related discussion under the dedicated section on “efficiency”).

*Was the design of the results chains grounded in a robust root cause analysis and a related solid theory of change?*

-There was a detailed problem analysis that qualifies as de facto root cause analysis covering the major issue the JP was to address, namely a widespread overall lack of confidence in the justice system in Nepal.

-The theory of change is inherently present in the dedicated paragraphs (“Where Nepal is now”; “Where Nepal could go”, “How we propose to get there”) on page 11 of the ProDoc. Thus, it caneasily be pieced together by reading the relevant paragraphs. However, it is not presented in coherent “if ... then” statements that would explicitly link the various sub-goals and strategies that are supposed to bring about the implicitly desired ultimate result (that could be formulated as “confidence in the justice system (re)established thus fostering confidence in State institutions and the Government”).

-In this particular case, the JP’s architecture would quite probably not have looked any different had the standard way of formulating a theory of change been observed. Nevertheless, it must be mentioned that the safest way to minimize the risk of design flaws stemming frommissing links, gaps or misperceptions in the proposed results chain is to rigidly follow a purist approach to ToC formulation. Hence, next time around the standard formulation and presentation of the theory of change should be followed.

*Did the design of the outcomes match the thematic substance as mirrored by the ProDoc?*

-The JP outcomes’ design (1. “Improved efficiency of courts and increased delivery of judicial services to women and the vulnerable”, 2. “Women and vulnerable groups have better access to legal aid services”, 3. “Criminal Justice System is more responsive to conflict victims and female victims/survivors of GBV”) is in line with the ProDoc’s thematic substance; the UNPFN Funding Round’s SO2: “Citizensconfidence in the judiciary and criminal system has increased as a result of these institutions becoming more capable, accountable and responsive to Nepal’s divese society“; as well as with the broader ROLHR’s higher-level goals, viz. UNDAF Outcome 4 which reads: ‘vulnerable groups benefit from strengthened legal and policy frameworks and have improved access to security and rule of law institutions’.

-This being said, it must be noted that the third substantive area mentioned in the ProDoc, (TJ and Human Rights) while being covered at the output level, is not exhaustively reflected at the Outcome statement level. The third outcome is a blend of A2J and human rights/TJ elements, whereas the first two outcomes fully correspond to the thematic substance mirrored by the ProDoc (viz., 1/Administration of Justice and2/A2J).

-Even with regard to the UNPBF PMP Result 1 (“Security sector reform and judiciary systems put in place and providing services that reinforce rule of law”) there is a fit. The one critique that is also mentioned in the mid-term review is that in all these cases, while there is indeed a fit, the fit is not always the tightest, but somewhat loose. This is due to the fact that all these high-level outcomes and goals refer to the national level, whereas other than the supply-side centered Outcome 1 (promoting coordination & capacity of the JS) which is pitched at a systemic and thus all-encompassing national level covering also but not exclusively A2J, the demand-side A2J-centered Outcomes 2 and 3 were only tested out at sub-national level in 5 sample districts.

-Provided that the tested components get scaled up, there will be a much tighter fit but for the period of the JP and the Outcomes can be recycled as is for the potential follow-up ROLHR programme/project components. However, with hindsight, for the actual JP’s results framework it would have been much more judicious to add “in the JP pilot districts” at the end of Outcome 2 & 3’s result statements.

*Has the Project contributed towards the realization of rights of targeted beneficiaries?*

-If this question was to be analyzed in view of the general Outcome statements 2 & 3, then the answer would need to be negative since the scope of the JP was a pilot in heavily affected (post-)conflict areas and even within these districts, by far not all individuals in need could be served due to the limits in time and funding, and thus reduced coverage. If the answer is to be provided with regards to the specific target set in the results framework, then it must be overwhelmingly positive since all but a few of the indicators were reached and often even exceeded.

*Analysis of risk-taking, risk mitigation and innovative approaches*

-Key risks identified by project management comprised, inter alia, political instability, a prolonged transition period, transfer of government officials; that delays in starting the JP implementation and esp. delays in establishing the TJ mechanism would have negative effects on the trust and confidence the public would be willing to invest in a. the JP, b. the overall JS reform process and c. the justice sector as a whole.

-The mid-term review lists as additional risk factors: a. potential dissatisfaction with the constitution making process and the local elections causing political instability and consequent implementation delay; b. delays and uncertainty caused by the discussion and design processabout various models of federalism that could substantially impact different components of the justice system, for example court jurisdiction.

-To mitigate the identified risks, Project management resolved to build stronger relations with stakeholders at the local level, so that work could continue there even if central level stakeholders would not be able to actively engage. While overall this approach was successful, it was not fruitful in the case of JP Outcome 3-related activities related to TJ that ultimately depended on higher-level decision-making on TJ.Documenting TJ cases is but an initial step in seeking justice. Clearly, the delays in the TJ agenda are an issue that the JP cannot be held responsible for. Short of not doing anything to prepare cases under the TJ regime there is not much that could have been done to mitigate related risks.

-The potential negative effects of what has been done so far are likely outweighed by the positive effects, namely showing to victims that they are not forgotten, even if so far only preparatory initial steps could be undertaken (collecting proof, testimonies, preparing case files) and no official closure could be provided. Since traditional justice will in many if not most cases not result in punishment of the (often anonymous) perpetrators what counts most here is psychological closure. Arguably, this has already been provided at least partially to the 571 (including 45 S/GBV) conflict victims for whom WVAF established case profiles including a supporting body of evidence of 30,000 documents.

-While project features such as legal help desks, mobile courts, JSCCs, court information desks, scholarships and internships, psychological and legal support for S/GBV survivors, post-conflict legal support for conflict victims,legal counsel and representation for indigents, in-camera hearing etc. are not as such innovative access-to-justice mechanisms at the global scale, they certainly are in Nepal, esp. in the sense that they were delivered jointly and as an integrated package.

-However, there is one part that is truly innovative, which is the establishment of socio-legal aid centers, which mirrors the unique character of Nepal’s society. India, as a country with similar characteristics in terms of socio-cultural composition and concepts as well as a history of Maoist rebels (“Naxalites”) with a marginalized group background, also has legal aid support in place for low-caste groups (Dalits, Adivasis) as well as former rebels and their family members. In India, however, those legal aid schemes are provided by NGOs, whereas in Nepal the SLACs are a modality under the official DLACs, which marks a significant difference that sets Nepal clearly apart from India in a positive sense.

-Risks of creating expectations at the micro-level (in pilot districts) that the IPs/the JP would not be able to consistently meet due to lack of funds and limited testing periods were not properly realized.

**4.2.2 Effectiveness/Early impact**

*To what degree have improvements been made in the policies, guidelines, proceduresand development of physical infrastructure through the project inputs and activities?*

-The focus of the JP was on developing capacity at the upstream systemic level (policies, mechanisms) and the interface between institutional and organizational capacity and staff capability (guidelines, standard operating procedures).

-A sample of improvements or rather, first-ever realizations since there weren’t any before, were accomplished at output, including but not limited to: 5 victim support fora established; 2 trainings on UNSCR 1325 carried out covering 10 districts; 10 local action plans established (5 in PFN and 5 in non-PFN ROLHR districts); in-camera IEC materials developed; ToT carried out for court officials, district lawyers, prosecutors, police, defense lawyers in 4 locations; SOPs drafted for paid lawyers; scholarships provided to 20 recipients (12 women and 8 men); 45 S/GBV cases referred to DLPC; 571 conflict victim profiles established; operational guidelines finalized for the SLAC mechanism; mobile clinics organized etc.

*How and to what degree has the project contributed to improving the access to justice ofwomen and vulnerable?*

-The project has contributed to improving access to justice for women and the vulnerable through a number of systemic capacity building activities and interventions that introduced modalities such as the SLAC, legal help desks, sensitization campaigns informing about legal rights and entitlements, legal support and counsel to S/GBV survivors, scholarships/internships/study support for DAG law students etc.

-The project was designed as a pilot for testing and future scale-up of successful modalities. While the overall absolute figures are but a fraction of the national pool of (potential) future beneficiaries the project has contributed in manifold ways to providing access to justice to a pilot cohort of target group beneficiaries. It is expected that the project will serve as stepping stone for (tens of) thousands of beneficiaries in the future.

-Detailed relevant information on how and to what degree GESI support was provided can be found below in the discussion of the results framework and the dedicated chapter on GESI achievements.

*How successful has the socio-legal aid center been in providing legal aid to the poor and vulnerable?*

-The socio-legal aid centers (together with other legal aid/access-to-justice activities) registered a resounding success in the pilot districts. For instance, while the target for the first performance indicator of the Outcome related to enhanced access to legal aid services for women and vulnerable groups was a total of 500, the actual achievement until mid-2015 was a total of 3,012.

*What achievements have been made by ROLHR with the support of the Project in the transitional political environment?*

-The SLAC mechanism probably qualifies as candidate for the greatest success story of a specific intervention since it had proven so successful in its five JP pilot districts that is was replicated in an additional five ROLHR districts well before the end of the JP implementation cycle.

-Overall, the JP helped to foster the relationship between the UN (esp. UNDP as MA for the UNPFN and ROLHR), on the one hand; and JS institutions and thus, by extension, the Government, on the other. The one area where the least achievements were made seems to have been Transitional Justice, where the reasons for the slow progress cannot be attributed to the ROLHR but have to be ascribed to influences beyond the control of the UN.

*Assessing progress against set targets: To what degree have set targets been met against higher-level indicators (PMP)?*

-Below follows a discussion of the progress realized against PMP indicators; including a critique of the result framework’s indicator design, target formulation etc. which is directly inserted into the grid [in square brackets, in red bolded italic letters]right nextto/beneath the item criticized wherever applicable.

|  |
| --- |
| ***PBF Level*** |
| ***UNPBF PMP Result(s)***  | *Result:1: Security sector reform and judiciary systems put in place and providing services that reinforce rule of law* |
| ***UNPBF PMP Result Indicator(s)***  | **Baseline** | **Target** | **Progress (2015)** | **Discussion of Progress** |
| *Indicator: 1 Communities use justice systems to resolve conflicts without recourse to violence ensuring the protection of human rights of women and girls in particular* ***[This formulation is more appropriate for a result statement or a simple target (yes/no-type) rather than an indicator; a better formulation would be: “Extent to which communities make use of …” (w/o recourse to violence is not really needed from a logical point of view unless there is a tendency/history of resorting to violence during court proceedings or following a verdict that is not accepted)]*** | * *88 women and members of vulnerable groups received legal aid in five districts in 2013 (source District Legal Aid Committees)*
* *45% of court users representing women and vulnerable groups in five districts*

* *1,151 women and members of vulnerable communities who have benefitted from court services in five districts*
 | * *500 women and members of vulnerable groups received legal aid in five districts*

*(N.B.: same indicator under Project Outcome 2 with target 2,000 in half-year report January-June 2014)** *5% increase of court users representing women and vulnerable groups in five districts*

***[Ambiguously formulated since not absolutely clear if 5% increase relates to*** ***a. 5 percentage points (from 45% to 50%; or b. 5% of 45%]*** | * *By August 2015, 3,012 women and members of vulnerable groups had received legal aid in five districts*
* *Over 4,744 people (including 1,845 women, 914 Dalits, 1,628 Madheshis, 1252 Janajati and 950 others) benefitted from court services though court orientation desk in five districts*
 | Clear overachievement of the intended target *The Project Peacebuilding Impact indicator “% of women and members of vulnerable and poor communities in five districts who are satisfied with and have confidence in the prosecutor’s office” is assumed to be based on answers provided by people who have actually been to court; if this assumption is correct, then the related reporting figures (total 15.8%, 13.4% female and 18.7% male) can be used, here; yielding 45% female court users (in 2014)*  |
| ***UNPFN Strategic Outcome:*** | **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** |
| ***Project Peace-Building Impact:*** | **Enhanced legal services and access to justice for women and vulnerable communities in five districts** |
| **Impact Indicator(s)** | **Baseline** | **Target** | **Progress (2015)** | **Discussion of Progress** |
| 1. % of women and members of vulnerable communities in five districts who are satisfied with and have confidence in the courts(UNDAF 4.2)

***[Not clear if the data is collected among general population or exclusively actual court users and/or court visitors; need for clarification because the answers will be different and the various indicators have quite different meanings and implications]***1. % of women and members of vulnerable and poor communities in five districts who are satisfied with and have confidence in the prosecutor’s office (UNDAF 4.2)

***[Not clear if the data is collected among general population or exclusively actual court users and/or court visitors; need for clarification because the answers will be different and the various indicators have quite different meanings and implications]***1. % of women in five districts who, following sexual violence, feel confident to seek legal aid (UNDAF 4.3)

***[Due to probably massive under-reporting need to amend language to “who report sexual violence” (ideally also specify, where: at SLAC and/or Police?) in lieu of “following”]; besides: what about under-age girls that get violated? Better: women and girls (disaggregated?)*** | a. 33% of women and vulnerable groups satisfied with received court servicesb.1 10% of women and members of vulnerable and poor communities in five districts are satisfied with the prosecutor’s officeb.2 23% of women and members of vulnerable and poor communities in five districts have confidence in the prosecutor’s officec. 6% of women who, following sexual violence, feel confident to seek legal aid***[This baseline seems low in relation to b.2’s baseline, which is inter-related; specifically if one takes into account that there is significant under-reporting]*** | a. 45% of women and vulnerable groups satisfied with received court servicesb.115% of women and members of vulnerable and poor communities in five districts are satisfied with the prosecutor’s officeb.2 35% of women and members of vulnerable and poor communities in five districts have confidence in the prosecutor’s officec. 10% of women who, following sexual violence, feel confident to seek legal aid  | a. The “DRAFT August 2015” reporting framework states: “No data available (However, the perception of individuals who visit courts is found satisfactory)”b.1 15.8% (13.4% female & 18.7% male) of women and members of vulnerable and poor communities in five districts are satisfied with the prosecutor’s officeb.2 66% of people of five districts feel that prosecutors sincerely worked in their favor (proxy indicator) (Source: CeLRRD survey, 2014).c. 16% female response that legal aid service providers are responsive to their needs (Proxy indicator)(Source: CeLRRD survey, 2014). | Not clear how the perception of court visitors is measured and by whom, and what the definition of “court visitor” is. Suggested to simply state n.a. or else clearly specify unambiguous proxy indicator, if availableThe target has been met.This proxy indicator works fine, even though the universe of respondent’s for the proxy likely is a sub-set of the indicator’s total number of respondents.One can be confident here that the final target has not only been achieved but was exceeded, by farThis proxy indicator does not really work since sexual violation is very different from regular legal aid issues, unless one can readily assume that almost all women seeking legal aid do so on ground of sexual abuse or gender-based violence (S/GBV) |
| *What progress has been made towards achieving the Project outcomes and outputs?*-Below follows a discussion of the progress realized against project outcomes and selected outputs (those for which 2015 progress data was available); including a critique of the result framework’s outcome and output indicator design, target formulation etc.which is directly inserted [in square brackets, in red bolded italics] into the grid right next to/beneath the item criticized wherever applicable. |
| **OUTCOME 1:** | **Improved efficiency of courts and increased delivery of judicial services to the women and vulnerable** |
| **Outcome Indicator(s)** | **Baseline** | **Target** | **Progress (2015)** | **Discussion of Progress** |
| 1.1 # of women and members of vulnerable communities who have benefitted from court services in five districts (UNDAF 4.2.2)***[Need to clearly define what “benefit” means, here: # of cases, # of plaintiffs, other services?]**** 1. % of backlogged cases

decreased in district courts in five districts***[Correct language for indicator would be “Backlogged cases (in %); the desired change is expressed in the target (decrease); the actual change (increase/decrease) is then monitored”]*** * 1. National Judicial

Academy’s ‘Guide for Judges on Quality Court Decisions’ implemented effectively in five district***[Is there a standard definition of what “implementation” entails? Needed to be able to decide to what extent progress has been achieved.]*** | 1.1 151 women and members of vulnerable communities who have benefitted from court services in five districts***[over what kind of time span? In a year? Need to specify this or it cannot be measured!]***1.2 46.14% in five districts (source: court record)***[Does this refer to the previous calendar year, the last 12 months or the moment of collecting the baseline? Need to ensure that data provider has the same understanding or that the baseline is adjusted according to available data]***1.3 0 districts have implemented the Guide | 1.1 20% increase in number of women and members of vulnerable groups who have received court services1.2 33% of cases in district courts are backlogged***[DRAFT August 2015 document reads “decreased by 33%”, instead; which one is correct? If the 2nd version, what is meant: 46.14-33 or reduction by 33% of 46.14%?]**** 1. Guide implemented effectively

 in five districts***[Is there difference between “implemented” and “implemented effectively”? Is the term “effectively” needed or just potentially creating confusion?]*** | 1.1 1,495 women and members of the vulnerable groups benefitted from court services in the five project districts1.2 37% of cases in 5 District Courts are backlogged (i.e. decreased by 19.8% as compared to baseline)(Source: Court records)1.3...a. Implementation status of supreme court decision on public interest litigation published and disseminated. b. SOP on implementation of in-camera hearing developed; and organized orientation to judges and court officials (total=24). c. ToT on judicial outreach conducted for court officials (No.=23) & the resource materials on judicial outreach under preparation | 890% increase***[General comment about lumping women and members of vulnerable communities together: this might be acceptable for branding a target group but for proper monitoring there is need for gender disaggregation; simplest way would be not to bother with caste/status of women and just count sex (male vs. female), w. female count including females from vulnerable communities]***Target almost reached; still possibility of meeting final target by end of no-cost extensionIf the definition of “implementation” is adequately covered under the reported progress then the final target has been reached. |
| **OUTPUT:** | **1.1 Institutional measures are in place at national level and court-public relations enhanced at local level** |
| **Output Indicators** | **Baseline** | **Target** | **Progress (mid-2015)** | **Discussion of Progress** |
| a. Court-client orientation desks established and functioning in 5 districtsb. ‘In-camera’ hearing benches strengthened in 5 districtsc. In-camera hearing guideline and SOP revisedd. ‘Special OperationsGuideline (SOP)’ for Baitanik Wakil Lawyers developed at national level and implemented in five districtse. Training system for Court Paid Lawyers (Baitanik Wakil)developed and functional nationwidef. National Citizen Charter revised and disseminated in 5 districtsg. Refresher judgment execution ToT training conducted in five districts***[Change to: # of Officials trained in judgment execution ToT training conducted at district level]*** | a. 0 districtsb. 0 districtsc. 0 In-camera hearing guideline and 0 SOPs revisedd. 0 SOP for Court Paid Lawyer developed at national level and implemented in five districtse. 0 functional training system for Court Paid Lawyerf. Citizen Charter developed (2010)g. 0  | a. 5 Court-client orientation desks established and functioning b. 5 ‘In camera’ hearing benches are strengthened and fully in operation c. 1 revised In-camera hearing guideline and 1 SOP revisedd.1 SOP for Court Paid Lawyer developed at national level and implemented in five districts e. Training system developed f. National Citizen Charter revised and disseminated in 5 districtsg. 100 officials of the Judgment Execution Directorate have undergone ToT trainings in five districts | a. Established and functioning in 15 districtsb. SOP and Guideline on in-camera hearing developed and training provided to 96 JS actors of 13 districts; 1 district (Lalitpur) established the in-camera hearing benchesc. 1 revised In-camera hearing guideline and 1 SOP revisedd. 1 SOP for Court Paid Lawyer developed at national level and implemented in five districts e. Training system developed f. National Citizen Charter revised and disseminated in 5 districtsg. 100 officials of the Judgment Execution Directorate have undergone ToT trainings in five districts | Target exceeded by farPartner institutions indecisive about where to implement (decision on priority districts for establishing benches), which explains the delayc. done d. donee. done f. doneg. done  |
| **OUTPUT:** | **1.2 Interface between formal and informal justice system strengthened at the national and district level to increase informal justice mechanisms' ability to comply with HR standards** |
| **Output Indicators** | **Baseline** | **Target** | **Progress (2015)** | **Discussion of Progress** |
| a. # of referral networks at local level established to develop interface between formal and informal justice systemb. Code of Conduct for mediation endorsed and implemented nationwidec. National Training module on community and court referred mediation revised in line with international standards | a. 0 referral networks in five districtsb.Code of Conduct for mediation developed (2011)c.Training module developed, but not fully in compliance with human rights based approach | a. 5 referral networks established in 5 districts b. Code of Conduct endorsed and implemented nationwidec. Training module developed and endorsed  | a. 5 referral networks established in 5 districts b. ToR developed for providing RRf to consultant service for revision of previous code of conductc. Training module not (yet) fully completed due to delay of Mediation Act | a. Doneb. Delayed commencement of Mediation Act and slow pace of the Mediation Council were key reasons for delay. |
| **OUTCOME 2:** | **Women and vulnerable groups have better access to legal aid services** |
| **Outcome Indicator(s)** | **Baseline** | **Target** | **Progress (2015)** | **Discussion of Progress** |
| 2.1 # of women and members of vulnerable communities who have benefitted from legal aid services in five districts (UNDAF 4.2.3)2.2 % of women and members of vulnerable communities satisfied with legal aid services they have received in five districts | 2.1 88 women and members of vulnerable groups benefitted from legal aid (source DLAC)2.2 58% of women and members of vulnerable communities satisfied with legal aid services they have received in five districts | 2.1 500women and representatives from vulnerable groups have received legal aid services in five districts (TBD as increase compared to baseline)2.2 72% of women and members of vulnerable communities satisfied with legal aid services they have received in five districts | 2.1 By June 2015, 3,012women and representatives from vulnerable groups have received legal aid services in five districts. By early November 2015, 4,744 clients had been provided orientation by legal help desks and ICs (39% female). 2.2 66% of women and members of vulnerable communities are satisfied with available legal aid services in five districts (Source: NIDR survey, 2014) | Target has been over-achieved***[If this is a proxy, it does not work, here. The formulation of the progress statement differs from the actual indicator in that it refers to a judgment about available services (question asked to general public), whereas the indicator hones in on the assessment of services received by actual users/clients rather than potential (and actual) end beneficiaries]*** |
| **OUTPUT** | 2.1 Socio-legal aid system for service provisions developed to ensure greater ***[social]***inclusion of women and vulnerable groups in five districts |
| **Output Indicators** | **Baseline** | **Target** | **Progress (2015)** | **Discussion of Progress** |
| a. National Clinical Legal Education needs assessment and action plan completedb. Socio-legal aid centres established in 5 districts | a. No National Clinical Legal Education needs assessment conducted and no action plan developedb. 0 centres in five districts | a. National Clinical Legal Education needs assessment conducted and action plan completedb. Socio-legal aid centre established and functional in 5 districts | a. ToR developed, open bid announced but no suitable service provider founds. Working modality (ToR) developedb. A socio-legal aid centre established and functional in 5 districts  | a. No qualified service provider contested for the bid and the only one who did was not selected. This caused significant delays. It was considered to give more preference to national service providers applying as a consortiumb. done |
| **OUTPUT** | 2.1.2 Affirmative law scholarship and internship scheme established for greater professional inclusion of women and vulnerable groups nationwide |
| **Output Indicators** | **Baseline** | **Target** | **Progress (2015)** | **Discussion of Progress** |
| a. # of women and members of vulnerable groups enrolled in scholarship programb. # of law graduates representing women and vulnerable groups trained to take the Bar Council Exam nationwide***[Here, it would make far more sense to ask for the success rate; could be combined with # of graduates trained so success rate could also be calculated: “# of law graduates (…) trained (…) who successfully passed the exam and were admitted to the Bar; and % of “pass grades” among graduates trained to sit exam”]*** | a. 0 women and members of vulnerable groups enrolled in scholarship program at Nepal Law Campusb. 23 law graduates trained nationwide (2012) | a. 20 students representing women and vulnerable groups enrolled in scholarship program at Nepal Law Campusb. 50 law graduates representing women and vulnerable groups trained to take the Bar Council Exam nationwide | a. 20 students representing the categories of women and vulnerable groups were selected and awarded a scholarship. They were provided extra tuition classes, guest lectures and opportunities to participate actively in sharing workshops on gender justice. b. 55 law graduates representing women and vulnerable groups trained to take the Bar Council Exam nationwide | a. Target achieved. b. Target achieved. |
| **OUTCOME 3:** | **Criminal Justice System is more responsive to conflict victims and female victims/survivors of GBV** |
| **Outcome Indicator(s)** | **Baseline** | **Target** | **Progress (2015)** | **Discussion of Progress** |
| 3.1 # of conflict affected victims who have benefitted from relevant information regarding redress through the victim support dialoguesin five districts3.2 % of conflict affected victims who are satisfied with the criminal justice system’s response to their needs in five districts3.3 # of conflict affected victims who have received compensation (monetary or non-monetary) in five districts (UNDAF 8.1.3) | 3.1 3,912 conflict affected victims have benefitted from information regarding redress through the victim support dialogues in five districts (Source: WVAF record as information collected from districts)3.2 67% of conflict affected victims who are satisfied with the criminal justice system’s response to their needs in Bardiya (N.B.: Bardiya had the highest approval rating. Dhading 47%, Mahottari 27%, Siraha 22% - source ICJ report 2013)***[It would have seemed more appropriate to select the lowest/a lower scoring community or use the average, instead]***3.3 7,480 conflict affected victims who have received compensation in five districts (Source: WVAF record as information collected from districts) | 3.1 4,200 conflict victims benefittedfrom relevant information ***[Is this supposed to be cumulative, i.e. increase of 4,200-3,912=+288] or an additional 4,200 (3,912+4,200=total of 8,112)?]***3.2 75% of conflict affected victims who are satisfied with the criminal justice system’s response to their needs in Bardiya 3.3 8,000 conflict affected victims who have received compensation in five districts | 3.1 571 conflict victims benefitted from legal aid services; 4,903 victims (888, 1740, 1377, 354, and 544 in Achham, Dailehk, Dang, Kailali, and Surkhet respectively) benefitted from relevant information regarding redress through the victim support dialogues in five districts3.2 Due to the controversial TRC Act and UN SG guidance note, there was no specific activities targeted to the TJ in partnership with government agencies3.3 8,167 victims have received compensation (monetary and non-monetary) in five districts | Not clear what the 571 is supposed to mean, here; +4,903 exceeds the cumulative target (total of 4,200) ***[General comment re terminology “benefitted from relevant information regarding redress through the victim support dialogues”: a non-initiated reader/outsider will wonder how to interpret this since use of ambiguous language; hence need to specify meaning of a. “benefitted”: does it mean general information or actual redress achieved?; b. “through”: does it mean information gained by way of dialogues, or actual redress gained through dialogue?]***(General comment: While remaining under UNPFN, the TJ sub-component of the A2J JP was moved from ROLHR to RCO portfolio.)The cumulative target was exceeded by 167 (2%) |
| **OUTPUTS** | 3.1 Conflict affected victims in five districts have increased capacity to hold criminal justice systems accountable to the issues related to GBV and rule of law***[It is not the victims who saw their capacity increased; but they have “enhanced access to (better ) qualified support services” (= suggested language). This seems to be a “linguistic issue” in phrasing the statement in an unambiguous fashion.]*** |
| **Output Indicators** | **Baseline** | **Target** | **Progress (2015)** | **Discussion of Progress** |
| a. VSF capacity to provide an access point to redress mechanisms developed in five districtsb. # of government and non-court and law officials in five districts trained on conflict sensitivity, human rights and Do-No-Harm, UNSCRs 1325 and 1820 | a. VSF does not have capacity to provide an access point to redress mechanisms in five districtsb .0 officials trained in five districts | a. VSF capacity enhanced in 5 districtsb. 150 government and non-court and law officials in five districts trained on conflict sensitivity, human rights and Do-No-Harm, UNSCRs 1325 and 1820 | a. 5 VSFs had been functioning at the local level in 5 districtsb. 50 justice sector actors and human rights defenders trained on UNSCR 1325 and other normative frameworks; and another 175 stakeholders provided with trainings and orientations to engage in lobbying and advocacy efforts for access to justice | 1. Target achieved.
2. Target over-achieved.
 |

**4.2.3 Efficiency**

*Were the outputs produced commensurate with the inputs?*

-Overall, the outputs achieved consistently achieved and even over-achieved the set targets. In this respect the outputs produced were commensurate with the inputs provided.

*Was the time consumed for project implementation reasonable given the context?*

-There were delays in the project ramp-up phase during the first year and thereafter some delays on the part of the Government about how to move forward with certain activities. Moreover, there were some procurement related delays, for instance for one activity ToRs published went unanswered by any qualified bidder hence the activity could not move ahead.

-There remain politically motivated delays with regards to the TJ agenda following the controversial issue of a suggested blanket amnesty which made the entire process stall due to serious doubts among the community of development partners/donors about the suggested approach favoured by the Government.

-Furthermore, the 2014 earthquake caused yet another considerable delay of several months which led to the management unit requesting, and being granted, a no-cost extension for effectively seeing out the Project towards the end of the calendar year (with the official end point having been reached on October 31, 2015).

*Has the implementation modality been appropriate and cost-effective?*

-The Project’s implementation modality was NEX/NIM, in line with UNDP standard practice.

-Concerns were voiced that esp. with regards to transferring monies to the provinces, the national systems were too slow and inappropriate.

-With regard to the TJ budget line, due to the stalling of the portfolio, monies seem to have been occasionally redirected towards other activities.

*Has the Project consistently and clearly communicated with its donors?*

-PFN/PBSO, BCPR, and UNDP HQ were continuously informed through standard JP reporting products (quarterly reports, half-year and annual reports, mid-term review).

*Has the Project sufficiently coordinated its activities with the relevant implementing partners?*

-Coordination in the bilateral sense was well managed. However, coordination in the lateral sense between IPs was not flawless and could have been handled more proactively by the UNDP-managed National Programme Unit.

*Has the Project been successful in addressing and mitigating identified risks for implementation?*

-Identified risks comprised political instability, prolonged transition, staff turn-over and transfers among senior government official at courts and at the Ministry of Justice, the constitutional and election processes; all identified as factors that could delay the implementation with negative effects on public confidence and trust in the justice sector. Furthermore, the TJ process and discussions on various models of federalism were identified as having a substantial impact on different components of the justice system, for example court jurisdiction.

-To mitigate all these risks, the Project sought to foster its relations with stakeholders at the local level, so that work could continue there even if central level stakeholders were blocked and could not provide any guidance or support. The strategy of selecting locally implemented well-known NGOs as IPs helped in forestalling any such risks that were manageable. Force majeure like the earthquake, the TJ issue and constitution-related unrest such as experienced in autumn 2015 obviously remained beyond the reach of the Project.

-The following tables present self-explanatory financial background information on the Project finances:

a)

|  |
| --- |
| **Prodoc** |
| **UNPFN** | **TRAC (UNDP)** | **Total** |
| **USD2.2m** | **USD2.5m** | **USD4.7m** |
| **47%** | **53%** |  |

b)

|  |
| --- |
| **Share of UNPFN Budget by UN Agency** |
|  | **UNDP** | **UN Women** | **Total** |
| **before adjustment** | **USD1.4m****(63.6%)** | **USD0.8m (36.4%)** | **USD2.2m** |
| **after adjustment** | **USD1.575m****(71.6%)** | **USD0.625m (28.4%)** | **USD2.2m** |

c)



 *(Yearly overall budget share: 27% in 1st year/2013, 53% in 2nd year/2014, 20% in 3rdyear/2015)*

d)



 *(20% of 3-year total in 2013, 53% in 2014, 27% until mid-2015)*

e)



*(17% of total budget unspent by mid-2015 (not counting TJ budget line that “migrated” to RCO; hence by mid-2015 already nearly entire budget spent; N.B.: figures in brackets (UN Women/2015; Total 2015) are negative balances/deficits.)*

f) Disclaimer/N.B.: According to the mid-year Project progress update, by June 2015 the total expenditure amounted to“US$591,277.00 which is 63.33% of the total annual budget of US$ 933,628.30”. This information does not match the figures provided by UNDP (total expenditure by Oct 2015 526,853.40 against a planned budget of 494,760.77). This difference in the figures might be attributable to a distinction between UNPFN budget resources and overall budget resources (UNPFN plus other funding sources), with the half-year report referring to the latter and the ATLAS information which was provided by UNDP to the mission referencing the former. The mission did not receive conclusive clarification about this issue.

g)



**4.2.4 Sustainability and implications for future (scale-up, replicability etc.)**

*What is the likelihood that the progress achieved with support from the Project will continue after the Project comes to a closure?*

-The Project, or at least those components of it that will be selected for continuance, will continue under the financial stewardship of the wider, non-UNPFN-funded ROLHR. Once the ROLHR approaches closure the exit strategy of this wider programme will be rolled out. The most successful components that will have stood the test of time will be fully nationalized.

-Since the Project is formally implemented under the NEX/NIM modality by the SC, the passage from activity co-implementation to single-handed national administration without ROLHR management support should not pose too much of a problem by that time esp. if further capacity can be built in the remaining years of the ROLHR implementation cycle wherever necessary.

*-*Following the study visit to Arizona/USA, the establishment of the Access to Justice Commission (AJC) in Nepal is an extremely significant step showing full ownership and backing of the agenda to increase access to justice for women, marginalized and disadvantaged people and poor, which bodes well for the sustainability of the Project’s continuity during the years to come even beyond the ROLHR life cycle.

*What are the risks that may hinder or obstruct continued progress, and how are they being/have they been mitigated?*

-In the case of the Transitional Justice-related activities which encountered a number of roadblocks at the policy and project-internal administrative level, said internal as well as external factors resulted in the strategic shift of related project activities, staff and budget resources from the UNPFN-funded component of the ROLHR (i.e., the A2J JP) to the RCO’s special programme portfolio. This being said, TJ keeps remaining a UNDP project and part and parcel of the UNPFN which continues to be its funding source. In fact, UNDP received additional funds for the TJ component in February 2015.

-The introduction of legal aid support mechanisms including representation at court through the Project created some competition between legal paid lawyers and help desks. According to some spokes persons from among the paid lawyers community the project is depleting the demand for their trade. They argue that the help desks are unfair competitors since offering their services for free. Project representative and IPs don’t accept this critique. They believe that the number of clients has sky-rocketed ever since the Project’s manifold sensitization campaigns through the Ministry and various newly introduced IP-run activities and mechanisms kicked in, which has actually benefitted the paid lawyers without them actually contributing to these sensitization activities that resulted in scores of individuals seeking legal representation stepping forward for the very first time in their lives. It is worth mentioning in this respect that there is a financial cut-off point of a maximum income the client is allowed to earn, with anybody exceeding that threshold becoming ineligible for free representation and thus automatically being directed towards paid lawyers should the interested individual wish to pursue a case at court.

-Especially in terms of the sensitization campaigns, many actors (Ministry, different IPs) apparently developed materials and campaign strategies without having full knowledge of related if not slightly overlapping activities being pursued by others. This seems to be one of the few oversights that need to be criticized by the evaluation team. For continuous progress, if the ROLHR and the SC continue with said activities, which is recommended by the evaluation, then there is need for improved exchange of information and better coordination between implementing parties, in this respect. The JSCC’s, the Ministry, ROLHR management etc. certainly have the capability to do so but it needs to be decided if they will all work together on this or delegate to one specific party to avoid confusion and ensure clearly attributed responsibilities.

*What is the legal and political context of rule of law and what are the implications hereoffor future support?*

-The country, while it has made great strides towards settling in a post-conflict mode, is clearly still in a phase of political transition. The recent political tensions linked to constitutional reform might only be an outlier; but they might also indicate that societal stability and complete buy-in into the constitution from the entire population without exception will require some more time. Otherwise, from a legal perspective, all pieces seem to be nearly in place for the rule-of-law, and access-to-law agenda(s) to flourish.

*What type of activities and support should be continued, which ones can be discontinued and are there additional areas in need of future support?*

-Check notes from IPs and outputs; TJ gone/discnt’d already under JP/ROLHR

*Were any catalytic effects or synergies realized?*

-In terms of securing funding, the initial catalytic effect was that a significant amount of additional funding amounting to 90.6% on top of the proportional overall value of the UNPFN-backed Project resources (and 79.8% on top of the US$4.7m of the ProDoc base funding consisting of US$2.2m/UNPFN and US$2.5m from UNDP) could be secured during the design phase of the JP for the benefit of the ROLHR portfolio. (Overall, not monetizing the value of the in-kind contribution of the government, the total budgetary resources were US$ 475,246/BCPR funding; US$ 18,105,048 donor funding on top of the US$ 2,200,000 PBF and US$ 2,500,000 UNDP funds making it a total of US$ 23,280,294.)

-In terms of the complementarity of Project components, the IPs and activities complemented each other well, allowing for numerous actual and potential future synergies (e.g., between ICs/VSF and case file preparation services; referral mechanism, SLAC,legal help desks and legal paid lawyers; S/GBV support and In-camera SOPs and UNSCR-trained court staff; student scholarship, internship, support to sit Bar exam etc.).

-Overall, all the pieces are in placefor a truly integrated, GESI-sensitive large-scale GESI reform. Up-scaling of the integrated platform of A2J services would only require some additional finetuning and calibrating of the Project’s legal aid architectures sub-components.

*Was the existing potential for synergies fully exploited?*

-While overall the Project must be rated a success it seems that it was not perfect and could have done slightly better had the full potential of synergies been realized.

-The identified overlap in designing and disseminating communication products must be rated as the one area where better coordination in terms of design and targeting of communication activities would likely have resulted in additional synergies.

**5 – GESI Analysis**

In view of the special focus on gender equality and social inclusion of the overall UNPFN JP, a special chapter is dedicated to the exclusive analysis of the GESI dimension.

**GESI related Activities**

A number of activities of the project are directly or indirectly linked to GESI. Almost all the interventions were found to be designed through a GESI lens. Gender integration was mainstreamed as cross-cutting dimension throughout the design and implementation of activities under the project. In particular, the following set of activities was found to be directly linked to GESI principles:

* Establishment of SLAC, Legal Help Desk, formation of Victim Support Forum and mobile legal clinics.
* Improved implementation of continuous court hearings, preparation of Standard Operational Procedures (SOPs) of in-camera hearing and training on SOPs for key stakeholders.
* Aseries of dialogues and trainings on SGBV and UN Resolutions 1325 and 1820 for the benefit of S/GBV victims, law enforcement agencies, judiciary, civil society and human rights activists.
* Affirmative action to increase the representation/participation of women and other marginalized and disadvantaged groups in the legal profession; including a 6-month law internship program for newly minted lawyers, a Law Scholarship Program to study at university, and preparation classes to take the Bar Council exam targeting law studygraduates.
* Publication of Public Service Announcements (PSAs) and Bi-monthly newsletters on TJ to disseminate information on transitional justice mechanisms.
* Review of the B.A./L.L.B Syllabus of Nepal Law Campus, TU and added Gender and Social Inclusion as compulsory subjects.
* Establishment of Legal Information Centers and client orientation desks in district courts of five districts.
* Review of existing Legal Aid Act.

**Findings and Observations**

The following findings and observations have been made on the basis of reviewing different reports, discussions with UNDP peace-building and GESI staff and meetings with key stakeholders.

**SLAC:**

* The establishment of the SLAC was beneficial to victims of conflict and S/GBVby providing a wide range of legal aid support services including socio-psychological counselling to all types of indigent people irrespective of their economic condition.
* In total, 3,561 people benefitted from the SLACs’ services out of which 59% were females belonging to vulnerable groups.
* The project was able to deliver important innovations, such as socio-legal aid centers rather than only legal aid service. The SLACs increasingly adding value as one stop centers providing legal and social support to women and vulnerable groups.
* It plays an important role in building legal aid users’ confidence in the local justice system in Nepal.

**Legal Help Desk (LHD)[[1]](#footnote-1) and Information Centre (IC):**

* The establishment of an LHD and IC at district court level is seen as an important step towards more open communication.
* Service seekers reported enhanced understanding in their rights and about practical procedural steps they need to undertake and procedures to be followed for accessing court services and mechanisms.
* Improvement in the case management particularly on S/GBV cases, such as rape, human trafficking etc. excluding conflict victims.
* The help desk and Information Centre have proved useful tools for accessing information on legal provisions and the court system, for women and disadvantaged groups including Dalits, indigenous and Madhesis. Altogether, 4,744 clients were provided orientation. Out of that 1,845 beneficiaries (or 39%) were female.

**Victim Support Forum (VSF)**:

The establishment of VSFs was meant to create hope and build confidence towards the justice system among victims and the local people. More than 8,000 victims benefitted from VSF by receiving legal aid services, compensation including referrals for psycho-social counselling.

**Series of Trainings and Dialogues:**

* A series of training programs and almost 20 dialogues on the issues of TJ were supported by the project at different levels. In total, 29,532 people benefitted from these sessions.
* The gender ratio was 45% vs. 55% in favour of men (13,368 female and 16,164 male benefitted from the programs).
* Among the beneficiaries were 360 government officials[[2]](#footnote-2) involved in different programs.
* During the trainings and dialogues, the issues on UNSCRs 1325 and 1820 were highly emphasized. The GON implemented the NAP of UNSCRs 1325 and 1820. Similarly, this project was successful in forming 10 individual LAPs through trainings provided in 10 districts.
* Qualitative and quantitative outputs of the program look very effective for the peace-building process in Nepal, especially focusing on GESI. The guidelines for consultation on TJ with victims' groups helped them to overcome their differences and to create a common platform which the majority of victims' groups can agree with.
* Oral history recording services, logistics, medical, psychosocial and legal support to GBV survivors were also developed and implemented. Local capacities and awareness on TJ, training for conflict victims, local human rights defenders and advocates for justice on the rule of law, human rights and transitional justice process and on UNSCRs 1325 and 1,820 and NAP training proved useful in addressing gender based violence and to encourage people who were marginalized and disadvantaged to access services of justice sector institutions.
* 3,912 conflict affected victims benefitted from information about how to seek redressal through the victim support dialogues in five districts (source WVAF record as information collected from district). Similarly, Public Service Announcements (PSAs) broadcasts and the dissemination of information on the TJ process helped to develop the capacity of locals.

**Standard Operating Procedure (SOP) of in-camera hearing and training on how to use of SOP for key stakeholders:**

* There are legal provisions in which some particular cases related to women, children and others are to be heard in-camera. However, this provision was not effectively implemented which led to complications. The main objective of the in-camera hearing is to maintain privacy of a victim's identity and thus enhance access to justice for victims who can remain anonymous and don’t have to face their perpetrators in courts, so as to allow them to step forward and submit their case without fear of mental or physical retribution or duress and in protecting their dignity.
* There were many misunderstandings and misconceptions and, hence, no uniformity in the process of conducting in-camera hearing trials. Victims, judiciary and law enforcement agencies are struggling to maintain the complete privacy of the victims. The revision and review of existing guidelines and SOP were essential for effective investigation, prosecution and adjudication so as to ascertain access to justice to victims of gender based violence.
* There was a comprehensive review of the SOPs on In-camera hearings making clear the procedures to maintain privacy and confidentiality of S/GBV cases. The review proved equally helpful to bring uniformity in conducting in-camera hearing trials. In addition, 96 participants in 13 districts[[3]](#footnote-3)benefitted from the training of how to apply the SOPs.
* Lalitpur District Court established an in-camera hearing bench following the training. It could be considered as a tangible output of the project.
* There is no GESI balance in the actual mechanism and team which carried out the SOPs review and among the facilitators of related training programs, and hence, this could be considered a weakness in the implementation of these activities. Similarly, there was no GESI-specific selection of the participants in the SOPs implementation training program. Out of a total of 96 trainees benefiting from the sessions, only 7 (or 7.3%) were female.

**Development of Training Manual for Court Paid Lawyers:**

* The training manual for Court Paid Lawyers was found very useful to bring uniformity to the services of court paid lawyers. Because most of the cases dealt with by court paid lawyers have women and/or members of socio-economically marginalized classes as clients, this manual is useful for all court paid lawyers across the nation, which makes it a candidate for official endorsement by the Government.

*Law Student Scholarship*

*CASE STUDY no. 1*

*Mohana Rajak hails from a Dalit family. She was very much interested in studying law to earn a professional degree that would allow her to pursue a career as a professional lawyer. This personal project of hers, however, seemed all but impossible due to her family's financial problems. By the time she had graduated from high school she needed to make up her mind whether to study at college, and what kind of subject to choose. Finally, she decided to abandon her hopes to become a lawyer. Shortly before the entrance exam period, she learned about the UNDP/UN Women scholarship scheme from one of her friends. Mohana then applied for a scholarship to read for a B.A. LL.B. degree at the Nepal Law Campus, and took the entrance exam. While she did pass the entrance test she was still not sure whether she would win a scholarship. She was overjoyed when she was informed that she had been granted a scholarship under the “female Dalit” quota. Mohana claims that this scholarship has changed her life in that it allowed her to pursue her dream. Since the scholarship includes the coverage of the tuition fee as well as a stipend to pay for living expenses, she does not need to teach classes as tutor to make pocket money. This allows her to fully concentrate on her studies. Mohana expects to successfully pass the final exam, soon. She then wants to practice law with a focus on using her legal expertise to assist women and the underprivileged.*

* The development process of the paid lawyers’ training packageas well as the actual training on its implementation shows the same weakness as the training on the SOPs in that it lacked proper GESI balance in the design process and in the selection of the participants for the training sessions.
* The contents of the training programs are focused on theory rather than practical aspects. The proper process of dealing with S/GBV cases are not included in the contents of the training program. Resource persons/facilitators of the training don’t show a GESI balance in that neither female nor indigenous people were included as resource persons or trainers.

**Outreach Program:**

* Judges and NJA Members conducted an exposure and study visit to South Africa with the aim of observing and gaining knowledge about state-of-the-art practices of In–camera hearing trials. This added value for developing and revising the Nepalese JS guidelines on the in-camera hearing process in perspective of the victims' interests.
* In addition, an exposure visit by a team of Supreme Court justices was conducted toArizona, USA to observe and learn more about the practice of an Access to Justice Commission. The establishment of the Access to Justice Commission (AJC) in Nepal might be attributable to this specific visit. The AJC was recently formed under SC Regulations. The mandate provided to the AJC is to take necessary steps to increase access to justice for women, marginalized and disadvantaged people and poor.

**Affirmative activities under the Project:**

* There are some affirmative activities of the project forthe development of the legal profession that specifically focus on the GESI perspective. The women and marginalized people, especially Dalits and indigenous communities are sufferings from hardships to enter and continue higher education to enter the legal profession. Only very few individuals with a Dalit background are part of the professional body of practising lawyers. So, the JP’s efforts to promote affirmative action could be a useful step to increase their representation among the legal profession, at least to some extent.

*Law Student Scholarship*

*CASE STUDY no. 2*

*Surendra Kumar Sinel is from Dadheldura district in the far western part of Nepal. His family does not have a lot of money. Throughout his childhood he had to overcome major challenges due his physical disability. Had it not been been for a travel grant received by UNDP/UN Women he would not have managed to attend the 10 day entrance preparation class for B.A./LL.B. in Kathmandu. When Surendra learned that he had successfully passed the entrance exam he had major doubts. He was not sure if, due to his family’s poor economic condition, he could take up his studies and see them through over the required duration. So he headed to Kathmandu once again to apply for a full UNDP Scholarship which he had been informed about from an advertisement in the newspaper. He was overjoyed when he was granted a scholarship under the quota for disabled candidates. That day remains is one of his fondest memories which he likened to the opening up of a life of future opportunities making his dream of studying law come true. Nevertheless, he was still facing many difficulties since he had received his school education from a government school which meant that his English skills were not the best. His great desire to study law gave him the strength and determination to work hard and slowly, his confidence levels grew. Thanks to his full scholarship he does not have to earn extra cash for tuition fees and other expenses, which allows him to fully concentrate on studying. Guest lectures, seminars on different subjects and extra classes have helped him to develop his confidence. Surendra’s example shows that a person with a disability can also study law and become a professional legal practitioner. He openly acknowledges that he sees himself as a pioneer in that so far, in Nepal, there are only a handful of disabled individuals in the profession. Chances are that Surendra will become a champion of promoting access to legal studies for disabled individuals, and that he will exercise his job with a keen eye on the rights of the disabled and otherwise disadvantaged members of society.*

Among these affirmative action-oriented interventions we can list the following:

* **Scholarship Award Program:** The scholarship program was designed as financial support for women, Dalits, Indigenous, Madhesis and other marginalized people. In total, 20 students were given a full scholarship covering tuition fees, money for stationary and a daily stipend. The criteria for selection of students are very transparent and practical which maintained the GESI balance. Out of 20 students, 12 females and 8 males were selected. Students from different categories such as females, Madhesis, differently able people, economically poor, Dalits and indigenous groups won a scholarship. However, this program has been designed for one batch, only, and will not be continued over the following years. The support for only 20 students is not enough. If this program was to be continued for a few years or could be institutionalized as a permanent feature, a substantive numbers of human resources from women, Dalits, Madhesis, indigenous people etc. could have been increased in the legal profession.
* **Internship Program:** A total of 35new lawyersbenefitted from the 6 month internship program. Selected participants included 11 males and 24 females coming from different backgrounds, such as 15 Brahmin and Chhetri, 12 Janajati/indigenous, 4 Dalits and 4 Madhesis. The program is an opportunity to gain practical knowledge and learn about what could be the challenges in the profession to some extent. Inexperienced lawyers newly entering the profession face many challenges and important decisions such as in which specific sub-field to work and in which location, or whether to re-orient their career outside the legal field. The internship program helps them to make an informed choice about the specific role and career they are going to pursue within the legal profession. 20 out of the 35 interns entered the legal profession following the 6 month internship program.
* **Review of B.A.L.L.B Syllabus of Nepal Law Campus:** The syllabus for the B.A.L.L.B degree was reviewed to make it compatible with international human rights standards and update it in the process. According to the half yearly report of ROLHR, 62 subjects were reviewed from the gender, social inclusion, human rights and legal aid perspective in order to provide contextual and holistic legal education through updated curricula. For instance, gender and inclusive justice subjects were added in 7 Semesters as compulsory subject.
* **Entrance/Coaching Class for Bar Exam:** In total, 55 newly graduated students have joined this coaching class, and out of total enrolled students, 48 have been able to pass out. The main objective of the coaching class is to equip for Bar exam and enable them to obtain license to conduct the law profession. It is, therefore, important to provide an opportunity to increase human resources in law profession from different communities. The GESI perspective has been maintained during the selection of the students.

**6 – Findings, conclusions and strategic recommendations**

**6.1 Selected findings (at IP/activity level): Key challenges and lessons learned**

**International Alert (IA)**

 *Characteristics of intervention*

* + - * Short-term programme to strengthen the capacity of courts, police, legal aid committees, CSOs to cater to legal needs specifically of conflict-affected women;
			* 3 project objectives: a. enhance capacity of district court, bar association etc. / legal framework etc.; b.

strengthen women’s groups and associations in 5 districts in Far Western Region; c. provide logistics support in terms of A2J (transport to counseling, court sessions etc.);

* + - * IA and LACC had 2 National Master Trainers for ToT/cascade training; one 5-day training per district; training 25 (5 persons from 5 districts); then further training of end recipients at district level (district court staff, police etc.);
			* Spin-off effect is the link-up and creation of a network between key actors providing legal aid referral system, namely CSO, police, district court etc.;
			* Referral to district legal aid committee, district peace committee; psycho-social service, medical, logistics support ; and related interaction with SLAC to coordinate and avoid duplication;
			* District Legal Aid Committee is most active in Dar and Kolali districts; elsewhere (e.g. in Surkhet district) it is sub-contracting local associations/NGOs that carry out legal aid services, the selection of which was based on a needs and capacity assessment carried out at the beginning of the intervention;
			* Legal aid: IA has some reservations about current state of law which stipulated that only those with less than 40,000 Rps. monthly income are entitled to legal aid, plus recommendation, whereas only few people are actually aware of these details;
			* LAAC identified psycho-social counselors who are specialists working for local NGOs; they work in the so-called one-stop crisis management centers (OCMCs) run by local hospitals (certified by the Ministry of Health) and provide legal aid referrals in case of domestic violence or VAW;
			* Integrated guidelines cover psycho-social counseling, legal aid, logistics, medical aid, oral history recording ; UNDP-supported guidelines are separate from these;
			* IA claims a direct contribution to peace-building through its intervention due to strengthening social cohesion at grassroots level;
			* Due to the limited time for the pilot project and positive effects noted IA and LAAC request for a continuation of these activities either in terms of further testing and evaluation, or direct up-scaling and operationalization on a (much) larger scale at national level.

*Issues*

* + - * In some cases, there was evidence of lack of coordination between IPs supported by UN Women and those working on UNDP activities working in the same VDCs and on the same theme (helf desks, referral mechanisms etc.; cf. World Advocacy Forum/RoLHR Consolidated findings; Oct./Dec. 2014; Final Project Report, UN Women; information corroborated by data collected during stakeholder/IP interviews with WVAF, IA and LACC (Legal Aid and Consultation Center Kathmandu, a sub-IP to implement training activities vis-à-vis local institutions, associations and NGOs) etc.
			* In light of the challenging short period for the pilot intervention (11 months), IA would have preferred to carry out additional follow-up evaluation missions but limited time frame & budget did not allow for this, still IA is very confident that activities were high-quality / high impact, and sustainable since recipients became HR/gender rights champions/”activists” and networks were set up.
			* There is evidence for rivalry between legal aid committee and mainstream legal aid lawyers, court staff (have category of “field lawyer”) which is a sustainability concern that needs to be addressed quite urgently.
			* Evidence for lack of coordination between Ministry’s sensitization/district legal aid committee/SLAC and legal aid committees; e.g., IA and LAAC did not know about the Justice Ministry’s sensitization activities.
			* Likewise, UNDP’s and UN Women’s activities across and within outcome areas could be better coordinated in the interest of realizing additional synergies.

*Lessons learned & best practices*

* + - * Training recipients fully internalized training contents and then “acted like champions of human rights to the point of being teased by fellow government staff and police officers” (quote).
			* ToT model/training materials could serve for training purposes in the future since ToT materials and sessions are said to be well appreciated by participants.
			* The OCMC one-stop centre is deemed a “very good concept” by the population and the NGO.
			* There is evidence regarding transformative impact, namely a by now quite famous court case of an under-aged spouse (who was under-age at marriage and still, when she got divorced). She was left out of the inheritance but the district judge who had participated in the training presented this on-going case as case study and sought advice during training, and the applied the advice in a gender-friendly fashion in favour of the ex-spouse. This specific court ruling changed the situation well beyond the confines of specifically concerned household/individuals at village/district level, since the case became highly mediatized at national level, which makes this a *bona fide* success story.

**Nepal National Dalit Social Welfare Organisation / NNDSWO**

*Characteristics of intervention*

* + - * NNDSWO’s mandate is to set up referral mechanism and refer cases to SLAC;
			* Coordination with temples/religious institutions (temple law, conservative interpretation: against dalits equal access to temples which is a discriminatory practice and human rights violation);
			* Integrated collaborative approach of design/implementation: NNDSWO delivered set-up of network/reinforcement plus knowledge; LAAC used referral network and also informed local population about it;
			* Since it was clear from the outset that it would have been impossible to establish a formal referral network within 9 months (3 months earthquake!) due to time required to amend laws and limiting funding (USD 25,000 for five districts, only), it was mutually agreed by UNDP and GoN to test the set-up of an informal rather than a formal referral network (incl. mediation/arbitration);
			* Referral network provides one-stop integrated service with SLAC is service provider; referral network conceived as tool to support the SLAC;
			* Awareness raising regarding legal rights and entitlements as well as services available on supply side; important in view of mounting frustration due to proposed amnesty in lieu of TJ); contribution to peace building since providing A2J to the marginalized and furthering social inclusion;
			* SLAC only defending victims, not the accused; with the exception of cases where women abuse their husbands, in which case SLAC might also defend offending party/women if within defined threshold (legal representation of the accused taken up by professional officers);
			* Intervention follows a pilot logic to ascertain whether modality works or not; coordination/collaboration between stakeholder units enhanced; great achievement;
			* VSF/Victim Support Fund chaired by Chairman of District Level Peace Committee;
			* Operational guidelines on financial issues, ToR of staff and organigramme, monitoring, staff benefits (per diems, holidays etc.) are being finalized by the Central Legal Aid Committee; draft completed but promulgation pending;
			* SLAC is officially slated to disappear in near to mid-term future (-2017) but IP cautiously hopes that it might be continued until 2020.

*Issues*

* Court procedures and other administrative procedures are sluggish; not victim-friendly and causing discouragement (only one out of 36 cases was successfully brought to court);
	+ - * IP not aware of sensitization campaign by Ministry of Law and Justice (booklets, radio campaign etc.) even though actively involved in similar activities with same contents/on same topic;
			* There are grievances regarding the slow speed and lack of ability of supply side to be proactive and provide quality services; IP claims there is an urgent need to strengthen these institutional capabilities to prevent increase of demand to backfire (public confidence undermined by bad quality etc.);
			* In many cases referral to police apparently resulted in unfair compromises (untouchability act not addressed etc.);
			* According to IP, psycho-social services on offer were scarcely used even though sufficient resources and man power are said to have been available; they don’t know the reasons but would like to find out if an outlier or some solid reasons that would need to be (or could have been) addressed through readjusting the design of the offered solution;
			* SLAC set up 2 years ago; caste-based discrimination cases not treated equally by SLAC;
			* Cases not classified as dalit-related: evidence of discrimination in enacting rulings involving dalit victims in crimes perpetrated by higher-caste (Brahmin/Chetri); related caste-based issue when it comes to cases of domestic violence: potentially there is a pattern of discrimination against women in total and against dalits (victims) in particular, with dalit women at the bottom of the ladder;
			* Caste-based discrimination: “untouchability” prohibited by law; in court and at police etc., caste-specific categorization carried out simply by using name as caste marker;
			* Donor coordination mechanism results in delays of fund release by up to 1 month (e.g., end July for July-September); NGO carries out activities that don’t require imminent funding beyond staff funding, but results in SLAC not being able to carry out activities requiring funds to be available; namely: field-level representation requiring travel; hence: core issue penalized by DEX/DIM-induced delays;
			* Reporting 2 wks. prior to end of quarter; CLAC checks report for 1 week, then forwards it to ROLHR who will send it on to donor); at end of final quarter reporting twice (2 wks. prior to end and at end of quarter: 15-day report to cover final half of final month of quarter; creating extra work (currently, 25% of work goes into reporting; before JP came in, it was even more (40% of) time spent doing reporting since having to submit reports to different funding institutions); a. daily activities (on-line), b. event report (3 x per quarter/monthly, then into d. compiled report), c. disaggregated data (3 x per quarter/monthly, then into d. compiled report), d. comprehensive quarterly report (before they also had to report on individual reports); if a database was properly set up, reports for extra-15 days mini-report and regular report categories b.-c could be cut out since done by system and for d. only comprehensive narrative analysis needed (based on accumulated data in system); estimated savings by another 10% (25-10 = 15% of time); if a database was properly set up, reports for extra-15 days mini-report and regular report categories b.-c could be cut out since done by system and for d. only comprehensive narrative analysis needed (based on accumulated data in system); estimated savings by another 10% (25-10 = 15% of time);
			* Specific roles/target groups exist for various NGOs; but there is duplication when it comes to sensitization related activities since DLAC coordination capacity insufficient;
			* Sometimes there is competition between DLAC, Women’s and Children’s Office, etc. who all provide support to same family/victims; coordination would increase efficiency and reduce duplication and confusion among beneficiaries;
			* Cap bldng in report writing is needed;
			* Psycho-social counseling exists in some but not all districts;
			* Gender balance: in 2/5 districts: 100% male, 3/5 50/50 male/female; social inclusion: Surkhet, Berdiah, Deladura: both Chhetri; Dailekh: no females, male only but lower caste; Koilali: 100% integrated (no Brahmins, male/female); 2/5 districts have Dalit among staff (in both cases, as finance officers);
			* IP voiced their concerns and suggestions regarding staffing (need for coordination, outreach etc.) but their suggestions were not reflected in guidelines;
			* There is plenty of evidence for tension between paid defense lawyers and SLAC defense since the former are accusing the latter to be taking away business from professionals (cases regularly raised before Justice Sector Coordination Committee; defense lawyers from SLAC argue that number of cases has so much increased that they should not complain).
			* SLAC is also doing psycho-social counseling but not officially (recommendation already submitted by UNDP field monitors to ROLHR but should be formalized at SLAC level); e.g., in Surkhet the recommendation was to team up with the local NGO AWAAS which is a specialized agency offering psycho-social services through their own professional counselors;
			* Poor coordination between the NNDSWO, SLAC and the community-level mediation center; coordination between NNDSWO, SLAC, CMC should be strengthened in interest of victims; so far referral only to police incl. non-criminal cases; dalit organization (VDC/village community committee: smallest administrative unit receiving their own budget, youth club, community forest user group… using and protecting forest, water user group, women’s groups etc.);
			* Common practice is to refer S/GBV cases to police; but there is evidence for corrupt practices at police level (charging “service fee”; claiming petrol money etc.) which puts further burden on victim; this be avoided by bringing the directly case to the SLAC’s attention: referral and outreach programmes, distribution of sensitization materials; currently the project does not have representation at the community level; forest group etc. has own resources and political power and influence that so far has not been tapped into by Project;
			* Opportunities to work with other UNDP projects that have large interfaces with the JP: AVRSC (peacebuilding: Armed Violence Restructuring and post-conflict issues) & MEDEP (economic development/micro-credit for the poorest of the poor: forum and processes already established; can be used to realize synergies re governance/PB/ROLHR; overlap if not congruency between target groups; communication could be disseminated via media PSAs).

*Lessons learned & best practices*

* + - * Collaboration with IA/LAAC (as potential referral network users) in the interest of synergies regarding a “legal aid ToT” bringing together district-level stakeholders/justice sector actors (formal and informal arenas) and re-inforcing “esprit de corps” in view of the common denominator and shared purpose of providing legal support services;
			* SLAC mechanism helping to provide access to justice services to poor people (40.000 Rupees does not apply to women, dalit, children, marginalized etc.);
			* Village Development Committee reliably provides monitoring data (in Koilali strictly followed, in others more lax approach);
			* Seen as contributing to peacebuilding (N.B.: But also hearing complaints that intervention is actually contributing to creating social rifts in communities by disbanding families (accusing husband or male family member in cases of domestic gender-based violence etc.)

**Transitional Justice**

 *Characteristics of intervention*

* + - * The initial idea had been for ROLHR to be a SWAP covering the entire Justice Sector;
			* Predecessor programme addressing similar issues but with non-identical target group: World Bank-funded Interim Relief Programme (app. 2006-2009) which was not about “Reparations” but “Interim Relief”; entitled target group: conflict-affected persons, not victims of rape but non-rape/non-SGBV victims; child-soldiers had been used; children also used by Maoists: probability of child rape also likely;
			* TJ was implemented under DIM as opposed to all other JP project components which were run under NIM); NPD and the Registrar at Supreme Court still had a say in the DIM;
			* SRSG/UN Mission: exit strategy after close-down was wind down a fair amount of tasks dealt with under SRSG (in Nepal largest office in the world; 50 RCO staff here, both int’l and nat’l) incl. 2-4 staff in DPA unit (reporting line to HQ); given the former SRSG’s background there were actual projects in the RC office;
			* Currently the CTA is the only staff on TJ component, no other staff hired yet;
			* Planning cycle: first drafts of Pro Docs set up some 4 years ago; SG guidance note stipulated not to endorse, implement or even get involved in activities that would be in contravention of it;
			* Government redrafted the relevant law which was almost identical to the Ordinance (embracing a benevolent stance vis-à-vis “gross”/”substantive”/”serious” human rights violations (using different wording); and arguing in favour of impunity and decreeing a blanket amnesty);
			* Upon arrival, the new RC announced three priorities for his 3-year tenure: elections, constitution, transitional justice;
			* TJ component was then shifted to RC’s special programmes portfolio (addressing above-mentioned priorities);
			* CTA now supporting RC agenda via independent TJ component; focus on trust seeking, reparations, oral history; victim centric approach (operating as such over past few months);
			* Supporting Conflict Victims Common Platform (CVCP): 17 victim organizations (NGOs) unofficially aligned with political parties; also proactive stance on conflict-related sexual violence; very few services provided, no government services, victims feel unsafe to step forward; victim-centric approach: helping victims to figure out what they can do for themselves
			* The resulting Project Revision TJ led to a sideways re-allocation of funding earmarked for TJ from the ROLHR budget towards the RC’s programme portfolio, away from the JP;
			* Budget shifted included additional USD30k from UN Women; BCPR was closing down which added to complications; USD130k/from ROLHR + UN Women/USD 30,000 plus roughly USD275,000 of TRAC; total app. USD465,000;
			* Present TJ component effectively implemented jointly by RC and CTA/TJ project with UNDP mainly playing the fund managing role.

 *Issues*

* + - * Not too successful in raising additional funds for TJ since donors did not want to fund TJ due to concerns about UNDP’s global track record as working closely with governments; possibly, the UN/UNDP did not do enough explaining about the UN’s very strict stance on Human Rights concerns;
			* In April 2014, when the Project board convened, the Joint Secretariat (Ministry of Peace and Reconstruction, Nepal Bar Association, MoJ, Supreme Court etc.) was not fully represented since the MoPR’s minister had been shifted to another Ministry (Tourism) and a replacement had not been nominated up to that point. Hence, it was decided that TJ should no longer be discussed until such time as there’d be a replacement to represent MoPR;
			* TJ was being treated as DIM under NIM or de facto-NIM rather than stand-alone DIM;
			* UNPFN took action to separate the TJ from ROLHR; “divorce” of TJ from UNDAF, UNDP CPAP, POPP (Policy and Procedures global UNDP document);
			* Official shift of the UNPFN’s TJ component from ROLHR to RC programme marked the end point of its “divorce” from the A2J JP;
			* TJ CTA now spending 50% of time on ROLHR, 50% on TJ and advising RC on TJ; announced at and endorsed by executive board).

*Lessons learned & best practices*

* Exploring possibility of collaborating with German para-statal “Civil Peace Service” (“Ziviler Friedensdienst”) who don’t have funds to contribute but can instead offer professional expertise and time of an expert who could work on TJ with CTA which seems ideal for co-sharing activities funded by UNDP with technical inputs if not lead by partnering agency (for joint activities such as fora on memorialization).

**MoLJPA (Legal Aid/Paid Lawyer scheme)**

*Characteristics of intervention*

* + - * MoLJPA has prepared a draft version of an integrated legal aid policy, pending further work in the post-constitution situation.
			* The support of the RoHLR to DLAC and S-LAC has created a suitable environment to implement the integrated legal aid policy. In order to make this effort sustainable an Integrated Legal Aid Act is a pre-condition.
			* The RoHLR supports NJA on developing capacity of the Paid Lawyer of the courts.
			* So far, two documents are published to enhance their capacity and one training has been delivered.

*Issues*

* + - * Such an expensive training as under this intervention’s approach and model cannot be sustained in future if the judiciary has to finance it on itw own. Hence, it is recommended that there be a brief circular of the court or directives; or the documents developed by the NJA can be provided to the respective court to provide orientation to the judge and registrar of the respective courts to the newly appointed Paid Lawyer.

*Lessons learned & best practices*

* + - * Paid Lawyers are an integral part of the court and they remain temporarily for one year in their job.

***Case Study/Success Story***

***The Young Lawyers’ Training Scheme***

* + - * *The Nepal Bar Association is providing young lawyers with training to introduce them to the legal profession. The candidates for this six-month long induction training are selected according to specific criteria. The announcement of the entrance exam is made through a public advertisement made by the NBA. The written exam is followed by interviews. Most of the trainees come from specific marginalized or disadvantaged categories; incl. Dalit, Janajati, the disabled or similar groups. There is also a specific quote for female candidates (as stand-alone category, i.e. being a woman from a poor household is a separate criterion).*
			* *Still, there appears to be room to improve selection criteria and process as students complained that some students that did not meet the selection criteria were among those admitted. According to the students, the slots awarded to effectively ineligible candidates were reallocated after the students formally protested. Hence, wrongfully selected students were dropped and others were given the opportunity to undergo the special training. Under this scheme, the selected candidates receive(d) per month NPR 15000.00 per month for six months.*
			* *Once these students are recruited, a fresh foundation training of a month is provided on substantive and procedural aspects and practical skills followed by court visits. After the training, students attend an internship either at a law firm, the Ministry of Law and Justice, Office of the Attorney General and NGOs. Once they finish their four and half month’s internship, the students attend a fifteen day refresher training. In the meantime, a tutor in legal English provided them with 20 hours of specialized English language training for the legal profession.*
			* *Most of the students appear to have been able to draw a great deal of knowledge and practical experience from the training support. They themselves stated that following the exposure through the training support, they gained in self-esteem and confidence in their legal and personal abilities, which should enable them over the long run to successfully emerge as lawyers or carrying out related professional activities in the field of legal practice. Some have started working in the same law firm where they did their internship, and they started to appear before courts; while others have joined NGOs or have opened their own law firm.*
			* *One of the participants stated that if she had not had this opportunity of training and internship her study of law would have been useless. Now she works with an INGO on a temporary basis and she is planning to join the law practice on a full-time basis.*
			* *The combination of foundation training, internship, English language classes and refreshment training, and the opportunity to appear before the courts, have given the beneficiaries of this support scheme confidence to mix it up with the seniors in the entire legal profession. Some have been offered and seized the opportunity to work on a part time basis in NGOs and in colleges to teach law subject to enable them to financially sustain themselves during the initial years of work in the legal profession.*
			* *One disabled student who belongs to the disadvantaged Janajati community got an opportunity to complete his internship at the OAG office. He shared that he had gained a great deal of knowledge and experience in criminal cases and started to draft responses of writ petition (i.e., a formal request to the courts to demand restoration of violated fundamental rights) submitted to the courts. He enjoys this type of positive pressure and exposure and has gained the necessary levels of confidence to become a lawyer representing cases from his Janajati community and the disabled.*
			* *This training programme is an important element in support of the broader goal of achieving an inclusive legal professional pool of lawyers. These young lawyers who have undergone the training programme will quite likely be emerging in the legal profession, thus bringing diversity to it and serving the demand side in the justice sector. It is expected that the scholarship and internship scheme, if continued or even ramped up, would continue to further enrich the diversity in the profession.*

 **Supreme Court**

 *Characteristics of intervention*

* + - * Project assists in Case Management where capacity development, information help desk, continuous hearing, case calendar system and mediation components are included. The Project's assistance is technical, capacity development and hardware such as equipments including computers, photocopy machine and others.
			* The other component of the assistance is to strengthen the Justice Sector Coordination Committee (JSCC). It helps to strengthen its secretariat at centre and in pilot district courts.
			* Further, JSCC activities such as assisting interactions with the stakeholders is also supported by the Project.
			* The pilot districts courts are provided with one staff and equipment is provided to the centre and pilot district courts' secretariats.
			* Judicial outreach is another components where project supports to reach the judges to the community of their respective jurisdiction. This helps to generate awareness about the courts work and to understand the perception of the courts, judges and their orders.
			* Assisting enforcement of the judgement through capacity development is another area of assistance by the Project.
			* Legal and judicial research is also another area this Project is helping.
			* Media campaign through information dissemination by TV and Radio is another area of assistance.
			* Implementation of Strategic Plan of the Judiciary is another area where the Project is helping in planning process, dissemination and implementation of activities.
			* Further, the Project supports wherever required or the SC feels that it is important to provide support such as installing a solar system, purchasing motorcycles, fixing old or constructing new courthouse buildings following the earthquake etc.

 *Issues*

* + - * There has been lack of fund absorption which was due to the Project not being able to handle the contractors tasked with building the physical infrastructure.
			* Political instability and the big earthquake are additional reasons the Project has not been fully able to deliver.
			* The absence of Project Management for quite a long time was another factor for slow implementation. (N.B.: It was felt that after introduction of a new Project Manager, the Project was implemented in a satisfactory manner.)
			* Absence of 'motivation incentives' for staff also caused delay in implementation since internal experts in case management do not want to go for extra work and those who were hired externally were not 'fit' or suitable for the Nepalese court system.

 *Lessons learned & best practices*

* + - * Project expected to be fully flexible to adjust in the changing context after the promulgation of new constitution. This Project is looked at to establish new court system, its internal working procedure and other requirements, including the capacity development.
			* Project is helpful to fill the gap wherever there is gap in government budget and has helped to be more independent and also has given international exposure to the judges and court staff.
			* Staff are getting exposure and gaining experience through specialized and customized training and capacity development.

**National Bar Association**

* + - * Little support and satisfaction with this specific intervention by the NBA and Office of the Attorney General. Accordingly, the NBA has already sent a letter informing its intention to withdraw from the Project.

**General Conclusion (miscellany)**

* + - * The Project is seen by IPs as having contributed to peace building in Nepal by addressing the needs of women and vulnerable groups not only in terms of access to justice but equally focusing on different way of institutional development, capacity enhancement and also through the working at policies level.
			* In addition, the continuous collaboration in engagement and dialogue with the victims groups has enabled the project to tailor its activities and respond the needs of difference groups including gender and social inclusion. Contents of the training were also found to effectively address women's rights and violence against women from local level to national level, ensuring that various key stakeholders are adequately trained which benefits not only conflict affected victims but also the rest of the population. Dialogues with S/VAW survivors also established more open channels of communications with the relevant stakeholders in order to establish a sense of trust.
			* Local Action Plan (LAP) for each participating districts is potential to contribute to build up local capacities on the said S/GBV topics which is expected to continue the local discourses on and advocacy for victims centric TJ after the project also.
			* Innovative approach of providing socio-legal aid service by establishing SLAC. The SLAC has added value as a one-stop centre for the provision of legal and social support for women and vulnerable groups.
			* Legal orientation for women and victims groupsfrom the LHD and IC has proven to increase the access to legal information and to the court system for women and disadvantaged people including Dalits, indigenous and Madhesis.
			* Trainings and dialogues on the National Action Plan of UNSCRs 1325 and 1820 with different local and national key stakeholders are found useful to localize gender issues in the peace process.
			* Affirmativeactivities of the project to develop legal profession of individuals belonging to conflict victims, women, Dalits, indigenous, Madhesi and other socio-economically disadvantaged groups are found effective and can be presented as best practice of GESI perspective.
			* The project’s focus on establishing post-conflict rule of law and free legal aid institutions esp. in view of addressing needs of (previously) excluded or marginalized groups, has been filling a strategic gap.
			* The project served its purpose to act as bridge and pilot platform to introduce the “seeds” for integrated socio-economically and culturally inclusive legal aid mechanisms and systems.
			* Local conflicts that might otherwise not get addressed/resolved given the absence of a juridical/mediation mechanism, are now increasingly being transferred to the formal and informal justice system in lieu of the conflict escalating and thus damaging the social tissue and cohesion. This socially stabilizing effect is in line with the UNPFN’s high-level theory of change and basic assumption.
			* Providing substantial strategic support and testing out innovative modalities in view of structural supply side and demand side reforms.
			* The integrated (one-door) legal aid service providing socio-legal aid services to women and vulnerable groups did previously not exist but now shows huge potential for replication. This modality is not yet perfect but almost. The benefits that would likely be reaped from a scale-up would outweigh disadvantages. SLAC mechanism could already be scaled up from 10 to at least 20 districts (5 pilot + 5 ROLHR + new batch of 10) for the beginning. For this new batch there would be need for strengthening the articulation/collaboration between various services and mechanisms introduced and/or supported by the Project.
			* There are still challenges in maintaining the GESI balance among legal aid recipients benefitting from SLAC services.
			* In particular the victims from among the Madhesi communities seemed to be reluctant to fully access available legal aid mechanisms thus not making full use of the services offered by the justice system.
			* Lack of maintaining properly GESI-disaggregated data on the basis of cases dealt with by SLACs.
			* The seamless integration of the SLAC mechanism into the DLACs is a challenge in view of the sustainable continuation of SLACs after UN phase-out.
			* There is a lack in following up on beneficiaries who have sought support from legal aid and victim support mechanisms such as VSFs, SLAC etc., which makes it difficult to assess the effect and impact of the intervention.
			* There are several reasons for delays in, or lack of, activity implementation. For instance, the quarterly reports and funding request for the upcoming quarter first need to be cleared before money is released, which normally results in funding gaps for the first month of every quarter. In addition, the NEX modality requires the NPD to sign off on all activities which causes procedural delay. Thereafter there are further delays on the government’s side in distributing the funds with additional regulatory barriers to send funds to the districts.
			* As a training institute for the judiciary, NJA seems to lack follow-up on training implementation. It also has a capacity shortfall in the monitoring and evaluation section.
			* The Judgement Execution Directorate in the judiciary does not keep properly GESI disaggregated data on the implementation of judgments.
			* Differently able people require specifically tailored infrastructure and access-to-justice support services (for the deaf, mute, blind etc.). For the time being, there are significant shortage in terms of court structures and management.
			* There is a risk that the 2nd batch of law students under the law scholarship program would suffer a reduced quality of trainings etc. due to an increased number of law students from targeted groups and thus, deteriorating professor-student ratios.
			* While an integrated legal policy has been drafted, the related Act remains pending. It should be noted here that an amendment to the extant legal aid act somewhat broadened its remit beyond its limited initial scope. However, in the absence of the novel Act and pending its introduction, the sustainability of the newly introduced mechanisms, procedures, processes will likely lack sustainability.
			* RoHLR supports SLAC through the MoLJPA. The SLAC provides awareness on legal rights and legal aid to the different villages. Other organizations received support from RoHLR or UNWOMEN such as LACC, WVAF, NNDWSO and MoLJPA also does the similar work at the villages in the same district. It appears that S-LAC is not able/designed to coordinate to eliminate the chances of overlap and duplication.
			* This program benefits the legal profession since enriching the pool of legal talent in terms of diversity in socio-economic and cultural background and other minorities or disadvantaged groups. The cost involved in this program is very low if analyzed against the (to-be-expected mid- to long-term) impact that will spring from this type of systemic input over time. It is thus recommended that this program should be continued throughout the ROLHR period. The option of not only continuing but upscaling this programme should be explored with key stakeholders including the Ministry of Women, Children and Social Welfare, the Ministry of Law and Justice and the Nepal Bar Association.
			* Support to the NBA in providing internship appears to have worked to build confidence of young lawyers from marginalized communities and women. Some of them have started working in the respective offices where they completed their internship. Continuation of such program over the life of the project and linking such initiative to the Central Legal Aid Committee or NBA regular activity would serve sustainability for inclusive legal profession.
			* Access to Justice Commission established by the SC could be taken as an example of achievement of this Project. The RoHLR also has supported supply side to make responsive justice delivery. It appears that this newly established commission would be instrumental to achieve the targets that this program has projected. Hence, RoHLR should find a space for such permanent initiative to sustain the access to justice in the government system.
			* The LACC has implemented a program to support women victims through legal aid, psycho-socio counseling, referring for rehabilitation and taking oral history of conflict victim women. Further, it has provided trainings to district level law enforcement officials, CSOs and to other partners. However, such program is for a short term. Some local organization may have received the knowledge, but involving or linking the local government office such as Women and Children Office would have been beneficial for the suitability of program.
			* The NNDSWO established a referral network for legal aid but after its project completion such network will not be continued. The short-term intervention helps to raise awareness and to attract vulnerable groups to the justice system and thus reduces conflict and supports peace building. The A2J JP activities currently run by NNDSWO could be linked to the National Dalit Commission or NHRC for the sake of their sustainability.
			* Support to the NBA in providing internship appears to have worked to build confidence of young lawyers from marginalizes community and women. Some of them have started working in the respective offices where they completed their internship. Continuation of such program over the life of the project and linking such initiative to the Central Legal Aid Committee or NBA regular activity would serve sustainability for inclusive legal profession.
			* Access to Justice Commission established by the SC could be taken as an example of achievement of this Project. The RoHLR also has supported supply side to make responsive justice delivery. It appears that this newly established commission would be instrumental to achieve the targets that this program has projected. Hence, RoHLR should find a space for such permanent initiative to sustain the access to justice in the government system.
			* Execution of judgments of the courts is extremely important in a rule of law context. Support to the Judgment Execution Directorate is a wise choice. This initiative appears to have helped to enhance the capacity of bench assistance to write the enforceable judgments.
			* Enhancing the capacity of judgment execution wing of the district courts through training have contributed to implement the strategic plan of the judiciary. Further, bringing multi-stakeholders together for the enforcement of judgment have contributed to build trust towards the judiciary and rule of law.

Judicial control body’s director: “Without the UNPFN-ROLHR support we would still be able to do our work, but with the financial and technical backing we have been receiving so far, we can do our job even better. And we hope to further improve our systems and the quality of our work through future support, if possible for UNDP and the donors.”

* + - * Further, RoHLR could support to develop the segregated data to know who received the services or effected by the enforcement of the judgments to understand the dynamics of the courts function in a emerging inclusive society.
			* Furthermore, it is recommended that this kind of contribution of RoHLR should be linked with the budget of the judiciary so as intervention would sustain as part of the institution’s regular work.

**6.2 Key recommendations**

*Applied action research studies (I) - Untouchability-related issues*

1. In many cases referral of cases to the police resulted in unfair compromises; e.g., the untouchability act not properly being addressed etc. Hence, related capacity building and sensitization needs to be continued (cf. IA/LAAC activities).
2. Caste-based discrimination cases are apparently not treated equally through the SLAC and it is assumed by stakeholders/IPs that cases are not classified as dalit-related even when they clearly are and there is evidence of discrimination and leniency in executing rulings involving dalit victims in crimes perpetrated by members of higher castes. Need to study whether in cases of domestic violence there truly is, as suggested by several stakeholders, a pattern of discrimination against women in general and against dalits.
3. Psycho-social services offered through NNDSWO’s referral mechanism were scarcely used even though sufficient resources and man power were available. It is suggested to carry out a research study to analyze the reasons why this was the case; if this can and should be addressed, and, if applicable, how. Lessons learned might also be cross-pollinating since they could probably also be applied to SLACs.

*Applied action research (II) - Mapping/business process review*

1. An important future activity could be the mapping and improvement of administrative procedures (such as court procedures) to render them much more victim-friendly and respectful of the dignity of the plaintiff, in lieu of the current situation where they cause discouragement and frustration among victims.
2. Suggest to GoN technical support to fix recurrent problems of delayed fund disbursement through governmental financial management mechanisms through a business process review and subsequent re-engineering of the system. (N.B.: This would likely need to be framed as general economic governance support outside the remit of ROLHR since touching on general capacity issues of the government machinery; however, co-funding could be provided via ROLHR since it would also be a beneficiary of such an intervention.)
3. The complicated existing procedure that needs to be followed if one wants to request for participation of district legal staff at a training session in another district calls for a revision of the internal justice sector guidelines, rules and regulations. Since RoLHR/(ex-)UNPFN would also benefit from a revised guideline, this could be framed as RoLHR activity.
4. Similarly, the complications preventing the decentralization of the scholarship scheme due to financial transfer bottlenecks could potentially be addressed through UNDP support, e.g. through introducing mobile phone-based credit transfer appliances to be used in order to circumvent the risk of financial embezzlement and administrative, NEX-related insufficiencies. In this regard, there is a body of evidence and a stock of UNDP-supported best practices incl. salary and fund transfer during UNMEEG in West Africa; DRC cross-border traders; phone-based Afghan civil servant payments etc.
5. Since it was not possible to establish a formal referral network within the 9 months remaining (after the earthquake-induced loss of 3 months) of the one-year timeline for this activity, in view of the time required to amend related laws and the limiting funding (USD 25,000 for five districts, only), UNDP and GoN agreed to pilot test an informal network incl. mediation and arbitration (by elders, through customary and temple law etc.). Assessing the success and remaining needs of the mechanism is now necessary in view of designing appropriate capacity building/training/information interventions to pursue the ultimate objective, viz. strengthening the “informal” side of the referral network (i.e., all relevant actors know about the role and mandate of other actors).

*SLAC/DLAC-related issues*

1. Sometimes there is overlap or even competition between DLAC/SLAC and the Women’s and Children’s Affairs Office since both provide support services to the same target group, namely family victims. Enhanced coordination would increase the efficiency of service provision and reduce duplication and confusion. This is linked to the need to resume discussions with Unicef if they would not be inclined to officially join the programme platform, now.
2. Strengthen DLAC coordination capacity by creating a SLAC Sensitization and Outreach position.
3. Psycho-social counseling exists in some but not all districts, hence there is need to add a psycho-social counselor to SLAC staff wherever such a gap exists.
4. SLAC staff competencies to be strengthened and human resource base widened to better coordinate awareness creation etc. at district level.
5. The SLAC provides legal aid to the poor, women and vulnerable groups and provides legal aid to cases referred to it through a multitude of different entities including government agencies like the women’s and children office, the police, District Development Committees, Village Development Committees, Chief District Officers, the Local Peace Committee, NHRC, NDC, NWC, District Court and NGOs like LACC, WVAF and NNDSWO, which implies that in addition to the existing human resources, there should also be a dedicated clerical position of an administrative documentation and reporting officer. This would also help to properly keep track of the incoming flows through appropriate M&E and related analytics that would inform programme management’s strategic choices regarding communication, adjustments of the intervention strategy, responsiveness of service provision to actual demand (i.e. upscaling or downscaling of staff levels and portfolio of services offered etc.).
6. Suggested staffing structure of the SLAC: 1. report officer, 2. computer/documentation expert, 3. psycho-social counselor, 4. outreach/public affairs officer (for sensitization, public information, communication etc.).
7. Need to build capacity of SLAC staff in report writing.
8. Suggested to carry out research to verify if women belonging to Madhesi communities are more reluctant than other groups to approach SLACs to receive legal support; and if confirmed, what are the reasons for this and possible ways to address this issue.
9. The Chair of the DLAC should be the Registrar of the District Court since attorneys are directly involved and representing one party to a case, whereas the Registrar is neutral. This would induce more confidence into the system by the public. (N.B.: Related recommendations are not yet officially part of the draft act.)
10. Some other projects have facilitators at community level, which UNPFN/ROLHR does not have; use of such facilitators is suggested.
11. RoHLR should coordinate with MoLJPA to increase the role and budget of the SLAC offices through the DLAC to ensure it becomes a full-fledged one-stop service center to provide legal aid, psycho-social counseling, rehabilitation and other support to victims.
12. Devising a strategy for enhanced coordination of the SLAC mechanism into the DLAC is essential for continuing the SLAC approach beyond the project’s life span. This should also entail setting up a budget line in the national justice sector’s financial framework for funding SLAC staff and operations.

*NJA*

1. The RoHLR supports NJA on developing the capacity of the Paid Lawyers at court. So far, two documents have been published to enhance their capacity and one training has been implemented. Paid Lawyers are an integral part of the court and they remain in their job temporarily, for a duration of one year. Hence, it is recommended to provide orientation by the judge and registrar of the respective courts to the newly appointed Paid Lawyer. Such guidance could be given in the form of a brief written circular of the court or a concise guide of directives (a *vade mecum*) based on the documents already developed by the NJA.
2. There is need to resolve the potential or actual competition between free legal aid support counsel and representation services offered by paid lawyers through sensitization of the latter, providing evidence (= data) that the demand for paid and non-paid services is actually increasing thanks to the A2J intervention package; and by institutionalizing the referral of better-off (=above cut-off threshold qualifying for free representation etc.) service seekers from legal help desks etc. to paid lawyers.

*Monitoring and reporting*

1. RoHLR to support collection of segregated beneficiary data to then study the dynamics of the courts’ functioning and service delivery.
2. NJA needs to conduct quality monitoring and impact assessments of its programs, particularly concerning the practice of In–Camera hearings, from a GESI perspective.
3. NJA needs to strengthen its M&E capacity.
4. Strengthen the GESI perspective in monitoring of all activities of the project portfolio.
5. Since there is no proper record keeping of (gender disaggregated) data of implementation of judgments in the Judgement Execution Directorate or in the judiciary, a mechanism to keep records of such data needs to be set up.

*Transitional Justice*

1. Institutionalizing local organizations to continue the dialogue on TJ from a gender perspective is necessary. This could be realized by implementing the local action plan of UNSCR 1325 and 1820.
2. In relation to TJ activities, further pursue plans of setting up a formal referral network for mediation and arbitration as had been initially planned under the auspices of the A2J JP.
3. The oral history body of evidence could be used for drafting a new or revising the existing law(s) and provisions regarding TJ.

*Coordination-related issues (other than directly SLAC-related)*

1. In the interest of enhanced gender and social inclusiveness, need to further strengthen coordination systems/fora and referral mechanisms.
2. Need to coordinate with VDCs to mobilize synergies and existing budgetary resources (15% gender budget at VDC level); which could also be used as stepping stone to establish programmatic and funding links vis-à-vis potential grassroots-level non-traditional (micro-level) entities such as grassroots groups like the local forest users’ group, youth group, women’s group etc..
3. Link legal aid services to victim to (potentially specifically tailored) socio-economic support programmes such as trainings in professional skills development, basic business administration (accounting etc.), access to financial credit and loans, orientation and accompaniment to set up and develop IGAs, cooperatives etc.
4. There is a relatively high threshold for receiving feedback and direct users’ input; hence, in the interest of the grassroots and beneficiary level fully appropriating the activities and mechanisms, there is need to strengthen if not introduce low-threshold “user interfaces” such a physical or virtual customer desks for feedback, complaints and suggestions.
5. Preventative, sensitization-based information material and media products against child marriage/early marriage, against family-internal violence and S/GBV, targeting proper child rearing, and inheritance/property issues need to be developed and disseminated in coordinated fashion across various stakeholders.
6. The same as above applies to information campaigns about available legal aid services and mechanisms.

*Strategic programme management-related issues*

1. MoLJPA has prepared an integrated legal aid policy, pending further work in post-constitution situation. The support of the RoHLR to DLAC/SLAC has created a suitable environment to implement the integrated legal aid policy but in order to make this effort sustainable a fully Integrated Legal Aid Act is required. Some progress has been made thanks to an amendment of this Act. However, further adjustments are still needed. Hence, it is recommended that the RoHLR focus its activities on providing (further) support to ensure the integrated legal aid policy get finalized; and, thereafter, the bill get drafted and submitted to the Legislative-Parliament.
2. Consider institutionalizing ROHLR support as on-budget support to the judiciary as part of the exit strategy to (pre-emptively) enhance the sustainability and longevity of interventions which would become part of the institution’s organigramme and work planning. This would require as first step that the programme activities be integrated into the justice sector’s regular operational budget, by creating respective budget lines and making necessary adjustments to the staffing charts etc.
3. Activities considered for being carried over to ROLHR need to be scanned from the perspective of the new constitution to ensure full compliance with newly introduced provisions, legal rights and entitlements.
4. Justice sector institutions and entities (JED, NJA etc.) require the introduction of normative frameworks and budgets in order to ensure sustainability of UNPNF-ROLHR outputs and outcomes. (N.B.: There is an associated risk stemming from dependence on financial and/or technical programme inputs.)
5. Unless part of the broader ROLHR programme, adding OHCHR and UNICEF to the programme portfolio in terms of mainstreaming S/GBV survivors’ rights incl. children/adolescents’ rights but also the rights of crime perpetrators (incl. adolescents/children) should be further pursued.
6. The law scholarship program should become institutionalized. Consider setting up a scholarship fund through donor contributions plus fundraising at international scale and domestically among business owners/private sector and legal profession. Minimum would be to continue programme with at least five batches to increase sufficient numbers of law graduates from women and marginalised groups.
7. Emphasize support to strengthening JSCC and Legal Aid Committee since of strategic importance.
8. Institutionalize permanent in-camera hearing benches (beyond ad hoc hearings).
9. Consider immediate roll-out of (revised) intervention package to all conflict-affected rural districts, country-wide. S/GBV-related modalities (models) are to be scaled up even beyond, i.e. including urban areas. In case of such level of roll-out one can anticipate massive demand hence it would also be necessary to upgrade staffing levels (SLAC asked for additional staff position(s) and training re reporting etc.) in terms of sheer numbers of staff, as well as staff capacity (skills upgrading regarding legal knowledge and in terms of psycho-social counselling and forensics).
10. For those activities that shall be continued which require the coordination of output-level activities between UNDP and UN Women, it is recommended to organize a one-day stakeholder workshop both at central and field level to map out areas of interfaces, existing gaps and potential (additional) synergies to enhance the quality of service delivery.

**Annex I – List of stakeholders met and interviewed**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| *SN* | *Names/Post* | *Date* | *Organization* | *Remarks* |
| 1. | 1. Dilli Ghimire, Joint Secretary2. Aruna Joshi, Officer | September 24, 2015 | Ministry of Law, Justice and Parliamentary Affairs | Legal aid policy reform, awareness and supporting S-LAC |
| 2.  | 1. Silla Ristimali2. Mokthar3. Hem LataRai | September 24, 2015 | UNPFN | Evaluation expectations and briefing  |
| 3. | 1. Durga Prasad Khatiwada2. Sama Shrestha | September 24, 2015 | UNWOMEN | Evaluation expectation and briefing  |
| 4.  | 1. Santam Singh Khadka, Program Manager2. Gopi Parajuli3. Tej Sunuwar4. Suraj Acharya5. Roshani Poudel6. Man Bahadur Bhandari7. Samir Ghimire8. Seema Dhami9. Dila Panta10. Ratna Shrestha | September 24, 2015 | RoHLR | Presentation and Briefing about the program |
| 5. | 1. Renaud Meyer, Country Director 2. Sophie Kemkhadze, Dy Country Director  | September 24, 2015 | UNDP | Evaluation-related expectations and briefing on access to justice and legal aid to women in general and conflict victim women |
| 6.  | 1. Rabina Shrestha, Program Manager2. Anita Thapaliya, Project Coordinator | September 25, 2015 | International Alert&LACC | Program implementation briefing on access to justice and legal aid to vulnerable groups  |
| 7.  | 1. Kul Bahadur Bishokarma, Program Manager2. Suresh Bishokarma, Program Coordinator3. Mohan Singh Sunuwar, Executive Director4. Subas Bishokarma, Program Coordinator | September 27, 2015 | NNDSWO |  |
| 8.  | 1. Sarita Khanal, Program Staff2. Kalpana Bishokarma, beneficiary3. Kumar Magar4. Shivanandan Kumar Shah5. Ratna Kawal6. Sandhya Mainali7. Maya Ghimire8. Anjana Aryal9. Radhika Mahat10. Sudha Dhital11. Laxmi Aryal12. Arati Shrestha | September 27, 2015 | NBA | Briefing on implementation of internship program to lawyers from women and vulnerable groups and experiences of beneficiaries  |
| 9.  | 1. Nava Raj Adhikary, Executive Director2. Dinesh Tripathy, Chair3. Prativa Khanal, Program Coordinator4. Krishna Kanal, SG5. Arjun Jung Shah, Consultant | September 27, 2015 | WVAF | Briefing on program implementation and achievement made |
| 10.  | 1. Ashok Raj Regmi | September 27, 2015 | D-LAC, Kailali (now transferred to Kathmandu) | Work of D-LAC in the district and experience in providing legal aid along with the S-LAC and other stakeholders |
| 11.  | 1. Ganesh Bhatta, Program Coordinator, Dadeldhura District2. Birendra Kumar Thapa, Legal Aid Officer, Surkhet District3. Matrikab Khanal, Coordinator, Dailekh District 4. Devi Lal Chaudhari, Legal Aid Officer, Kailali5. Laxmi Nepal, Program Coordinator, Bardiya District | September 27, 2015 | S-LAC (joint meeting during their visit in Kathmandu | To understand S-LAC work in the field and their performance, efficiency and further need |
| 12. | 1. Krishna Ghimire, Regional Field Monitoring Coordinator, Nepalgung2.Sanjaya Pariyar, Field Monitoring Officer, Nepalgunj 3. Kyarina Shrestha, FOC, Bharatpur1. Mr. Keshari Raj Pandit, Executive DirectorBimal Paudel, Registar Rajan KC, Management Officer | September 29, 2015 | UNDP/ Field Office (Monitoring Team), NepalgunjNational Judicial Academy (NJA) | To understand how the monitoring mechanism of the projectTo collect information on implementation of guideline of in–camera hearing prepared by NJA, and effectiveness of In-camera hearing training, Court paid lawyers and its manual |
| 13. | Mr. Tek TamataProgram Analysist, UNDPMr. Mahendra Pd Upadhaya, Executive Director, Mr. Udaya Raj PaudelMr. Karna Thapa, Campus ChiefMr. Bibek Paudel, Deputy Campus Chief | September 30, 20153oth Sept, 201330th Sept, 2015 | UNDPJudgment Execution DirectorateNepal Law Campus, TU | Effectiveness and challenges of program; coordination and collaboration among participating UN agenciesEffectiveness of training related to judgment execution for court officialsWeighing pros and cons and immediate as well as likely future effect of the Law Students Scholarship Program |
| 14. | Focus Group Discussion with Law Students who received Scholarship  | 30th Sept, 2015 | Nepal Law Campus | Direct beneficiary interviews (view on selection process, quality and effect/likely impact of programme, future personal plans building on training received); to gauge participants’“GESI balance” |
| 15. | Tejj Sunuwar /GESI Expert UNDP | October 1, 2015 | ROLHR Office | Background on GESI dimension of programme design and its potential impact |
| 16. | Mr. Bipul Neupane (Acting NPD of RoLHR and Acting Supreme Court Acting) | Nov , 2015 |  |  |
| 17. | Appointed Attorney General and former President of the NBA | Nov , 2015 |  |  |

**Annex II – Mission schedule**

|  |  |  |
| --- | --- | --- |
| Date/Time | Event | Venue |
| ***24 September; Thursday*** |
| **9:30-10:30** | Meeting with Ministry of Justice |  |
| **10:45-11:45** | Meeting with RoLHR/UNDP  | RoLHR Office |
| **12:00-12:30** | Meeting with UNPFN | UNPFN |
| **14:00-15:00** | Meeting with UN-Women | NDC |
| **15:30-16:00** | Meeting with CD and DCD (UNDP) | UNDP |
| ***25 September; Friday*** |
| **11:30-12:15** | Interaction with beneficiaries of “legal internship programme” | NBA |
| **12:30-1:00** | Meeting with IP International Alert | Partner office |
| **14:00-15:30** | Meeting with IP NNDSWO | NNDSWO |
| ***26 September; Saturday***  |
|  | [Evaluation team meeting& working] |  |
| ***27 September; Sunday*** |
| **13:00-14:00** | Meeting with Partner [World Vision Advocacy Forum] | Partner office |
| **15:00-16:00** | *Meeting with National Women’s Commission (cancelled)* | *Commission office* |
| **16:30-17:30** | *Meeting with National Dalit Commission (cancelled)* | *Commission office* |
| ***28 September; Monday*** |
| **10:00-21:30** | Writing Inception Report and comparing notes | Hotel Himalaya |
| ***29 September; Tuesday*** |
| **10:00-11:00** | Evaluation team meeting Including GESI expert | RoLHR Office |
| **11:00-12:00** | Meeting with Christopher Decker (Chief Technical Advisor) | RoLHR Office |
| **12:00-13:00** | Meeting with UNDP Field office Nepalgunj team (Field Monitoring Officers) | RoLHR Office |
| **15:00-16:00** | Meeting with NJA | NJA Office |
| ***30 September; Wednesday*** |
| **10:30-11:30** | Meeting with Tek Tamata (UNDP Programme Analyst) | RoLHR Office |
| **11:30-13:00** | Meeting with JED (Judgement Executive Directorate) | JED |
| **13:00-14:00** | Meeting with NBA | NBA |
| **14:00-15:00** | Meeting with law campus team / Law faculty ; Interaction with scholarship students | Nepal law campus |
| **15:00-16:00** | Meeting with JSTC | JSTC |
| **16:00-17:00** | Meeting at Nepal Judicial Academy  | NJA |
| ***1 October; Thursday*** |
| **09:00-16:00** | Team work for de-briefing meeting incl. write-up final draft report | Evaluation Team |
| **16:30-17:30**De-Briefing Meeting with Sophie KemkhadzeUNDP Office UNDP-Deputy County Director |
| **17:30-18:15**Meeting with RoLHR MTR Team Leader Summit Hotel |
| ***9 November; Monday*** |
| **16:00-17:15** | Mr. Bipul Neupane (Acting NPD RoLHR; Acting SC Registrar) | Supreme Court |
| **17:00-17:15** | Appointed Attorney General; former President of the NBA | NBA |

**Annex III – List of consulted Reference Materials**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| * An Overview of ROLHR Programme (UNPFN Component), UNDP/Programme

Management Unit, 24 Sep. 2015 |  |  |  |  |
| * Court Paid Lawyers' Training (Training of Trainers), National Judicial Academy, 2013
 |  |  |  |  |  |
| * Draft of Code of Conduct for Lawyers, 2014
 |  |  |  |  |  |  |  |
| * Draft Joint Field MonitoringVisit Report, RoLHR/UNDP (8-10 September 2014)
 |  |  |  |  |  |
| * Enhancing Marginalized Conflict Victims’ Access to Justice (EMCVAJ) Project, Final

Report, World Vision Advocacy Forum (WVAF), December 2014 |  |  |  |  |  |
| * Final Report Baseline Study on Legal Aid Service Mechanism in Five Districts (Dadeldhura,

Kailali, Bardiya, Dailekh and Surkhet) 2014/12/07 |  |  |
| * Final Report on Enhancing Marginalized Conflict Victims' Access to Justice (EMCVAJ)

Project, World Vision Advocacy Forum (WVAF) Dec., 2014 |  |  |
| * Guidelines for Law Scholarship Programme, Oct. 2014
 |  |  |  |  |  |  |
| * Guidelines for Vulnerable Groups of Lawyers Internship Programme, 2015
 |  |  |  |  |  |  |
| * In-Camera Hearing Guidelines and Standard Operating Procedures (SOP), National

Judicial Academy, 2014 |  |  |  |  |
| * Joint Programme Results Framework (Rev 2; 14/02/10)
 |  |  |  |  |  |  |
| * Operations Manual on Socio-Legal Aid Centre, 2014
 |  |  |  |  |  |  |  |
| * Project Document (UNDP/UN Women & UNPFN) (February 2013)
 |  |  |  |  |  |  |
| * Project Final Report of the Developing Capacity of Law Enforment Officials in Implementing

In-Camera Hearing Guidelines and Standard Operating Procedure (SOP) in five Districts of Far and Mid Western part of Nepal, (Reporting Period, Sep. 2013 to Dec. 2014), National Judicial Academy |
| * Project Half Yearly Progress Update, January-June 2014, UNPBSO/PBF
 |  |  |  |  |  |  |
| * Project Half Yearly Progress Update, January-June 2015, UNPBSO/PBF
 |  |  |  |  |  |  |
| * Project Progress/Way Forward: Developing and Enhancing Referral Network/System

Project UNDP, RoLHR, Nepal National Dalits Social Welfare Organization (27 Oct 2015) |  |  |  |  |  |
| * Report on Drafting of National Legal Aid Policy, Consultant Advocate M. Pokharel, 2014
 |  |  |  |  |  |
| * Resource Materials for Capacity Development of Court Paid Lawyers, National Judicial

Academy, 2013 |  |  |  |  |  |
| * Review of B.A./LL.B. Syllabus, Nepal Law Campus, 2014
 |  |  |  |  |  |  |
| * Rule of Law and Human Rights Project, UNPFN Project Mid-Term Assessment, March

2014 |  |  |  |  |  |
| * Second Quarterly Report April-June, 2015 – An Overview of the RoLHR Programme

Interventions, ROLHR/UNDP, June 25, 2015 |  |  |  |
| * Strengthening the institutional capacity of the Judiciary (District Courts), Local

Administration (District Administration, District Police, District Attorneys, District Legal Aid Committees) and CSOs (Bar Association, Human Rights Organizations, Women Groups) to increase conflict affected women/girls’ access to gender responsive justice in five project districts of mid- and far-west Nepal, UN Women, March 2015 |
| * Strengthening the Rule of Law and Human Rights Protection System in Nepal Programme,

Annual Progress Report 2014, UNDP 2014 |  |  |  |
| * Strengthening the Rule of Law and Human Rights Protection System Programme in Nepal,

Annual Project Progress Report, 1st Jan. - 31 Dec., 2014, Nepal |  |
| * UN Peace Fund for Nepal Results Matrix (Second Priority Plan); Draft version August 2015
 |  |  |  |  |  |
| * UNDP Event and Field Monitoring Reports (selection)
 |  |  |  |  |  |  |
| * World Advocacy Forum / RoLHR Project findings; UNDP Field Office Reports (October to

December 2014) |  |  |  |  |

1. Aachham, Dailekh, Dang, Kailali and Surkhet districts. [↑](#footnote-ref-1)
2. District judges, attorneys, police, women and children officer, district bar association, legal aid committee, local peace committee). [↑](#footnote-ref-2)
3. Court officers, govt. attorney, police officers, private advocate, participants from DAO and representatives from women and children. [↑](#footnote-ref-3)