

# Monitoring report

Contract N°: T05.789.2 – UN Multi-Partner Trust  
Fund

Project Title: Somalia Joint Justice Programme  
(JJP)

## Third Party Monitoring and Evaluation II, Somalia

IDENTIFICATION NO.: TPME II - SOMALIA



Consortium Leader



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## 1 Project data

Key project information	Monitoring status*	Some adjustments required to ensure sustainability
Contract number	T05.789.2	
Project title	Somalia Joint Justice Programme (JJP)	
Domain	EUTF	
EUD person in charge	GEOFFROY Veronique	
Contracting party / impl. partner	UNDP (lead agency), UNSOM, UNICEF and UN Women	
Action locations	Somalia	

Financial data (USD)	
Planned amount / total cost	20,299,192.14 (estimated)
EU contribution	9,109,646 (45.43%)

Dates			
Activities start	1 August 2018	Activities end	31 December 2021

This report			
Date	25 June 2021		
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Remarks (if applicable)	None		

\*Three monitoring status options

Major issues requiring further investigation & discussion with IP	Some adjustments required to ensure sustainability	On track
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## 2 Executive Summary – Key Findings by DAC Criteria

<b>Introduction</b>
<p>This report presents findings from the Third-Party Monitoring and Evaluation (TPME) exercise undertaken on the Somali Joint Justice Programme (JJP).</p> <p>This TPME adopted a mixed methods approach, by systematically integrating quantitative and qualitative methodologies, to collect, analyse and present the findings.</p> <p>The findings are presented following the OECD/DAC criteria of: relevance, effectiveness, efficiency, potential impacts, coordination and complementarity, potential sustainability and cross-cutting themes (EU visibility, gender and environmental issues).</p>
<b>Relevance, intervention logic, and programme design</b>
<p><b><u>Relevance to context</u></b></p> <p>The programme is assessed as <b>highly relevant</b> to the local context in Somalia.</p> <p>Main contributing factors to this high relevance to context include:</p> <ul style="list-style-type: none"><li>▪ Somalia’s justice system is still in a very nascent state with efforts to establish State level systems being disjointed without political agreement on an overarching federal justice architecture. The programme’s focus on <b>establishing/strengthening a formal justice institutions framework/model</b> that is agreeable at federal and state levels is thus highly relevant to local context.</li><li>▪ The justice system, particularly at FMS levels, lacks the minimum required capacities. For instance, courts do not have proper case management procedures and systems in place, weak investigative and prosecutorial capacities within the justice chain, etc. The programme’s focus on <b>strengthening capacities of these stakeholders</b> within the justice chain through community-oriented approaches was thus assessed as highly relevant to local context.</li><li>▪ Traditional justice mechanisms provide an important alternative and complement to the formal justice institutions and remain the main providers of justice services in Somalia. The programme’s focus on <b>strengthening capacities of the alternative dispute resolution (ADR) centres</b> through a multi-track approach was thus assessed as highly relevant to local context.</li><li>▪ JJP is well aligned to the <b>federal and state level policy frameworks</b> and efforts within the justice sector. At federal level, the programme is directly contributing to Pillar 2 (Security and Rule of Law) of the Somalia National Development Plan 2020 to 2024 (NDP-9) by laying out fundamental foundations of a formal justice system that offers increasingly professional and standardized justice services. At state level, the programme is working on strengthening/improving FMS development plans (e.g. updating of the Puntland development plan 2017) to ensure focus alignment of the state’s justice sector institutions to the priority needs of the communities they serve.</li></ul> <p>Key informants strongly noted that continued relevance of JJP depends on continued support to implement reform interventions that strengthen the justice sector system at federal and state levels.</p> <p>The TPME team further noted that although the programme is highly relevant to the context, it did not remain versatile enough to adopt its implementation strategies to the fluid context. This was mainly because planning at programme, partners and working group levels was constrained by data limitations and has not been consistently based on high quality data and evidence.</p> <p><b><u>Programme design and intervention logic</u></b></p> <p>Design of JJP is assessed to have followed a participatory and consultative process with extensive discussions between programme partners, stakeholders at federal and state levels, and the target communities.</p> <p>Interviews with key informants and community members confirmed their involvement in the design, which ultimately enabled the programme to respond to some of their judicial needs. Collected evidence suggests that design workshops were attended by staff from government, justice sector institutions, women leaders,</p>

religious leaders, traditional elders, civil society organizations (CSOs), who contributed and were part of the whole process.

The programme's results framework was also assessed to be robust in terms of its vertical and horizontal logic. This was mainly aided by critical revisions that were undertaken in October 2019 that improved the outcome/output logic and the corresponding performance indicators and targets.

Design of the programme was also noted to encourage holistic approach to justice and rule of law by working across many levels, engaging diverse stakeholders, and linking activities across key actors.

## Effectiveness

The Joint Justice Programme has generally been successful in achieving results at Output level, but less successful in achieving results at Outcome level. For this reason, the programme is generally assessed as **partially effective**.

Key findings at general level include:

- The programme capitalized on opportunities to **contribute to strengthening critical justice institutions** in Somalia by creating an enabling environment (through strategies and policies), building capacities (at individual and institution levels) and creating linkages and networks at different levels within the justice chain.
- Programme's strategy of strengthening capacities has **built a critical mass of allies and networks** on both demand (communities) and supply (institutions) sides of the justice sector equilibrium.
- Improved capacities of **target institutions haven't yet transformed into sustained community engagements** and improved access to justice for Somali citizens. The institutions also have a high degree of variability in their capacities and operations and require a longer timeframe than the programme duration to transfer improved capacity into more constructive engagements.
- Need to use modular training approaches to **support capacity development over time** rather than as single event trainings. It was further noted that the training sessions were generally short, and there was not enough effort to build and integrate content over time.
- **Some key interventions** that would have enhanced the enabling environment for realization of key results **have been delayed** mainly due to COVID-19 restrictions. Such activities **could have been easily adopted to online working forums** such as video/web conferencing services to hold virtual meetings (e.g. Skype or Zoom).
- There are **knowledge and evidence gaps** within the programme, mainly due to **lack of systematic collection of information from the grassroots**. Partner reports were noted to be heavy and almost entirely on activities, making it difficult to assess their contribution to the outcome or their relevance to results.

### **Output 1.1: Justice chain strengthened through community-oriented approaches**

Key achievements realised under this output include:

- **Engagement forums** for inclusive community conversations **established**.
- **Awareness raised** about the formal justice system, established processes and roles played by different stakeholders and institutions.
- **Master trainers** and **community facilitators trained** on community conversation methodology. They were then engaged in facilitating dialogue sessions in Baidoa, Dhusamareb, Garowe, Jowhar, and Kismayo.
- **Traditional elders trained on non-violent communication**, to promote equality and enhance their service to the communities without any biasness and without neglecting the rights of individuals.

**Effectiveness** of this output was **hampered by lack of a clear strategy** for escalating community conversation outcomes to the formal system across all implementation areas.

### **Output 1.2: Improved access to justice and human rights through a multi-track approach**

Key achievements realized under this output include:

- ADR centres and mobile courts have contributed to **reduction of cases brought before courts**, reduced backlog of cases and improved access to justice for the poor.
- Over **12,948 people have received legal aid representation** supported by the programme.
- Over **8,704 people have received legal services** from the 16 ADR centres. The centres have also successfully referred cases that are beyond their jurisdiction.
- Over **1,465 people have received legal services** through the mobile courts.

Effectiveness of this component was reduced by the following factors:

- **Programme did not effectively tackle some critical underlying issues** that hamper access to justice and human rights. For instance, ensuring compliance of institutions to human rights standards, enhancing gender equity, high costs to accessing formal justice system, widespread manipulation etc.
- **Programme did not put in place a clear strategy** for monitoring effectiveness of the different multi track approaches and the activities which could negatively affect quality of services and reduce public confidence.

### **Output 2.1: Basic principles for a justice model agreed upon by FG and FMS**

**No final agreements have been made** on the basic principles for a justice model. Progress made under this output include:

- **Rule of Law Working Group** established and is **operational**, conducting meeting on a quarterly basis.
- **Justice and corrections model paper approved by FGS cabinet**, but **final agreements** and approval still **pending**.
- **Concept note on financial analysis** of the justice sector **developed** and awaiting comments from the working group.

Key informants reiterated the need and importance to continually involve a broad range of stakeholders in development of an acceptable justice model. Additionally, understanding of supply-side drivers will be important to inform advocacy efforts, particularly at state and federal levels.

### **Output 2.2: Institutional and technical capacities of key justice institutions established and informed from community dialogues**

Key achievements registered under this output include:

- **Information desks established** in three institutions: Benaadir Regional Court, Benaadir Appeal Court, and the Supreme Court.
- **Electronic case management system** for the supreme court **established**. Workshops were also conducted on standardization of case filing systems and proper case filing using manual processes.
- **Road map for establishing judicial training institute developed**. Additionally, 36 judicial trainers for the supreme court were trained, who have in return trained 205 judges across the states and Benaadir region.
- **SGBV unit established** at the federal Attorney General's Offices (AGO). Technical support also provided to both the federal and Puntland AGO through training, coaching and mentoring of prosecutors and interns.
- **Juvenile justice bill drafted in Puntland** and presented at the Council of Ministers meeting at Federal level.
- 236 students benefitted from the **legal scholarship programme**.

- **Roadmap** to guide **transfer of high-risk cases to the civilian courts** through stakeholder consultation **developed**.
- **Programme supported establishment of the offices** and secretariats to the Somali Bar Association (**SBA**) in Mogadishu, Jubaland, Puntland and Southwest.

The findings indicate that **established/supported institutions/platforms** will likely need a longer term support (beyond the programme duration) to transfer improved capacity into more constructive engagements. There is also a complex nature of interactions and relationships between these institutions which is an issue that can only be tackled through determined political will at state and federal levels.

### Efficiency

The programme is assessed as **partially efficient** mainly attributed to the following findings:

- To a large extent programme **resources were efficiently utilized** and contributed to the overall outcome.
- A critical lesson identified from this programme in terms of cost efficiency is that it is possible to **achieve greater results** with cash, by not scattering funds in many activities but **concentrating them on a few that have high impact**.
- The programme has a **robust governance structure** in place, **implementing partners were found to have transparent and accountable disbursement processes** and fiscal control measures which have **enabled effective delivery of the programme**.
- **Poor coordination of the programme** internally and at sector level **reduced** its levels of **efficiency**.
- **Delayed disbursement** of funds by UN-MPTF to implementing partners which have negative effects in quality of delivering programme activities. Partners were noted to often squeeze implementation of activities into a short timeframe, without considerations on quality.
- Delayed implementation was also caused by COVID-19 restrictions and heightened political engagements in Somalia due to electioneering period.

### Potential impact

The following **potential impacts have been identified** by the TPME team:

- The Joint Justice Programme is contributing to a **better enabling environment within the justice sector** through strategies, policies and networks at different levels within the justice chain. Key informants noted that the programme's strategy of strengthening capacities has already started building a critical mass of allies and networks on both, the demand (communities) and supply (institutions) sides of the justice sector equilibrium.
- **Improved access to justice for all**, peaceful resolution of disputes and build trust and demand for federal and state-provided justice services.
- Sustained **community engagements** will lead to **an increased awareness and understanding of how the justice system works**. This in return will **lead to utilization of the system** and access to justice and human rights.
- **Advocacy and engagements** with policy makers **will ultimately lead to** an increased awareness and understanding of the challenges facing the justice system at both Federal and State levels, and thus **better resource allocation and management of its institutions**.

### Coordination, Coherence and Complementarity

The Joint Justice Programme is assessed as **poorly coordinated**. Contributing factors include:

- Programme works with a large number of stakeholders which has made **coordination complex**.
- **Coordination structures** of the programme **mostly** operate at **high level** with **little engagements at grass root level**.

- **Communication policy and procedures adopted** by the programme were **largely on paper** and did not find expression in the day to day implementation of the programme, particularly at grass root levels.
- Having **four separate budget agencies** made it **complex** to work in terms of **collaboration**.

The **coordination problem** was **also** noted **at sector level** which has resulted in the difficulty to comprehensively address some systemic issues that require more coordinated cross-sectoral collaboration.

While there is a **strong commitment at the top levels** (federal and donor level), this seems to be **lacking** at the **lower or technical level**. For instance, there is poor coordination between the police, prosecution and judiciary and the correctional services. This is causing delays in service delivery, which will continue, unless inefficiencies of the system will be improved.

In terms of coherence, the **programme** is assessed as **sufficiently coherent externally**, working to complement other interventions. For instance, the programme modernized ADR centres established under the 'Reforming and Modernizing ADR System to Enact Rule of Law and Access to Justice in Somalia' programme.

This approach is seen by the majority of key informants to be not only more effective than parallel interventions, but also to increase the probability of sustainability beyond the programme duration.

### Potential Sustainability

Programme achievements are assessed as **generally sustainable** in the longer run, if actively taken up by the Federal and State authorities.

This is mainly because:

- The programme has strong external coherence by **working through already established structures** and to complement other interventions. This approach augurs well for the sustainability of the target institutions and platforms as they are already part of existing government/community/CSOs structures.
- Taking over of the initiatives by the government (both federal and state) may not guarantee their financial sustainability largely because of resource constraints faced by the government. Given pressing priorities in other sectors and the prevailing security situation of the country, the **government is likely to not maintain the initiatives after scaling up and donor withdrawal**.
- The **programme has no effective monitoring mechanisms** for its initiatives, particularly for the different multi track approaches and their activities, creating a danger that quality of service delivery could deteriorate and the institutions could become less accountable to their constituencies, resulting in loss of public confidence in them.
- Key informants concluded that **sustainability could be enhanced** if the programme **continues its support for some time beyond December 2021** for the following reasons:
  - (a) COVID-19 pandemic slowed down the implementation of some critical components of the programme;
  - (b) current and prolonged political engagements on the elections have not enabled ample environment to implement any viable exit strategy for the different interventions; and
  - (c) capacity building of institutions requires more time.

### Cross Cutting Themes

#### EU visibility

Implementation of the programme's communication strategy was found to be **satisfactory** in regard to EU visibility as the donor of the project.

Main communication and visibility interventions implemented include:

- **Inclusion of the EU logo** on banners used for trainings, billboards and other materials produced by the programme.



- **Contribution of EU as the donor** was routinely acknowledged in meetings. Programme beneficiaries (e.g. the sponsored law students) also demonstrated an excellent working knowledge of the role of the EU as the donor.
- The programme **supported media awareness campaigns** to popularize its interventions and communicate results achieved. For instance, achievements realized through ADR centres were shared on social media and UNDP website (link: <https://vimeo.com/466075179>). UN Women also produced newsletters highlighting key success stories on women's access to justice, ending SGBV and effective prosecution of SGBV related cases.

However, there is room for improvement in adding the EU logo on the project documents produced such as strategies and policies.

### **Gender mainstreaming**

This review noted that the **programme**, both in its design and implementation, **incorporated a gender perspective** that took into consideration contextual challenges, vulnerabilities, capabilities and potentials for both women and men.

This was demonstrated through the following:

- **Inclusion of gender markers to each planned activity** alongside gender sensitive indicators and targets. This was done during design phase.
- Implementation of the programme has **specifically focused on access to justice and participation** in justice reform for women and vulnerable groups and transformation of social norms. For example, in the ADR centres the programme enhanced the access to justice for women by increasing and ensuring their participation and addressing their issues.
- Steps were taken to **promote inclusion and active participation of women** in all activities, and to encourage leadership of women. For instance, every group of master trainers in the five FMS included female and youth trainers, and the training of trainers focused on SGBV. Different gender-specific issues, such as SGBV, were also discussed in community dialogues.
- The programme has also **strengthened the SGBV prosecutorial units** which has increased number of rape cases being prosecuted. There are five women prosecutors out of 18 prosecutors that the programme is working with at the federal AGO.

### **Environmental issues**

This review has found that the implementing partners have **policies in place to mitigate any negative impact on the environment** that may result from its planned activities. For instance, UNOPS has policies and procedures in place to not only carry-out an initial environmental risk assessment but also develop a monitoring and mitigation plan based on its findings.

As of the time of this review, **no negative environmental impacts have been reported** from the programme activities.

### 3 Conclusions and recommendations

#### 3.1 On overall project

Conclusions		Recommendations	
Project/programme/sector level			
C1	<p>The <b>Joint Justice Programme</b> was assessed as <b>highly relevant</b> to its context and has largely achieved its results at output level with the outcome level results beginning to manifest within the justice system.</p> <p>However, there are glaring <b>threats to sustainability</b> of these results and the programme's ability to realize some of its intended impacts in the long run.</p> <p>These threats include <b>lack of a clear exit strategy</b> for all the components, environmental challenges, and delayed implementation of some critical activities which also reduced its levels of efficiency.</p>	R1	<p>Consider using modular training approaches to support capacity development over time, rather than single events.</p> <p>Through this approach, the training sessions can be modular, with modules occurring on a quarterly basis coupled with expert mentorship and coaching.</p>
		R2	<p>There is a need for continuous training of the mediators in ADR centres on mediation and relevant laws to enhance their mediation skills.</p>
		R3	<p>Need to develop a clear engagement strategy and framework between community dialogue sessions and the formal system across all implementation areas. These should include clear channels of communications and frameworks of engagements between justice chain actors and communities.</p>
		R4	<p>Use community dialogue sessions to raise more awareness on the justice system and roles played by each actor. These should be coupled with messages that help demystify the negative perceptions towards formal justice institutions, which hampers effectiveness of community engagements with these justice institutions.</p>
		R5	<p>Establish a clear strategy for monitoring effectiveness of the different multi track approaches together with their activities and perception of the community towards them. This is to help improve quality of services they provide and raise the public confidence in the institution.</p>
		R6	<p>Need to develop an exit strategy that clearly defines how programme initiatives and supported institutions could be streamlined into sustainable structures accepted at federal, state and community levels.</p>
		R7	<p>The programme needs to implement the communication policy and procedures outlined in the programme documents to enable sufficient coordination and communication with local stakeholders and implementing partners. In addition to this, coordination of the justice sector as a whole needs to be strengthened at donor, federal, state and local levels.</p>
		R8	<p>Consideration of an extension of the programme timeline beyond December 2021 to enable implementation of viable exit strategy for the different components of the programme.</p> <p>The COVID-19 pandemic and the electioneering activities in Somalia have not enabled implementing partners put in place these measures in a sustainable manner.</p>
		R9	<p>There is need for an elaborate capacity development plan for the justice sector informed by an adequate capacity and training needs assessment. Included in this assessment and plan should be ICT needs (in terms of infrastructure, systems, human resource and training). This plan should be incorporated into the justice sector strategic plan that informs all capacity development interventions for the sector.</p>

### **3.2 Suggestions for LogFrame and improved and/or additional indicators**

No suggestions from the TPME team. The programme results framework was revised at the end of October 2019 resulting in a review of the sequencing of the outcome and output structures.

## 4 Annex 1: Main report

This report presents findings from the Third-Party Monitoring and Evaluation (TPME) exercise undertaken on behalf of the European Union Delegation (EUD) to Somalia regarding implementation and management of the Somali Joint Justice Programme (JJP).

The findings are presented following the OECD/DAC criteria of: relevance, effectiveness, efficiency, potential impacts, coordination and complementarity, potential sustainability and cross-cutting themes (EU visibility, gender and environmental issues).

### 4.1 Programming Context

With the assistance of the international community, the Federal Government of Somalia (FGS) has continued to make modest progress in stabilizing the country, re-establishing and strengthening formal institutions and improving delivery of government services to citizens; although much of the improvements remain centred on main urban centres such as Mogadishu and the capital cities of the Federal Member States (FMSs).

This has been happening within a difficult security and political terrain within the Country. Sustained insecurity with frequent terror attacks, drought, flooding, locusts' infestations and cultural barriers continue to increase the risk of protection issues (such as SGBV<sup>1</sup>) particularly to the most vulnerable including the internally displaced persons (IDPs), women and girls.

Political changes and uncertainty have also affected dynamics of the justice system which is still developing and maturing. Federal Member States (FMS) also started establishing their respective justice systems. However, these systems still suffer from significant capacity deficiencies. For instance, lack of proper procedures to receive and manage cases, poor legal justification of court decisions/ruling with sharia law playing a preponderant role, court rulings permeated by a degree of arbitrariness and legal insecurity, collection of informal court fees due to irregular payments received by justice sector staff and significant levels of corruption and clan influence that affect impartiality.

Official courts in FMSs also heavily rely on traditional justice mechanisms to ensure enforcement of court decisions due to absence of a functioning official mechanism to enforce court decisions. In many locations, endorsement of decisions by traditional elders is the only way to enforce court rulings.

Traditional justice mechanisms tend to be discriminatory against minority clans who are all habitually excluded from participating in decision making via customary dispute resolution processes. Victims of gender-based assaults are typically not consulted about what kind of remedy they would deem satisfactory since they are not included in the conversation, and females are often represented by male relatives in such mediations. Furthermore, often, financial compensation is paid by the perpetrator's family or clan rather than the individual perpetrator.

In light of the above, JJP was designed to support institutional reforms and promote transformational social change, and thereby addressing weak points within the justice system on both the supply and demand sides.

### 4.2 Programme Management & Validity of Data Provided by Respondents

#### 4.2.1 Management and Implementation of the JJP

JJP is a Joint Justice Programme that represents a partnership between the United Nations (UN), the Government of Somalia and international community. The programme includes a total of five participating agencies, including: UNDP (lead agency), UNSOM, UNICEF, UN Women and IDLO. Geographically, the programme covers five federal member states (Puntland, Jubaland, South West State, Galmudug and Hirshabelle) and Mogadishu/Benadir.

The programme is taking place within an architecture under the National Development Plan, including high level coordination between donors, Government and the UN via the Rule of Law (RoL) Working Group. The programme was approved by the steering committee of the Somalia Development and Reconstruction

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<sup>1</sup> Sexual Gender Based Violence

Facility on May 23, 2018; and signed by the UN and the Federal Government of Somalia (FGS) on August 14, 2018.

Duration of implementation is from August 1, 2018 to December 31, 2021 and is being overseen by the following governance structure:

- Programme Steering Committee (PSC) which is responsible for making operational policies and strategic management decisions, including approving annual work plans and budgets. PSC meets quarterly and brings together senior Government officials, donors and participating UN organizations and is chaired by the FG Minister of Justice.
- Programme Secretariat (PS) with UN lead agencies of UNDP and UNSOM for operational and programmatic coordination.
- Programme management teams within the specific implementing partners.

#### 4.2.2 Validity of Data and Information Provided by Respondents

This TPME adopted a mixed methods approach, by systematically integrating quantitative and qualitative methodologies, to collect, analyse and present the findings. Use of mixed methods and collecting information from different sources helped the TPME team confirm validity and accuracy of information provided by the implementing partners, key informants and beneficiaries.

Information provided by the respondents and implementing partners was assessed as valid, verifiable and accurate. This therefore means that the findings presented in this report accurately represent, as much as possible, the phenomenon measured.

### 4.3 Relevance, Intervention Logic, and Programme Design

This section of the report examines relevance of the programme to context, alignment with government agenda, appropriateness of its design process and intervention logic.

#### 4.3.1 Programme Relevance to Context

The programme is assessed as **highly relevant** to the local context in Somalia where continued interventions to support reform and strengthening of the justice sector system at Federal and FMS levels is still necessary.

Key findings from this assessment include:

- All key informants alluded to the fact that the country's justice system is still in a very nascent state. While FMS have started establishing their justice systems, these efforts have been done mostly in a disjointed manner without political agreement on an overarching federal justice architecture. The programme's focus on establishing/strengthening a formal justice institutions framework/model that is agreeable at federal and state levels is thus highly relevant to local context.
- The findings indicate that the justice system, particularly at FMS levels, lacks the minimum required capacities. For instance, courts do not have proper case management procedures and systems in place, weak investigative and prosecutorial capacities within the justice chain resulting into weak cases before the courts, and court rulings/decisions are poorly justified within the legal framework but generally refer to sharia law without required details. The programme's focus on strengthening capacities of these stakeholders within the justice chain through community-oriented approaches was thus assessed as highly relevant to local context.
- Traditional justice mechanisms provide an important alternative and complement to the formal justice institutions and remain the main providers of justice services in Somalia. For instance, in some locations, courts register decisions reached by elders under *Xeer* or through arbitration, providing a degree of state recognition of customary or traditional justice. The programme's focus on strengthening capacities of the alternative dispute resolution (ADR) centres through a multi-track approach was thus assessed as highly relevant to local context.
- The findings further indicate that JJP is well aligned to the federal and state level policy frameworks and efforts within the justice sector. Key informants noted that at federal level, the programme is directly contributing to Pillar 2 (Security and Rule of Law) of the Somalia National Development Plan 2020 to 2024 (NDP-9). In this regard, the programme has helped in laying out fundamental foundations of a formal justice system that offers increasingly professional and standardized justice services. Critical foundations developed by the programme include clear legal framework (including

policies and procedures) particularly on judicial organization and establishment/strengthening capacities of key justice institutions (including traditional) at federal and FMS levels. At state level, the programme is working on strengthening/improving FMS development plans (e.g. updating of the Puntland development plan 2017) to ensure focus alignment of the state's justice sector institutions to the priority needs of the communities they serve.

While the Joint Justice Programme has shown strong relevance to context, there is insufficient evidence that the programme was able to remain versatile and adopt its implementation strategies to changes in the local context from an informed and empirical point of view. This was mainly because planning at programme, partners and working group levels was constrained by data limitations and has not been consistently based on high quality data and evidence. Systematic collection of information from the grassroots work was lacking, which could have helped inform planning (for example on context-specific justice and security issues, gender dynamics, and drivers of change to be included in the community justice and security action plans).

#### 4.3.2 Programme Design and Intervention Logic

The design of this programme is assessed to have followed a participatory and consultative process with extensive discussions between the programme partners, stakeholders at federal and state levels, and the target communities.

Focus group discussions (FGDs) with community members confirmed their involvement in the design which ultimately enabled the programme to respond to some of their judicial needs. For instance, the FGDs noted that during community consultative sessions, they had identified a gap on communication and arbitration skills among traditional elders who mainly provide justice service through the informal justice systems. As a result of this, the programme incorporated training sessions for these elders on non-violent communication, to promote equality and enhance their service without any biasness and without neglecting rights of individuals.

Key informants from different local stakeholders also confirmed their participation in the design process. One key informant noted that *'... the design workshops were attended by staff from government, justice sector institutions, women leaders, religious leaders, traditional elders, civil society organizations (CSOs) who contributed and were part of the whole process.'*

In October 2019, the programme's results framework was reviewed with a view of improving the outcome/output logic and the corresponding performance indicators and targets. In this regard, the results framework is assessed as robust in terms of its vertical and horizontal logic.

The design of the programme was also noted to encourage holistic approach to justice and rule of law by working across many levels, engaging diverse stakeholders, and linking activities across key actors. However, while this holistic approach in design has been successful at creating synergies, it has not adequately enabled shifts in practice among some of the key stakeholders, as discussed under section 4.4 (effectiveness) below.

### 4.4 Effectiveness

Within this section the TPME team provides an assessment on the extent to which the expected outcomes and outputs of the programme have been achieved.

The programme has generally been successful in achieving results at Output level, but less successful in achieving results at Outcome level. For this reason, the programme is generally assessed as **partially effective**.

Key general findings include:

- The Joint Justice Programme has capitalized on opportunities to contribute to strengthening critical justice institutions in Somalia by creating an enabling environment (through strategies and policies), building capacities (at individual and institution levels) and creating linkages and networks at different levels within the justice chain. The programme has also contributed to the integration of community-oriented approaches into the justice chain. These achievements improve access to justice for all, peaceful resolution of disputes and build trust and demand for federal and state-provided justice services.
- Key informant further noted that the programme's strategy of strengthening capacities has also built a critical mass of allies and networks on both demand (communities) and supply (institutions) sides of the justice sector equilibrium.

- While the programme has made significant contributions to building institutional and technical capacities of target justice institutions at federal and state levels, there is substantial evidence that these improved capacities hasn't yet translated into sustained community engagements and improved access to justice for Somali citizens. For instance, the ADR centres (none meeting the required human rights standards), mobile courts, Rule of Law Working Group, Judicial training institute, established bar associations and case filing systems are all not fully operational to the expected levels, such as failure to apply international human rights law in cases that come before courts. It is also apparent that there is a high degree of variability in the capacities and operations of these target justice institutions. As such, it will likely take a longer timeframe than the programme duration for these institutions to transfer improved capacity into more constructive engagements.
- Some of the key interventions that would have enhanced the enabling environment for realization of key results have been so far delayed. For instance: development of the strategy on access to justice and human rights through multi-track approach; finalization of the justice model framework at federal and state levels; and establishment of the juvenile justice system model in Puntland. The activities have been delayed mainly due to COVID-19 restrictions. Such activities would have been easily adopted to online working forums such as video/web conferencing services to hold virtual meetings (e.g. Skype or Zoom).
- Need to use modular training approaches to support capacity development over time was highlighted by most respondents. Training participants expressed that training sessions were too short, and there was not enough effort to build and integrate training over time. They stressed that the training would be more effective if it was implemented in short, frequent sessions rather than as a single event. Key informants recommended that the training sessions be modular, with modules occurring on a quarterly basis coupled with expert mentorship and coaching.
- The TPME team also identified knowledge and evidence gaps within the programme, for example, no information was found to enable assessment of the level of effectiveness of the different multi track approaches employed by the programme against the traditional justice and human rights approaches. Partner reports were noted to be heavy and almost entirely on activities, making it difficult to assess their contribution to the outcome or their relevance to results.

#### 4.4.1 Output 1.1: The justice chain strengthened through community-oriented approaches

The Joint Justice Programme has capitalized on community-oriented approaches to contribute to a stronger justice chain in Somalia. Key achievements realized under this output include:

- Engagement forums for inclusive community conversations established. Key informants noted that the main benefit of these engagements is that they ensure representativeness of all groups and affiliations within the communities, including women, minority clans, IDPs, different age groups and communities in remote areas.
- Community engagements have been particularly effective entry point to raise awareness about the formal justice system, established processes and roles played by different stakeholders and institutions. One key informant retorted that '*.... if the people are made aware of their rights, then they will claim their rights.*'
- Master trainers and community facilitators trained on community conversation methodology. They were then engaged in facilitating dialogue sessions in Baidoa, Dhusamareb, Garowe, Jowhar, and Kismayo.
- Traditional elders who mainly provide justice service through informal justice systems, were trained on non-violent communication, to promote equality and enhance their service to the communities without any biasness and without neglecting the rights of individuals.

Extent to which these interventions have strengthened the justice chain through community-oriented approaches is still not very clear, since there is no adequate data and evidence on their viability.

Effectiveness was hampered by lack of a clear strategy for escalating community conversation outcomes to the formal system across all implementation areas. Key informants noted that there are no clear channels of communications and frameworks of engagements between the justice chain actors and communities, which reduces extent of uptake of community conversations by the formal justice institutions.

One key informant noted that '*...people are still not aware of the role and function of these dialogue sessions and how the community action plans will be actualized.*'

All activities under this output have been assessed as on course and in the process of implementation, as summarised in table below:

Table 1 Status of implementation of programme activities under Output 1.1

Planned Activities	Status	Comments
1.1.1 Undertake community dialogue sessions	Ongoing	<p>Over 75 community conversations have been conducted so far across five states with over 3,538 community members (F: 1,996, M: 1,542) participating in these conversations.</p> <p>Master trainers were trained on community conversation methodology and went on to train a pool of 150 community facilitators in Baidoa, Dhusamareb, Garowe, Jowhar, and Kismayo.</p> <p>The community facilitators, with the support of master trainers and partner NGOs facilitated the dialogue sessions.</p>
1.1.2 Implementation of community action plans	Ongoing	<p>No major community action plans or decisions have been derived from community dialogue.</p> <p>The sessions have so far only generated few concerns and consensus with sessions in Puntland resulting into establishment of a committee to coordinate with the government and justice sector and share issues raised by the community.</p>

#### 4.4.2 Output 1.2: Improved access to justice and human rights through multi-track approach

The Joint Justice Programme has made some strides in improving access to justice and human rights through multi-track approaches such as legal aid services, ADR centres and mobile courts.

Key achievements realized include:

- Programme has played a critical role in bringing justice closer to the people, has contributed to education of citizens on their rights and has assisted the ADR centres to apply laws properly to some extent.
- Key informants noted that the ADR centres and mobile courts have in particular contributed to reduction of cases brought before the courts, reduced backlog of cases and improved access to justice for the poor.
- Over 12,948 people have received legal aid representation supported by the programme.
- Over 8,704 people have received legal services from the 16 ADR centres. The centres have also successfully referred cases that are beyond their jurisdiction.
- Over 1,465 people have received legal services through the mobile courts.

One important lesson learnt identified by the TPME team is that if the ADR mechanisms are properly organised and implemented, they can be an effective tool for justice delivery for the poor and can contribute to national reconciliation. To ensure their effectiveness, there is need for regular training of the mediators on the law and also to strengthen their mediation skills.

Discussions with the key informants noted that the programme did not effectively tackle some of the underlying issues that hamper access to justice and human rights within the justice system. For instance, while the programme strengthened the relationship between ADR centres and formal justice system, it did not manage to effectively ensure compliance of the ADR mechanism to the international human rights standards and enhance gender equity. One key informant retorted that '*... delivery of justice within the ADR centres can be inconsistent sometimes, depending on who is before the court.*'

Other barriers to access to justice that the respondents felt that the programme did not tackle adequately include high costs to accessing formal justice system, poor working conditions for the court staff (no proper equipment and resources), widespread manipulation, and struggles over the system's structure and authority.

The programme did not also put in place a clear strategy for monitoring effectiveness of the different multi track approaches and the activities of the ADR centres. Considering their relatively large numbers across Somalia, monitoring them presents a big challenge, and this could negatively affect quality of services they provide and reduce public confidence in the institution.



One key informant reported that ‘... monitoring these centres and even mobile courts is proving to be very difficult. MoJ office has no staff for that and have no transport. As a result, most of the monitoring is long distance by phone and through reports. However, these are not always reliable.’

The following table presents progress of implementation of the activities:

Table 2 Status of implementation of programme activities under Output 1.2

Planned Activities	Status	Comments
1.2.1 Provision of legal aid services	Ongoing	So far, over 12,948 people (F: 8844; M:4104) have received legal aid representation supported by the programme. This is already more than the programme target of 8000 people.  Legal aid activities in Galmudug did not work as expected due to COVID-19 pandemic and political instability.
1.2.2 Provision of legal services through ADR centres	Ongoing	So far, over 8,704 people (F: 3,624, M: 5,080) have received legal services from the 16 ADR centres supported by the programme. The ADR centres were assessed as generally effective with women, traditional and religious leaders who resolve civil cases that are non-criminal.  The centres also refer cases that are not under their jurisdiction.
1.2.3. Provision of legal services through Mobile courts	Ongoing	So far, over 1,465 people (F: 626, M: 839) have received legal services through the mobile courts.  Mobile court team visit villages and they include: prosecutors, judges, traditional elders, clerks and security guards.
1.2.4 Development and implementation of pilot project on community based responses to SGBV victims and diversion programmes for juveniles (Kismayo and Baidoa)	Ongoing	First stage of the project focusing on training on Nonviolent Communication (NVC) has been completed.  Convergence between community based social norms change and ADR mechanisms have also been initiated and still in progress.
1.2.5. Develop Strategy on providing justice to recovered area developed and implemented in one location	Delayed	Concept not yet developed. Delayed reported to be due to COVID-19 pandemic and political instability related to elections.

#### 4.4.3 Output 2.1: Basic principles for a justice model agreed upon by FG and FMS

The programme has realised basic progress towards this output. Achievements recorded include:

- Rule of Law Working Group established and is operational, conducting meeting on a quarterly basis.
- Justice and corrections model paper approved by FGS cabinet, but final agreements and approval still pending.
- Concept note on financial analysis of the justice sector developed and awaiting comments from the working group.

Findings further indicate that no final agreements have been made on the basic principles for a justice model. Key informants reiterated the need and importance to continually involve a broad range of stakeholders in development of an acceptable justice model. Additionally, understanding of supply-side drivers will be important to inform advocacy efforts, particularly at state and federal levels.

One key informant noted that ‘...such an inclusive process would ensure greater ownership and participation at federal, state and local levels.’

The following table presents progress of implementation of the activities:

Table 3 Status of implementation of programme activities under Output 2.1

Planned Activities	Status	Comments
2.1.1 Rule of Law Working Group established and operational	Ongoing	Rule of Law Working Group was established and is operational, conducting meeting on a quarterly basis. Online platform was used when COVID-19 came in.
2.1.2 Basic principles for a justice model agreed upon by FG and FMS	Delayed	No final agreements have been made on the basic principles for a justice model. So far, the justice and corrections model paper was approved by FGS cabinet in 2018, but final agreements and approval are still pending.
2.1.3 Public expenditure review of the justice sector including propositions for sustainable financing model of the justice sector	Ongoing	Discussion related to this started during the rule of law working group. Concept note on financial analysis of the justice sector has been developed and awaiting comments from the working group.

#### 4.4.4 Output 2.2: Institutional and technical capacities of key justice institutions established and informed from community dialogue

The programme has made significant contributions to building institutional and technical capacities of target justice institutions at federal and state levels. Key achievements registered under this result include:

- Information desks established in three institutions: Benaadir Regional Court, Benaadir Appeal Court, and the Supreme Court.
- Electronic case management system for the supreme court was established. Workshops were also conducted on standardization of case filing systems and proper case filing using manual processes.
- Road map for establishing the judicial training institute was developed. Additionally, 36 judicial trainers for the supreme court were trained, who have in return trained 205 judges across the states and Benaadir region.
- SGBV unit established at the federal Attorney General's Offices (AGO). Technical support also provided to both the federal and Puntland AGO through training, coaching and mentoring of prosecutors and interns.
- Juvenile justice bill was drafted in Puntland and presented at the Council of Ministers meeting at Federal level. The bill will be submitted to parliament for approval.
- 236 students benefitted from the legal scholarship programme.
- Roadmap to guide transfer of high-risk cases to the civilian courts through stakeholder consultation developed and is awaiting presentation to the Council of Ministers by the Federal Ministry of Justice.
- Programme supported establishment of the offices and secretariats to the bar associations in Mogadishu, Jubaland, Puntland and Southwest. This also included establishment of a database at Somali Bar Association (SBA) office to register all the practicing lawyers.
- Critical lesson learnt is that use of ICT can improve access to justice by speeding up court processes and improving access to information for the judiciary. The automation process also has the potential of improving documentation and access to information for the public and enable sharing of lessons and best practices across the states.

However, the extent to which operations of these institutions/platforms are informed by community dialogue and operationalization of some of the strategies and policies still remains a challenge. For instance, the SGBV unit, information desks and the SBA will likely take a longer timeframe than the programme duration to transfer improved capacity into more constructive engagements.

It is also apparent that there is a high degree of variability in the capacities and the way different institutions within the justice chain perform their functions and interact which has an overall impact on the justice system as a whole. Key informants further submitted that these variabilities are responsible for the complex nature

of interactions and relationships between these institutions which is an issue that can only be tackled through determined political will at state and federal levels.

Focus group discussions with community members further revealed some negative perceptions towards formal justice institutions which hampers effectiveness of community engagements with these justice institutions.

Table below presents the status of programme activities under this output:

*Table 4 Status of implementation of programme activities under Output 2.2*

Planned Activities	Status	Comments
2.2.1 Information desks established as pilot in 3 institutions	Completed	Information desks established in three institutions: Benaadir Regional Court, Benaadir Appeal Court, and the Supreme Court. Guides for court users have also been developed and finalized.
2.2.2 Establishment of case filing and case management system	Ongoing	Electronic case management system for the supreme court has been established. Workshops were also conducted on standardization of case filing systems and proper case filing using manual processes.
2.2.3 Judicial training institute established to strengthen capacity of judicial officials to deliver justice	Ongoing	Process of establishing the judicial training institute is ongoing. A roadmap for the JTI has also been developed to provide technical advisory and operational support. Additionally, 36 judicial trainers for the supreme court were trained in 2019. The trainers have been able to train 205 judges across the states and Benaadir region. JJP's involvement with the JTI ended in December 2020 but another IDLO project is now working to support the JTI. The reason is that the programme is focused more directly on service delivery in 2021.
2.2.4 Model for specialized AGO units established on SGBV and serious crimes (capital crimes)	Completed	SGBV unit established at federal AGO. 42 prosecutors received training on trial advocacy regarding SGBV to improve their practical courtroom.
2.2.5 Model of juvenile justice system established in Puntland	Delayed	The juvenile justice is yet to be established due to lack of relevant policies such as child rights and juvenile justice bill. Juvenile justice bill was presented at the Council of Ministers meeting at Federal level and will be submitted to parliament. If passed, it will provide a legal framework for diversion.
2.2.6 Law student provided with legal scholarship	Ongoing	A total of 236 (F:80, M:156) students have so far benefitted from the legal scholarship programme. 173 students (F: 56, M: 117) received the scholarships through Mogadishu University and 63 students (F: 24, M: 39) received through Puntland State University.
2.2.7 Develop and finalize a roadmap for transfer of high-risk cases to the civilian courts through stakeholder consultation	Ongoing	Roadmap developed and is awaiting presentation to the Council of Ministers by the Federal MoJ. This was delayed mainly due to COVID-19 restrictions. Process of developing the roadmap involved high level consultation meetings with senior delegates from the ministry of justice, custodial corps and other key partners.

Planned Activities	Status	Comments
2.2.8 Bar associations established and functional	Completed	<p>Programme supported establishment of the offices and secretariats to the bar associations in Mogadishu, Jubaland, Puntland and Southwest. This also included establishment of a database at SBA office to register all the practicing lawyers.</p> <p>The regional coordinators were also engaged to coordinate the lawyers and operationalize the office at FMS levels.</p>

## 4.5 Efficiency

Efficiency of JJP was assessed in terms of cost efficiency, timeliness and established internal controls. The programme is assessed as **partially efficient** mainly attributed to the following findings:

- To a large extent programme resources were efficiently utilized and contributed to the overall outcome.
- The programme has a robust governance structure in place, implementing partners were found to have transparent and accountable disbursement processes and fiscal control measures which have enabled effective delivery of the programme.
- Delayed disbursement of funds by UNMPTF to implementing partners which have effects in quality of delivering programme activities. Partners were noted to often squeeze implementation of activities into a short timeframe, without considerations on quality. Delayed implementation was also caused by COVID-19 restrictions and heightened political engagements in Somalia due to electioneering period.

### 4.5.1 Cost Efficiency of the Programme

The total budget for the Joint Justice Programme is estimated at USD 20,051,239. The EU Delegation to Somalia is contributing USD 9,109,646 (45.43%).

Table 5 Allocated programme budget per implementing partner

#	Budget categories	Allocated budget (USD)				Grand total (USD)
		UNDP/IDLO	UN Women	UNICEF	UNOPS	
1	Staff and other personnel costs	2,308,714.31	194,505.85	125,361.13	-	2,628,581.29
2	Supplies, Commodities, Materials	105,291.66	1,922.00	24,646.86	-	131,860.52
3	Equipment, Vehicles and Furniture (including depreciation)	104,497.23	14,069.36	19,193.08	-	137,759.67
4	Contractual Services	6,932,981.72	380,000.00	27,793.26	-	7,340,774.98
5	Travel	954,025.44	17,053.04	24,122.46	-	995,200.94
6	Transfers and Grants Counterparts	79,316.00	268,554.00	364,999.11	561,611.21	1,274,480.32
7	General Operating and other direct costs	6,112,457.75	34,409.77	83,950.46	-	6,230,817.98
<b>Sub-totals</b>		<b>16,597,284.11</b>	<b>910,514.02</b>	<b>670,066.36</b>	<b>561,611.21</b>	<b>18,739,475.70</b>
8	Indirect Cost	1,161,809.89	63,735.98	46,904.65	39,312.78	1,311,763.30
<b>Totals</b>		<b>17,759,094.00</b>	<b>974,250.00</b>	<b>716,971.01</b>	<b>600,923.99</b>	<b>20,051,239.00</b>

Findings from the TPME assignment indicate that to a large extent, programme resources have been efficiently utilized and contributed to the overall outcome. The evaluation team found that resources were largely utilized as planned with the burn rates for all the participating agencies revealing a stable state of budget utilization.

Table 6 Programme budget utilization and burn rates

#	Budget categories	UNDP planned budget (USD)	Expenditures* (USD)	Burn rate (%)
1	Staff and other personnel costs	2,308,714.31	2,334,768.19	101%
2	Supplies, Commodities, Materials	105,291.66	5,404.86	5%
3	Equipment, Vehicles and Furniture (including depreciation)	104,497.23	115,497.23	111%
4	Contractual Services	6,932,981.72	6,012,044.61	87%
5	Travel	954,025.44	954,672.44	100%

#	Budget categories	UNDP planned budget (USD)	Expenditures* (USD)	Burn rate (%)
6	Transfers and Grants Counterparts	79,316.00	95,241.00	120%
7	General Operating and other direct costs	6,112,457.75	5,973,225.50	98%
<b>Sub-totals</b>		<b>16,597,284.11</b>	<b>15,490,853.83</b>	<b>93%</b>
8	Indirect Cost	1,161,809.89	1,080,638.84	93%
<b>Totals</b>		<b>17,759,094.00</b>	<b>16,571,492.67</b>	<b>93%</b>

\*As of May, 2021

A critical lesson identified from this programme in terms of cost efficiency is that it is possible to achieve greater results with cash, by not scattering funds in many activities but concentrating them on a few that have high impact. One key informant noted that '*...the funding was not a lot but the programme has made major impacts as the funds were used where they were needed most.*'

#### 4.5.2 Timeliness and Internal Controls

Delays in disbursement of funds from UNMPTF to UNDP and then subsequently to implementing partners was noted to be a major challenge. On its part, UNDP attributed delays to late submission of reports by partners or failure of partners to use the advanced funding as planned.

Delays were also noted to have effects in quality of delivering programme activities. Partners were noted to often squeeze implementation of activities into a short timeframe, without considerations on quality. Delayed implementation was also caused by COVID-19 restrictions and heightened political engagements in Somalia due to electioneering period.

In terms of internal controls, the implementing partners were noted to have adequate internal structures and systems in place that were sufficiently used to implement the programme. Systems assessed to be adequate include the procurements systems, human resource policies and procedures and programme management and governance structures.

#### 4.6 Potential Impacts

As already mentioned above, the programme has largely achieved its results at output level with the outcome level results beginning to manifest within the justice system. As also discussed under sustainability section (4.8 below), there are glaring threats to sustainability of these results and the programme's ability to realize some of its intended impacts in the long run.

Nevertheless, the TPME team has attempted to identify some of the following potential impacts, in case of a sustainable exit strategy being put in place for the programme:

- The Joint Justice Programme would contribute to a better enabling environment within the justice sector through strategies, policies and networks at different levels within the justice chain. Key informant noted that the programme's strategy of strengthening capacities has already started building a critical mass of allies and networks on both demand (communities) and supply (institutions) sides of the justice sector equilibrium.
- Improved access to justice for all, peaceful resolution of disputes and build trust and demand for federal and state-provided justice services.
- Sustained community engagements will lead to an increased awareness and understanding of how the justice system works. This in return will lead to utilization of the system and access to justice and human rights.
- Advocacy and engagements with policy makers will ultimately lead to an increased awareness and understanding of the challenges facing the justice system at both Federal and State levels, and thus better resource allocation and management of its institutions.

## 4.7 Coordination, Coherence and Complementarity

The Joint Justice Programme is governed and coordinated through a Programme Steering Committee (PSC), a Programme Secretariat (PS), programme teams within the Participating UN Organisations (PUNOs) and local partners which include government entities.

With such a large number of stakeholders to work with, coordination becomes an issue and was identified by key informants as an area of weakness requiring improvement. While adequate coordination structures were set up in place, key informants noted that they mostly operate at high level with little engagements at grass root level.

While on paper the communication policy and procedures adopted by the programme are assessed as being wholly appropriate, it was not put into practice as anticipated; a problem that applied not only to communication with local stakeholders but also between the lead agency and implementing partners.

In addition to this, having four separate budget agencies makes it complex to work in terms of collaboration. One key informant retorted that '*... everybody works for their own agency but we are working on a common programme and this complicates things.*'

The coordination problem was noted to not only be at programme level but also at sector level. The TPME team concluded that coordination of the justice sector is still poor. While there is a strong commitment at the top (federal and donor level), this seems to be lacking at the lower or technical level. For instance, there is poor coordination between the police, prosecution and judiciary and the correctional services. This is causing delays in service delivery and unless this improves inefficiencies of the system will continue.

Key informants pointed that poor coordination at sector level has resulted in the difficulty to comprehensively address some systemic issues that require more coordinated cross-sectoral collaboration. One informant retorted that '*... there is a need for an integrated system because it is not just the judiciary that is responsible for current inefficiencies, but the whole system.*'

In terms of coherence, the programme is assessed as sufficiently coherent externally, working to complement other interventions. In this sense, the programme has been strategic in its support to existing efforts and trends, complementing or strengthening existing mechanisms. For instance, the programme modernized ADR centres established under the 'Reforming and Modernizing ADR System to Enact Rule of Law and Access to Justice in Somalia' programme.

Capacity building interventions of the programme were also found to have built on the previous foundations laid on human right approaches to dispute resolutions. This approach is seen by majority of key informants to be not only more effective than parallel interventions, but also to increase the probability of sustainability beyond the programme duration.

## 4.8 Potential Sustainability

One of the successes of the Joint Justice Programme was the strong external coherent by working through already established structures and to complement other interventions. This approach augurs well for the sustainability of the target institutions and platforms as they are already part of existing government/community/CSOs structures.

However, at another level, the taking over of the initiatives by the government (both federal and state) may not guarantee their financial sustainability largely because of resource constraints faced by the government. Given pressing priorities in other sectors and the prevailing security situation of the country, the government may find it difficult to maintain the initiatives after scaling up and donor withdrawal.

For instance, the ADR centres still need resources for referrals and regular training for its mediators to keep them updated on relevant laws and expected standards. Currently, there is no clear arrangement on financial sustainability of these institutions.

Another threat to sustainability could be the poor monitoring of initiatives. Currently there are no effective monitoring mechanisms particularly for the different multi track approaches and their activities, creating a danger that quality of service delivery could deteriorate and the institutions could become less accountable to their constituencies, resulting in loss of public confidence in them.

Key informants concluded that sustainability could be enhanced if the programme continues its support for some time beyond December 2021 for the following reasons: (a) COVID-19 pandemic slowed down implementation of some critical components of the programme; (b) current and prolonged political engagements on the elections have not enabled ample environment to implement any viable exit strategy for the different interventions; and (c) capacity building of institutions requires more time.

The programme did not also put in place a clear strategy for monitoring effectiveness of the different multi track approaches and the activities of the ADR centres. Considering their relatively large numbers across Somalia, monitoring them presents a big challenge, and this could negatively affect quality of services they provide and reduce public confidence in the institution.

One key informant reported that '*... monitoring these centres and even mobile courts is proving to be very difficult. MoJ office has no staff for that and have no transport. As a result, most of the monitoring is long distance by phone and through reports. However, these are not always reliable.*'

A factor that may however contribute to the sustainability of the initiatives is the government's commitment and the political will to improve access to justice for the poor which has been clearly demonstrated by its willingness through the Ministry of Justice that has played critical role in implementation of this programme.

## 4.9 Cross Cutting Themes

### 4.9.1 EU Visibility

Implementation of the programme's communication strategy was found to be satisfactory in regard to EU visibility as the donor of the project. For instance, the EU logo is present on the banners used for trainings and billboards.

Interviews with the various stakeholders confirmed that they are aware of EU as the donor for the programme. For instance, key informants reported that contribution of the EU as the donor was routinely acknowledged in meetings and its emblem prominently displayed on materials produced by the programme. This position was supported by various beneficiaries (e.g. the law students) who demonstrated an excellent working knowledge of the role of the EU as the donor.

However, there is room for improvement in adding the EU logo on the project documents produced such as strategies and policies.

The programme further supported media awareness campaigns to popularize its interventions and communicate results achieved. For instance, achievements realized through ADR centres were shared on social media and UNDP website (link: <https://vimeo.com/466075179>). UN Women also produced newsletters highlighting key success stories on women's access to justice, ending SGBV and effective prosecution of SGBV related cases.

### 4.9.2 Gender Mainstreaming

The TPME team notes that the programme is operating in a context in which gender equality is not a cultural norm nor a strongly established principle within the government institutions and communities as a whole. As a result, the level of women participation in both formal and informal decision-making processes in Somalia remains low.

This review noted that the programme incorporated a gender perspective that took into consideration contextual challenges, vulnerabilities, capabilities and potentials for both women and men. Programme's commitment to gender mainstreaming was demonstrated through inclusion of gender markers to each planned activity alongside gender sensitive indicators and targets.

Implementation of the programme has specifically focused on access to justice and participation in justice reform for women and vulnerable groups and transformation of social norms. Steps were taken to promote inclusion and active participation of women in all activities, and to encourage leadership of women.

For example, in the ADR centres, the programme enhanced access to justice for women by increasing and ensuring their participation and addressing their issues. Training of ADR members on Nonviolent Communication created a deeper connection between women leaders and male elders and enabled the elders to better understand women's concern while solving disputes.

With regards to community conversations, every group of master trainer in the five FMS includes female and youth trainers, and the training of trainers focused on SGBV. Different gender specific issues, such as SGBV, have been discussed in these community dialogues. The programme has also strengthened the SGBV prosecutorial units which has increased number of rape cases being prosecuted.

It was further noted that the programme, both in its design and implementation, encouraged and supported participation of women. For instance, selection of community facilitators focused on inclusion of women leaders, minority clans and youth; and there are five women prosecutors out of 18 prosecutors that the programme is working with at the federal AGO.



### **4.9.3 Environmental Issues**

This review has found that the implementing partners have policies in place to mitigate any negative impact on the environment that may result from its planned activities. For instance, UNOPS has policies and procedures in place to not only carry-out an initial environmental risk assessment but also develop a monitoring and mitigation plan based on its findings.

As of the time of this review, no negative environmental impacts have been reported from the programme activities.

## 5 Annex 2: Locations Visited

Region	District	Name of Village/ Centre/ Facility Visited
Banaadir	Mogadishu	Office of the Somali Bar Association
Southwest State	Baidoa	Ministry of Justice
		ADR centre, Baidoa
Jubaland State	Kismayo	Ministry of Justice
		ADR centre, Kismayo

## 6 Annex 3: Documents Consulted

Author / organization	Document title	Document content	Received from
UN	Annex 1: Description of the Action	Description of the programme including situational analysis, expected results, key program beneficiaries, management arrangements, partnership and linkages, sustainability & exit strategy, monitoring and evaluation.	EU
UN	Annual Program progress report, 2019	Annual highlights, highlight of key achievement, quarterly and annual progress report result matrix narrative report, risk management, monitoring and oversight activities.	EU
UN	Program semi-annual progress report (Jan-June 2020)	Semi-annual highlight, highlight of key achievement, situation update, quarterly and annual progress report result matrix, narrative report and annexes.	EU
UN	Q1 2020 Report (January to March 2020)	Quarterly and annual progress report results matrix	EU
Consultants-hired by UNDP	Mid-term Evaluation of the Somali Joint Justice Programme	Executive summary, introduction, MTE's purpose and scope, Methodology & data source, MTE Management Arrangements and Schedule, findings, conclusion and recommendations.	EU
UN	Annual Progress Report, 2020	Annual highlight of the achievements, situational updates, updates on the result matrix and challenges and lesson learnt.	

## 7 Annex 4: Persons Consulted

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