

JOINT PROGRAMME DOCUMENT PEACE THROUGH JUSTICE PROGRAMME

Cover Page

Country: Afghanistan

Programme Title: Peace through Justice

Joint Programme Outcome(s): "More Afghans have increased access to a reformed, comprehensive and effective justice system." (UNDAF Outcome 1, Country Team Output 4)

Outcome 1 - Local community capacity to understand the justice system, demand access to justice, and protect its vulnerable members' rights is strengthened

Outcome 2 -- The professionalism and accountability of district-level formal justice system actors is strengthened.

Outcome 3 - The facilities of the formal justice system at the district level have greater capacity and are more accessible to community members.

Programme Duration: 2.5 years

Anticipated start/end dates: July 2009

Fund Management Option(s): Pass through

Managing or Administrative Agent: MDTF Office, UNDP

Total estimated budget*: \$6,500,000

Out of which:

1. Funded Budget: \$6,500,000

2. Unfunded budget: Nil

* Total estimated budget includes both programme costs and indirect support costs

Sources of funded budget: MDG Achievement Fund \$6,500,000

Uses of funds:

Joint Programme (UNDP) \$4,523,211

UNDP \$1,140,077

UNICEF \$155,150

UNIFEM \$521,062

UNODC \$160,500



1. Executive Summary

The Peace through Justice Joint Programme (PTJ) will bring the expertise of the Afghanistan UNCT to the most neglected part of Afghanistan's justice system - the district level. Through a partnership between UNAMA, UNDP, UNICEF, UNIFEM and UNODC, the programme will significantly strengthen both supply and demand for access to justice for women and men at the district level across Afghanistan.

The programme aims to meet the priorities of the Afghanistan Government's National Justice Programme and UNDAF Outcome 1, Country team Output 4 - 'More Afghans have increased access to a reformed, comprehensive and effective justice system.' This will be achieved through a combination of different capacity development activities:

- Increasing community level demand for access to justice and realisation of human rights, with particular attention to the rights of women, through public legal awareness, training of community leaders, and strengthening of the capacity of local CSOs;
- Strengthening local capacity to meet these demands through training of formal justice actors and community representatives; and
- Improved capacity and conditions in local justice facilities, through emergency infrastructure works.

Programme activities will be planned, implemented, and monitored in conjunction with the Government of Afghanistan, to ensure national ownership of and support for the programme. Within the programme, there is an emphasis not only on conducting activities in the districts, but also on developing resources such as training curricula on human rights for formal justice sector personnel and teachers, standard operating procedures on dealing with survivors of violence, and legal rights public awareness materials. To promote sustainability, these resources will be available for use by the Government beyond the duration of this programme, and the programme will result in significantly strengthened capacity on the part of both Government and national civil society organisations to develop resources and deliver training and awareness activities.

Gender justice is a very urgent issue in Afghanistan, particularly in relation to violence against women. Within the programme, 25% of programme activities relate to gender justice, including a range of community awareness campaigns and training courses for community leaders and formal justice authorities on women's rights in marriage, divorce and inheritance, prohibitions against forced marriages under the Afghan constitution and Islam, and the development and implementation of protocols to deal with cases of violence against women.





Judges, prosecutors and lawyers, participating in a mock-trial simulation exercise – Herat Province

2. Situation Analysis

The state of justice reform in Afghanistan and how this programme relates to the context

Afghanistan's justice system faces extraordinary challenges. After decades of war, Afghanistan is the poorest country in Asia and among the poorest in the world, leaving resources in terribly short supply. Justice sector infrastructure has been destroyed or damaged in many places by fighting or decay during the years of conflict, and many parts of Afghanistan cannot fairly be called "post-conflict" as intense fighting between Taliban and international forces continues. Corruption is a constant concern; judges and other justice system officials are poorly paid, and justice system capacity to prosecute corruption is so lacking that corruption both within and outside the justice system is perceived to be rampant. The Afghan Government and the international community are both concerned about bolstering the credibility of the "formal" justice system, recognizing that Afghanistan's traditional justice system has a far longer historical role in resolving conflicts yet often does so in violation of national and international human rights obligations, particularly in regard to the rights of women. Security is a constant concern, because of both the on-going conflict and because of criminality, and the constant sense of danger has a disproportionate impact on women, limiting their movement, and access to education, employment, government services, and democratic participation. Cultural values in Afghanistan, including a very strict interpretation of Islam by some religious leaders, also often create obstacles to access to justice for women, by limiting their freedom of movement, literacy, and ability to assert their rights.

The combination of insecurity and inadequate provision of justice services in communities has significant impacts. Without justice and security, other public services such as education and health cannot be delivered by the Government of Afghanistan or NGOs, and such services which do exist cannot be accessed by community members. Additionally, inconsistent service delivery as a result of insecurity can exacerbate conflicts in communities, due to perceptions of bias or favouritism by service providers. Insecurity and injustice restrict people's ability to improve their own futures, and limit their opportunity to escape from extreme poverty and hunger – there is no reason for a farmer to incur the costs of planting a crop if they will be displaced by local fighting before the crop can be harvested, or if a warlord will seize the crop as tribute with impunity. By contributing to improved justice outcomes and reduced insecurity, this project will have a flow on effect to assist in the eradication of extreme poverty and hunger, in accordance with MDG 1.

Over the past year, the Afghan Government has made significant progress in justice reform. The development of the National Justice Sector Strategy and the National Justice Programme (NJSS/P), and the creation of a World Bank administered and Government-led Afghan Reconstruction Trust Fund (ARTF) initiative in support of the National Justice Programme represent important steps in Government leadership in the justice reform process.

The international community has increased its justice sector assistance and improved coordination of assistance. The Rome Conference, held in July 2007, represented a

significant new commitment by the international community to providing greater support to the justice sector in Afghanistan.

But very significant gaps and challenges remain. The vast majority of justice reform projects focus solely on the formal justice system, partner exclusively with central government, work primarily or exclusively in Kabul, and prioritise "supply" side reforms, i.e. building the capacity of the justice system to meet the needs of people who come seeking help. There are many reasons that assistance to the justice sector has evolved in this manner in Afghanistan. Security constraints and logistical complexities can make it challenging to work outside the capital, and extremely difficult to work below the provincial level. The formal justice system and the central government have great needs for assistance. Justice assistance, like assistance to many sectors in Afghanistan, is extremely politicised and strongly linked to the foreign policy interests of countries with military forces present in Afghanistan, and these interests encourage a focus on national policy-making. Finally, while the importance of the traditional justice system is universally recognized, the concerns about practices within this system that violate national and international human rights laws have made many international partners reluctant to engage with this system.

District level justice

Very little justice sector assistance has reached the district or village level in Afghanistan. The district level is the lowest level of the court system and the level at which the vast majority of Afghans interact – or not – with the justice system. While central government institutions in Kabul may be relatively well resourced, have access to many national and international advisors, and have a fairly sophisticated understanding of both national and international law and justice standards, at the district level the situation is very different. Judges, lawyers and prosecutors have often had very little training, have limited if any supervision and oversight, work in poor or non-existent facilities, and lack basic equipment and transport necessary to enable them to work effectively. Community members' confidence in the formal justice sector is constantly undermined by their observations of the professionalism of justice personnel and the conditions under which they work. In many places, the formal justice system simply does not exist at all – there is no courthouse and there are no judges, and the traditional justice system is the only justice system.

While many initiatives take a 'top-down' approach in developing justice sector policy and working with senior officials, it is important to complement these initiatives with 'bottom up' approaches that support local justice sector officials through basic institution building, including training, emergency infrastructure works, and essential equipment. Without these basics, the justice institutions cannot work effectively at the local level -- and the lack of effective formal justice options in Afghanistan's districts hinders the central government's ability assert its presence and control and maintain peace, stability and rule of law in these areas.

The traditional justice system

At present, far more people rely on the traditional justice system than on the formal justice system. As discussed above, there are many challenges facing the formal justice system in communities, particularly outside of major towns. Many people view the formal justice system as foreign or corrupt or ineffective or expensive or too geographically difficult to access. For these reasons, in many communities, traditional justice systems are used exclusively or at least far more frequently than the formal justice system.

Traditional justice can be an effective way of managing disputes and maintaining peace and stability within communities. The more that community members share values and relationships (ie, the more 'bounded' the community), the more effectively traditional

justice can operate. Even in relatively unbounded communities (such as in major towns), people may prefer to use traditional justice to deal with certain types of issues, such as family and personal status issues, while leaving the police to deal with criminal offences such as theft. Community-based mechanisms to resolve conflicts, and other "restorative justice" measures are increasingly viewed as a best practice in all types of social contexts.

However, there is often a fundamental conflict between the values of the traditional justice system, which emphasises restitution and reconciliation, and a formal justice system which imposes sanctions and punishment. International and national human rights obligations require that there be limits to the scope of the traditional justice system's role, and fundamental rights to due process and fair punishment must be either respected by traditional justice systems or left to formal justice systems. It is important to delineate the roles of formal justice systems and traditional justice systems – e.g. through determining appropriate substantive jurisdictions for each, processes to avoid double jeopardy (where an offender is punished by both the formal justice system and traditional justice system), and appropriate sanctions to be used by these respective justice systems.

Due to the weakness of the formal justice system in Afghanistan, however, in many communities traditional justice systems operate by default as the only justice system.

Traditional justice mechanisms reflect the values of the communities in which they function. These values, however, are dynamic, and change over time. Community leaders are sometimes uncertain about how certain practices have come to be accepted in their communities – elders will say that the values are religious values, and religious leaders identify the same values as cultural, coming from the elders. This can occur particularly with harmful cultural practices, such as forced marriage, or payment of a girl as compensation or restitution (known as *bad*).

Village religious leaders, community leaders and elders have very rarely had any opportunity to learn about the Afghan legal system, or about legal and constitutional rights. Exposing community leaders to accurate information about rights can be very effective in removing misconceptions, both about Afghan laws and about the basis of traditional practices. In pilot activities, we have found it effective to approach these topics within the framework of the Afghan constitution and human rights according to Islam. This approach creates space for dialogue in communities about which values they should uphold, and whether changes in practices are required. These community discussions take time, but ultimately allow communities to have ownership over the results.

Conflict at the district level

Conflict arises at the district and community level in Afghanistan due to a range of inter-linked factors. Decades of war and insecurity have destroyed community cohesion and rule of law and led to a great prevalence of weapons in communities. Terrorism and the narcotics trade have a daily impact in many Afghan communities. Terrorism is used as a tactic to create insecurity, and in the resulting rule of law vacuum the cultivation and sale of opium poppies provides a lucrative trade for low-income farmers. In the absence of security, economic opportunities are reduced, costs are higher and the level of risk means that the investment necessary to promote development in Afghanistan is not forthcoming. Lack of economic opportunities and social disadvantage create new cadres of disenfranchised community members, which perpetuates the cycle of conflict.

The formal justice sector experiences substantial challenges in resolving disputes at the district level, as the institutions are weak due to a lack of infrastructure, training, and equipment. The weakness of the formal justice means that many disputes are either dealt

with by traditional justice systems (often in violation of Afghan law and international human rights), or remain unresolved as potentially destabilising factors within the community.

To improve stability in Afghan communities, it is important to:

- Improve the operation of the formal justice sector, through training of personnel, professionalization of service delivery, and provision of the basic infrastructure and equipment necessary to allow them to operate professionally.
- Increase the understanding communities and community leaders have of the formal justice sector, in order to promote trust in and greater use of the formal justice system.
- Reduce conflicts between the formal justice system and traditional justice mechanisms, by encouraging community and religious leaders to harmonize traditional justice values with the Afghan constitution and Islam.
- Increase the capacity of other institutions, such as provincial councils, to resolve community-level disputes in adherence with human rights obligations.

Gender and justice issues

Gender issues remain a very significant human rights concern in Afghanistan. According to UNIFEM statistics from 2007, the Gender Development Index for Afghanistan is 0.310 which is the second to the last in the world. Afghan society is strongly patriarchal, and women frequently experience injustices. Women are often targeted by fundamentalist attacks for choosing to go to school or to work. Many girls are not permitted by their families to attend school, and many adult women are not permitted to work outside the home or even to leave the home at all. Arranged marriage is the norm and forced marriage is very common – including sometimes of girls who are far below the age of adulthood. Violence against women is very common, and honor killings and cases of self-immolation are disturbingly frequent. Women are commonly viewed as the property of their male relatives and there is very little acceptance of the idea that women are independent rights bearers.

The low numbers of women working and low literacy rates among women mean that there are very few women working in the justice sector. For example, of a police force of over 62,000, only 233 (or 0.4%) of police are women. Women working in the justice sector face particular dangers; a senior female police official was recently assassinated and the only senior female prosecutor in Afghanistan has a permanent police guard to protect her.

Afghanistan has, in essence, three justice systems, none of which adequately protect women's rights at present. The traditional justice system continues with practices such as exchange of girls as restitution. Afghanistan's system of Shari'a justice includes interpretations of Islamic law that are more conservative than practices in virtually any other Islamic country. And while women face systemic discrimination within traditional and Shari'a justice systems, they do not easily find justice in the formal justice system either. Data collected during pilot activities and assessments by UN agencies in Afghanistan indicate that the most frequent charges leading to the incarceration of women are 'running away from home' (even though this is not a crime under Afghan law) and adultery (a charge often leveled against women who complain of sexual assault). All of Afghanistan's justice structures have failed to protect women's rights, sometimes as criminal defendants, but even more frequently in regard to violence against women and property and matrimonial rights.

How the PTJ Supports the Goals of the Afghan Government

This programme is very much in line with the National Justice Sector Strategy and National Justice Programme, the document developed by the Afghan Government which lay out its plans for justice reform and form the justice section of the Afghan National Development Strategy (Afghanistan's PRSP). These documents emphasize the importance of justice reform at the local level and of strengthening the infrastructure of Afghanistan's justice system at every level. For example, the NJP's objectives include the following:

- Criminal justice is administered effectively, and in accordance with the law, the Constitution, and international standards (objective E.3.)
- Civil justice is administered effectively, and in accordance with law, the Constitution, and international standards. (objective E.4.)

Specific NJP outputs include:

- Justice institutions construct, acquire, or make functional, on a priority basis, infrastructure necessary to deliver justice services throughout provincial and district areas outside of regional centres. (output B.1.5.)
- Develop information campaigns to enhance the public's knowledge of the rights of victims, witnesses, and the accused in the criminal justice system, in particular with respect to the criminality of violence against women. (output E.3.1.)
- Develop and implement detention policies which incorporate international standards for the treatment of prisoners and humane conditions of confined prisoners. (Output E.6.1.)

Afghanistan is committed to achieving the Millennium Development Goals, and Afghan President Hamid Karzai has set 2020 as a target date for achievement of the MDGs. Reforming Afghanistan's justice system at the community level is crucial to achieving this goal, as achievement of all of the MDGs in Afghanistan relies on stability and capacity for conflict resolution at the community level. The justice system has a particularly crucial role to play in the achievement in Afghanistan of MDG 3 – "Promote gender equality and empower women."

The direct beneficiaries of this project will be not only the district level justice institutions and justice officials, but also the community members in the districts that are served. The activities of the PTJ project will bring information about rights and how to access justice directly to community members, with a particular focus on reaching some of the most vulnerable members of the community – women, children, and young people. In order to fully understand why the project is important and how the training and public legal awareness components of the project has been tailored to the target populations, it is important to understand the characteristics of the beneficiaries.

Afghanistan is one of the least developed countries in the world, according to the Human Development Index, ranking far behind its neighbouring countries, lowest in Asia, and behind only four other countries globally – Burkina Faso, Mali, Niger, and Sierra Leone. The adult literacy rate in Afghanistan is 23.5%, making forms of public outreach that do not require literacy the primary means of communicating with the population. Life expectancy at birth is 43.1 years, and poverty is severe, with Afghanistan having one of the worst Human Poverty Index scores in the world and 30% of the population below the minimum level of dietary energy consumption. Gender inequality, as discussed in the section on Gender and Justice above, is extreme, with the poverty, illiteracy and deprivation prevalent throughout Afghanistan disproportionately affecting women. The Afghan people have suffered a great deal, and continue to suffer, from violence and insecurity. One survey found that 69% of respondents reported that either they or a family member of theirs had

been the direct victim of injustice or human rights violations during the over two decades of war. Continuing and escalating fighting between the Afghan government (with its international military force partners) and insurgents claimed 2118 civilian lives in 2008, an increase of almost 40% over the 2007 civilian casualty figure.

Mirroring the challenges facing the country as a whole, the PTJ beneficiaries who are district-level justice actors also face serious challenges – these include lack of education, lack of credibility, and lack of resources. The judiciary are relatively poorly perceived, with 65% of people regard the courts as fair, compared to 82% who regard decisions of the traditional justice system (jirgas and shuras) as being fair. The courts are perceived as the most corrupt of Afghan institutions, according to a 2005 survey, which found that 76% of people viewed corruption as high in the judiciary. The gender inequality in the country as a whole is reflected in the judiciary, where only 3% of judges are women. Only 11.6% of judges have a university level legal education, although 44% have a university level education in Sharia (Islamic law – in the Afghan university system, there are separate faculties of law and Sharia). Of the country's judges, 58.6% work at the district level. Judicial access to training and materials is poor, with only 63.7% of judges reporting that they have access to government statutes and regulations, and a mere 17.2% having access to decisions by the Supreme Court of Afghanistan. These judges struggle to work under very challenging physical conditions as well, with a full 97.8% of Afghanistan's court houses being in need of construction or rehabilitation. These trends also hold true for justice actors other than judges, for example the Ministry of Justice, where only 13% of staff have attained graduate level education. Legal system professionals are also very often the victims of violence by insurgent groups who target them as agents of the state; threatening of justice officials, particularly in the less secure regions of the country is absolutely commonplace, and assassinations are very common.

4. Strategies, including lessons learned and the proposed joint programme

Background/context:

This programme targets the UNDAF Country team outcome 4 "More Afghans have increased access to a reformed, comprehensive and effective justice system." Under this outcome, UN agencies have committed to a range of outputs to strengthen the formal justice system and improve community member's understanding of and ability to demand human rights. Many of the activities in this proposal have already been piloted by UN agencies at central, provincial or district levels. The PTJ Joint Programme will make it possible for the UN Country Team to build upon lessons learned in the justice sector, link successful approaches across UN agencies, and take a unified approach to having the greatest impact possible in a number of provinces carefully selected for their central role in national peace building in Afghanistan.

National and Local Ownership

The PTJ already enjoys strong ownership by its potential government partners. The Ministry of Justice, Supreme Court, and Attorney General's Office were consulted repeatedly (at the level of Deputy Minister, Attorney General, and Head of Administration for the Supreme Court) during the formulation of the PTJ, and the final shape of the PTJ reflects the priorities articulated by these partners during these consultations – namely the wish for as strong an emphasis as possible on district-level infrastructure. So strong is the national ownership, in fact, that the Ministry of Justice, which plays the lead role among the justice institutions in

engaging with the international community, has been contacting UNDP every week or two to request an update on whether or not the funds for the PTJ have been approved. If the PTJ is approved, it will be implemented with government leadership not only at the high level of coordination and oversight mechanisms, but also at the day-to-day level where decisions are made regarding staff recruitment, which districts will be selected for activities, which facilities will be rehabilitated, what the rehabilitation will consist of, where training programs will be held, what messages will be included as part of the public legal awareness effort for a given province and how these messages will be presented, etc. The UN partners participating in the PTJ are entirely confident about their ability to work this closely with the Afghan justice institutions because these working relationships already exist and function on projects which are being implemented now.

Conflict Sensitivity / Managing Risk

The design of the PTJ incorporates a conflict sensitive analysis. As part of the process of designing the PTJ, several focal points from each of the partner UN agencies, including a mix of senior Afghan and international staff, participated in a half-day workshop focused on identifying the root causes of conflict in Afghanistan and examining how we could best address these conflicts in the design of our submission to the MDG-F. The design of the PTJ grew out of the consensus that emerged at this workshop that one of the greatest threats to peace and stability in Afghanistan is the perception, held by most of the population, that the government is absent from much of the country and unable to exert control and ensure safety and justice for the Afghan people. It was based on this analysis, and following the government's own lead, that the team designing the PTJ decided to focus entirely on supporting the lowest level of the justice system and to do so in a way that would both raise the capacity of the justice system and raise peoples' expectations of that system – while also acknowledging the important role of the traditional justice system in peoples' day-to-day lives at the village level.

The analysis also included some hard discussions regarding the potential dangers, or at least limits, of this approach. Would rehabilitated courthouses be destroyed by the Taliban? Would staff of local implementing partners be targeted by insurgents? Would women seeking to assert their rights be victimized further as a result? These are extremely difficult questions and were considered with great care. In the end, the group concluded that there is no development work in Afghanistan without significant risks, and the PTJ needed to be designed to mitigate these risks in several ways. 1) The choice of provinces needed to be made as close as possible to the date of implementation in order to have the choice informed by the latest information on security trends; 2) PTJ activities needed to be implemented by local contractors and NGOs who would have the best possible understanding of the local context and how to manage the risks to their staff; 3) PTJ activities should be done with extremely limited or no "badging" that would make visible the role of the international community, as this could further endanger the staff involved; and 4) By engaging the entire community at the same time – including respected community religious leaders -- the PTJ would stand the best chance of creating true community-wide change that would support efforts by individuals to seek access to justice.

The PTJ will need to – and will – continue to incorporate conflict sensitive analysis at every stage of its implementation and monitoring. On-going conflict analysis and discussion of how activities can be implemented in a conflict sensitive manner will be a point of discussion at every meeting of the National Steering Committee, Programme Management Committee, and Technical Committee, as well as in forums organized to orient, train and discuss lessons learned with implementing partner organizations. Particularly at the technical level, the Joint Programme Coordinator will be responsible for facilitating on-going dialogue regarding how to ensure conflict sensitivity in every aspect of the implementation process, including

key issues such as how the goals of the PTJ are communicated to communities, how implementing partners are chosen, etc. Conflict sensitivity will also be a key focus of the monitoring process, and indicators will be selected with a careful eye toward capturing information regarding the PTJ's impact on community-level conflict and the extent to which conflict has or has not impeded implementation of activities.

Coordinating with other initiatives

The PTJ programme has been carefully designed with a full understanding of how it will complement and coordinate with other initiatives in the justice sector in Afghanistan. All of the UN agencies partnering in the PTJ are already in regular communication with each other and with all other actors in the justice sector through a number of different on-going coordination forums, which function under the overall guidance of UNAMA, which is also one of the partners in the PTJ. These coordination forums include the following:

Justice Sector Board of Donors: This group brings together all donors and actors in the justice sector at a high technical level to ensure coordination, to share information, and to encourage collaboration and consistency in the way that the international community engages with the national justice actors. Particular focus is given to support to the justice sector through the World Bank-administered Afghan Reconstruction Trust Fund. This forum replaced a previous one called the International Coordination Group on Justice Reform.

International Coordination Group on Legal Training (ICLT): This group brings together, at a technical level, all international actors providing assistance to the justice institutions in the area of legal training, to facilitate coordination at all levels from overall training plans to coordinating dates and locations of different training activities.

Legal Aid Working Group: This group, co-chaired by UNAMA and the Government, brings together organizations, including both national NGOs and international actors, at the technical level, who are engaged in provision of legal aid services in Afghanistan.

Technical Assistance Group (TAG): This group brings together national and international actors to discuss human rights and justice reform issues specifically as they pertain to the rights of women and children.

The PTJ has also been specifically designed to complement other initiatives, including the following, that are being implemented by both UN and non-UN partner organizations in the area of justice reform in Afghanistan:

UNAMA - The Peace through Justice Project will benefit from synergy with a new UNAMA initiative to identify and target assistance to "critical districts" through a process of facilitating an integrated approach to ANDS (the Afghan National Development Strategy - Afghanistan's PRSP) delivery. For the purpose of this initiative, critical districts are defined as districts that are in a state of flux and susceptible to change for the better or worse - i.e. either stable but at risk of imminent instability, or unstable but potentially amenable to quick improvement with an infusion of resources and support. UNAMA has been working for some months on gathering a wide range of information about each of Afghanistan's more than 300 districts in order to identify those that fit these criteria of being "critical." The goal of identifying these districts is to be able to encourage different UN agencies, and potentially other development partners, to target resources to these districts in a coordinated and intensive manner in order to have a very significant impact on peace building and conflict prevention in these districts and, by extension, in the country as a whole. The Peace through Justice Project will support and collaborate with this effort by consulting with UNAMA and ensuring that its selection of provinces in with the Peace through Justice Project

will work is fully informed by UNAMA's critical district analysis. This synergy will help to ensure that the provinces where the Peace through Justice Project will be implemented will be those where the project's activities can make the greatest contribution possible to peace building and conflict prevention.

UNDP – Since 2006, UNDP has conducted a successful Access to Justice at the District Level Project in nine provinces. This project is funded to continue for a further three years (2009 – 2011) and will implement awareness raising and infrastructure activities at the district level in a further eight provinces and also revisit the previous nine provinces where activities have been undertaken. UNDP is also providing assistance to the Ministry of Justice Public Legal Awareness Unit to build the capacity of the Unit to deliver a public legal awareness campaign to selected provinces. Strong links will be forged between these activities and the Peace through Justice Programme to ensure coordination and coordinated engagement of Government counterparts. The selection of provinces for future AJDL activities will be closely coordinated with the selection of provinces for the Peace through Justice Programme to ensure synergy and attempt to cover as many districts in provinces as possible across Afghanistan. Finally, another UNDP project, the Institutional Capacity Building for Gender Equality (ICB) Project, is undertaking a number of activities that will also function in synergy with the PTJ. ICB is establishing provincial offices in six provinces which can provide field support to the PTJ, and the PTJ will also benefit from coordinating with specific ICB activities such as gender training for police and community level training and advocacy regarding implementation of UN Security Council Resolution 1325.

Provincial Justice Coordination Mechanism (PJCM) -- Important to PTJ will be the collaboration with the PJCM, an initiative of the Government of Afghanistan being implemented as a joint UNAMA/UNDP project. The creation of the PJCM in July 2008 represented the implementation of one of the key initiatives resulting from the 2007 Rome Conference. At the conference, the Afghan government requested assistance in the creation of a network of coordinating teams to be based in each of Afghanistan's regions to address the issues described in the Situation Analysis above – the lack of adequate and consistent support to justice institutions at the district level, particularly in more remote parts of the country. The PJCM has enhanced the ability of the Government and the UN to identify the needs of district and provincial level justice systems. The PJCM, however, has no direct access to funding to meet the needs identified by its coordinators. By linking the PTJ Programme to the PJCM, both projects will be significantly strengthened. The PTJ Programme will benefit from information and oversight provided by the PJCM teams on the ground, permitting it to target scarce resources most effectively and to have a full understanding of the local context. The PJCM will benefit because its credibility will be enormously enhanced by its teams being able to not only identify needs but also have the capacity to quickly meet at least some of those needs through the PTJ Programme.

UNIFEM -- UNIFEM is already providing technical assistance to legal aid organizations focusing on legal issues pertaining to women and their representation and is piloting a paralegal program to expand support to women living in more remote areas. At the same time UNIFEM is also looking at enhancing access to justice by promoting protective measures for women survivors of violence within their communities, through the establishment of referral centers and enhanced awareness, skills and mechanisms of the formal justice actors. UNIFEM is also building up the capacity of both the Ending Violence Against Women inter-ministerial commission and the provincial council members to monitor and report women rights abuses in the country. To further facilitate the sustainability of its programs UNIFEM is looking at partnering with other agencies, as it proposes to do through the PTJ Programme, to expand its work at sub-national level in a coordinated and sustainable manner.

UNICEF -- In partnership with the Ministry of Labor and Social Affairs (MoLSA) and the Deputy Ministry of Youth (DMoY), UNICEF supports development of a provincial child protection system (Child Protection Action Networks - CPAN) and Youth Information and Contact Centres (YICC). These networks and centers are designed to coordinate government departments and CSOs involved in both preventive and remedial child protection interventions. The CPAN identifies child protection issues at the provincial level, mobilizes resources at community level, monitors child rights violations, and follows up reported cases to ensure appropriate response. The CPAN also raises community awareness on child rights, intervenes through youth groups, forum, etc. and contributes to CSO advocacy efforts on child protection issues. UNICEF supports CPAN to identify and fill the gaps in service delivery capacity for child protection (including juvenile justice) through training and coaching activities. UNICEF is also conducting community legal literacy trainings (paralegal training) for the CPAN in eleven provinces particularly focusing on prevention of harmful practices such as exchange of girls (*badaal*), and forced/child marriage. By participating in the PTJ Project, UNICEF will help the CPAN to expand alliances at the local level to address the needs of children at risk and child victims. UNICEF recognized the urgent need to train members of the legal professions and community leaders to be children rights sensitive. By strengthening the capacity of these key players through the PTJ Programme, UNICEF seeks to promote and strengthen legal and social support for vulnerable children and increase awareness.

UNODC - UNODC's strong support for the programme results from UNODC's current priority to move its efforts out to the provincial level. UNODC is completing the construction of Gardez prison, expanding vocational programmes for male and female prisoners to Provincial Prisons, and delivering training on the new Prison Regulations to a cross section of all prison staff. A further extension to the District level is very complementary to UNODC projects and programmes. Additionally UNODC has a strong project focus on the rights of female prisoners and detainees, who face particular risks in detention.

Focused District Development (FDD) - This is a very large and well-funded initiative of the US military which includes an expansive training and capacity building element for police. Through this program, the US will be providing month-long training to all members of the Afghan National Police in a sequenced manner, as well as rehabilitating police detention facilities. The PTJ will collaborate and coordinate with the FDD to ensure that the two projects work together to help resolve local police/prosecution challenges that are identified through the respective training programs, to seek the assistance of the US military in meeting some infrastructure needs that are identified through PTJ but cannot be met through PTJ's limited resources, to coordinate timing and location of interventions whenever appropriate, and to share information on construction issues (i.e. capacity of private contractors, etc.). This collaboration has already begun with UNDP's existing Access to Justice at the District Level (AJDL) Project.

Afghan Court Administration System (ACAS) - This is a USAID project that is developing and assisting in the implementation of a standardized nation-wide court filing system. PTJ will collaborate with ACAS to ensure that as PTJ provides equipment to courts, including filing cabinets and shelves, this furniture is compatible with the new ACAS filing system. This collaboration has already begun with the existing AJDL Project.

Previous Partners:

The UN agencies have previously worked with a wide range of local NGOs, CBOs and international organisations in conducting similar programmes. In some cases, it has been

valuable to bring in specialist international experience through contracting INGOs, which are generally able to work with less capacity building and oversight. However, the UN partners in this programme generally prefer to work directly with local NGOs and CBOs – while the level of technical support required is typically much higher, the results are more sustainable, the costs to the programme are generally much less, and the work has the secondary benefit of strengthening the capacity of national organizations. As examples of technical support provided by UN partner agencies in support of national implementing partners, this has included joint development and vetting of materials (to ensure that the materials are legally and factually correct, and uphold international standards), training of trainers in both legal issues and presentation techniques, support in planning awareness programmes, assistance in establishing adequate financial management and reporting systems, and regular monitoring.

As an example, UN partners have dealt with national NGOs with highly developed technical knowledge, including legal rights NGOs, education programmes and media production houses with annual budgets over \$US1m. UN partners have also dealt with small CBOs on local awareness raising projects, which would have annual budgets of less than \$50,000, including local women's rights organisations. On the basis of capacity assessments, the UN partners identify the strengths and weakness of the organisation, and work with the organisation accordingly.

Lessons Learned:

This programme builds on the experiences of the UNCT in implementing similar activities in Afghanistan. Based on this experience, UN agencies have learned many lessons which have informed the programme design and strategy for the current intervention.

- It is essential to have a coordinated, comprehensive and holistic approach to working in a geographic area, rather than a piecemeal approach. The proposed approach coordinates awareness raising activities, training, policy development and infrastructure works. This comprehensive approach simplifies coordination between actors and provides a more straight forward interface for the Government of Afghanistan. The approach also involves simultaneously training representatives of each formal justice institution, the private/defence bar, religious leaders, community leaders and representatives, to ensure that each community demographic is simultaneously exposed to the programme.
- Significant attention should be paid to infrastructure works in justice reform programming, to meet the needs and priorities of the Government. This work not only improves national buy-in to the programme, but it is an integral requirement so community members can access a physical location in order to claim and enforce their rights.
- Increasing access to counsel can significantly reduce detention, especially for women, as evidenced by declines in detention of women in two provinces following creation by UNIFEM of referral centres for women defendants. The programme also demonstrated the efficacy and feasibility of engaging local justice officials in efforts to combat gender based violence.
- Approaches which encourage local stakeholders and communities to take ownership are practical even at the lowest level and are more likely to be sustainable. For example, UNIFEM has worked with communities to draft their own protocols on how

they will take responsibility for violence against women, and the communities have taken these protocols and upheld them.

- Although there are significant obstacles to working at district level, through previous interventions, we know that it is feasible to work at the district level, especially if this work is largely implemented through national NGOs. We anticipate that the ongoing successful implementation of district-level justice reform work through the Peace through Justice Programme will help demonstrate the feasibility of district-level interventions and attract further donor support to much needed district-level initiatives.
- In many provinces, there is limited control by the central government over activities of government actors at the provincial and district level. Previous initiatives have encouraged linkages between the centre, province and districts by putting these actors in contact with each other during planning, training and assessments. This helps to reinforce the influence of the central government, as they are seen by provinces and districts as having successfully attracted support to the area.
- Corruption by, and perceptions of corruption by justice officials represent one of the greatest obstacles to public confidence in the formal justice system. While low salaries are a key obstacle to preventing corruption, and salary increases need to be addressed through the on-going national process of Pay and Rank Reform (PRR), the PTJ will have an impact on corruption and perceptions of corruption at the local level. By raising the awareness among community members of the role of the justice system and their rights within that system (the "demand" for justice) the PTJ will empower community members to hold justice officials accountable and create community level pressures for judges, prosecutors, and attorneys to work hard and behave honestly.
- Careful selection of CSO partners is essential. Working with national CSOs requires a significant investment in capacity development and oversight, but they are able to engage with local government and community stakeholders in a way which international CSOs and UN agencies cannot. Due to a limited number of technically proficient CSOs in provinces and districts, it is important to consolidate the procurement of CSO services to avoid different UN agencies placing conflicting demands and timetables on the available CSOs.
- The security situation in Afghanistan remains very volatile, with a significant trend toward areas which were previous stable becoming more insecure. It is essential to maintain a flexible approach to programme activities and to work in close conjunction with the Government of Afghanistan, particularly in implementing and monitoring programme activities in insecure locations.

The proposed joint programme:

The experience of the UNCT in Afghanistan has shown that the needs of the justice sector are enormous, and that attention is frequently focused on flagship initiatives at the central level. However, the interactions of most citizens with the formal justice system take place not at the central level, but at the lowest levels – with a clerk in the district court or with a police patrol in a local marketplace.

The justice system consists of inter-linked parts, and is only as strong as its weakest link in any location. Criminal cases pass from police to prosecutors to the courts and often involve

pre-trial detention and custodial sentences. There is limited value in working with one portion of the chain, if the gains in this area will be undermined by the other links. On this basis, the programme aims to select provinces where there is the greatest potential for important peace building impact, and work with all formal justice sector stakeholders in these locations. This approach includes:

- Supply side interventions – working with formal justice institutions:
 - training on legal and constitutional rights, Afghan and international law, with a special focus on women’s rights
 - development of policies, standard operating procedures and infrastructure designs which comply with minimum international standards
 - emergency infrastructure work in local justice sector facilities, to ensure that justice officials have a location where they can work effectively.
- Demand side interventions – working with community representatives, with a special focus on women’s rights, through:
 - awareness raising initiatives
 - training on legal and constitutional rights, Afghan and international law

In addition, this programme will complement the work in the formal justice sector with interventions related to traditional justice. Because traditional justice systems are frequently more accessible to citizens, particularly those who do not live in major towns, it is important to find appropriate ways to engage with traditional justice systems and to reduce practices within these systems which do not comport with human rights.

The programme takes a combined approach to traditional justice. Because the traditional justice system continues to play such a large role in peoples’ lives, it is important to train community leaders and religious leaders who are part of the traditional justice system on Afghan law and human rights. UNDP has demonstrated success in training religious/traditional justice leaders in Afghanistan on human rights from an Islamic perspective, through national CSOs, and this approach has proven to be culturally acceptable.

At the same time, other dispute resolution mechanisms such as provincial councils have emerged. These councils are not part of the traditional justice system, although traditional values may be strongly represented. Under this programme, members of six provincial councils will be trained in human rights and dispute resolution. Civil society organisations will be contracted to monitor provincial councils and report whether their decisions are upholding human rights.

Thirdly, the programme will improve the operation of the formal justice sector at the district level, by training formal justice sector officials, providing emergency infrastructure works and basic equipment so facilities can operate at a functional level, and by raising awareness in communities of the role of the formal justice sector. The full extension of the formal justice system to the districts will be a gradual process which will require significant financial and human resource investment over many years. However, the progressive strengthening of the formal justice system in communities will enhance the influence and control of the central government in these areas, and contribute to a reduction in insecurity and conflict in those locations.

This programme utilizes the expertise of several UN organisations, according to their specialisations:

- UNDP has experience implementing district-level justice reform programming in Afghanistan, including working with local NGOs in Afghanistan to conduct human rights awareness activities and training for communities and local justice officials and in managing contractors to rehabilitate justice sector infrastructure facilities in district locations. It will build on this experience by playing a lead role in infrastructure rehab and some public awareness and training activities. UNDP's Institutional Capacity Building for Gender Equality Project will collaborate with UNIFEM in ensuring a strong focus on gender in all facets of the joint programme's implementation. UNDP will also provide operational support to the joint programme by housing the jointly-funded programme coordinator and being the administrator of the consolidated procurement processes.
- UNIFEM has experience in gender awareness raising and advocacy in Afghanistan, including training of formal justice sector and civil society organisations. UNIFEM has also piloted advocacy activities with paralegals and conducted research on the operation of local dispute resolution, particularly in relation to women's experiences. UNIFEM will continue these activities under the proposed programme, and provide technical advice to ensure that gender issues are appropriately mainstreamed in all other programme activities particularly training and rights awareness.
- UNICEF has expertise in juvenile justice and child rights advocacy in Afghanistan. In this programme, UNICEF will target human rights awareness for youth programmes in conjunction with the Ministry of Education.
- UNODC has experience designing and constructing prisons in Afghanistan and training prison and detention centre officials. In this programme, UNODC will provide technical expertise on international prison design standards, and train prison and detention centre officials from districts on the regulatory framework of the prison system, including the Prisons Act and regulations.

The programme will undertake activities in six provinces, out of the thirty four provinces in Afghanistan. Initially, the concept note proposed that the programme would target twelve provinces with a budget of \$11.2m. However, the approval of a budget of \$6.5m has led to a necessary reduction in the number of target provinces. Based on demonstrated performance of the programme, the programme will seek co-funding or further funding from interested donors in order to expand the scope of the programme beyond six provinces or continue the programme.

The programme will conduct activities in three provinces per year, over a two year period¹.

The programme will be implemented by direction execution, primarily through contracting partners, with UNDP responsible for the operational aspects of managing these contracts and the management of funds for joint activities. Components of the programme will be awarded to CSOs which demonstrate capacity to undertake the work, to private contractors (in the case of infrastructure works), and may also be directly implemented by participating UN agencies. The organisations contracted to implement activities will be primarily national organizations, as capacity development with these organizations is an additional advantage and will contribute to the long term sustainability of the programme.

¹ The project is a 2.5 year project, but all funds have been allocated, and all activities planned, for the first two years of the project timeline, with the hope that they will in fact be fully completed during that timeline. The additional six months have been added to the project as a buffer in case of delays occurring, as they frequently do in Afghanistan, as the MDG-F is not able to permit extensions of the programme under such circumstances.

Due to the limited number of relevant national civil society organisations at provincial and district level, there is a risk of overloading these potential partners if each UN agency were to pursue its activities independently. Instead, contracting with implementing partners will be done through a consolidated procurement process to select CSO partners for activities which can be combined, with agencies acting as technical lead on different activities according to their areas of expertise. The results framework identifies the implementing agent and technical lead for each output. Technical aspects of the procurement process will be done jointly, coordinated by the programme coordinator, so although each activity will have technical lead, there will be a high level of joint ownership of all activities across partner organizations. UNDP will provide administrative support to this process by handling the administrative aspects of the procurement process and contract management.

The process of drafting requests for proposals, reviewing proposals, selecting partner organizations, orienting, mentoring and monitoring contracting organizations, and developing and refining training and public awareness materials and infrastructure specifications will be done jointly by the Government of Afghanistan, UNDP, UNICEF, UNIFEM, and UNODC, with input from UNAMA.

Sustainability of results:

This programme has been carefully designed to have the greatest and most sustainable impact possible at the district level using limited resources. Several strategies have been developed:

- A lead role for the Government of Afghanistan: Activities will take place in close coordination with both the central and local government. This approach helps to strengthen the influence of the central government at the local level. The involvement of both central and local government justice officials in planning, implementing and monitoring of activities helps to promote ownership of the activities and sustainability.
- Development of systems and resources: Several of the programme activities involve the development of systems, training curricula, public awareness resources etc. For example:
 - Development of curricula for training teachers on legal rights – in partnership with stakeholders including the Ministry of Education
 - Development of public legal awareness materials – in partnership with stakeholders including the Ministry of Justice Public Legal Awareness Unit
 - Development of standard operating procedures to deal with victims of violence, in partnership with stakeholders including the Ministry of Labour and Social Affairs

This approach aims to develop culturally appropriate resources for Afghanistan in local languages, which can be used by the Government throughout Afghanistan and beyond the timeframe of this programme, helping to ensure the sustainability of the activities.

- Training of community leaders and local justice officials: Through targeting training specifically at long-standing community leaders, the project can ensure that it leaves

new knowledge in the hands of those who will lead the targeted communities for the long term. Project professionalization activities targeted at justice officials will reach those officials at the most local level – not the high level officials who may move on shortly to international or private sector jobs, but those who are at the lowest levels of the justice system and likely to remain in their communities for the foreseeable future.

- Capacity development of local NGOs and CBOs – by working with local NGO and CBO partners wherever possible, the programme will build the capacity of these organisations to undertake training programmes and community outreach projects in the future, while also building their understanding of justice issues.
- Infrastructure: Finally, by meeting the most basic and urgent infrastructure needs of the district justice systems – i.e. patching the hole in the courthouse roof or installing a septic tank at the district detention facility -- the project will provide substantial and sustainable changes in the conditions which community members, justice officials, and prisoners encounter in the justice system.

5. Results Framework

The programme contributes to UNDAF outcome 4 which states 'More Afghans have increased access to a reformed, comprehensive and effective justice system.' The programme aims to improving access through a series of coordinated initiatives taken place in selected provinces of Afghanistan.

This project addresses two of the outcomes of the MDGF Conflict Prevention and Peacebuilding window:

- Strengthen the capacities of justice and security service provider – both civilian and uniformed – to respect and promote human rights and deliver justice and security on the basis of accountability, transparency, predictability and equality before the law; and
- Improve the performance of rule of law institutions (ministry of justice, judiciary, ministry of the interior, correctional facilities) and the capacity of civil society to enhance access to justice for all.

It does so through the following three project outcomes. Activities in each area will commence with a baseline assessment, as discussed in the Monitoring and Evaluation section.

Outcome 1: Local community capacity to understand the justice system, demand access to justice, and protect its vulnerable members' rights is strengthened.

This outcome will be achieved through three interlinked approaches:

Joint Output 1 Community members have a greater awareness of constitutional and human rights.

This activity represents a continuation of successful activities from the first phase of the AJDL Project. The Peace through Justice human rights awareness campaign will work to

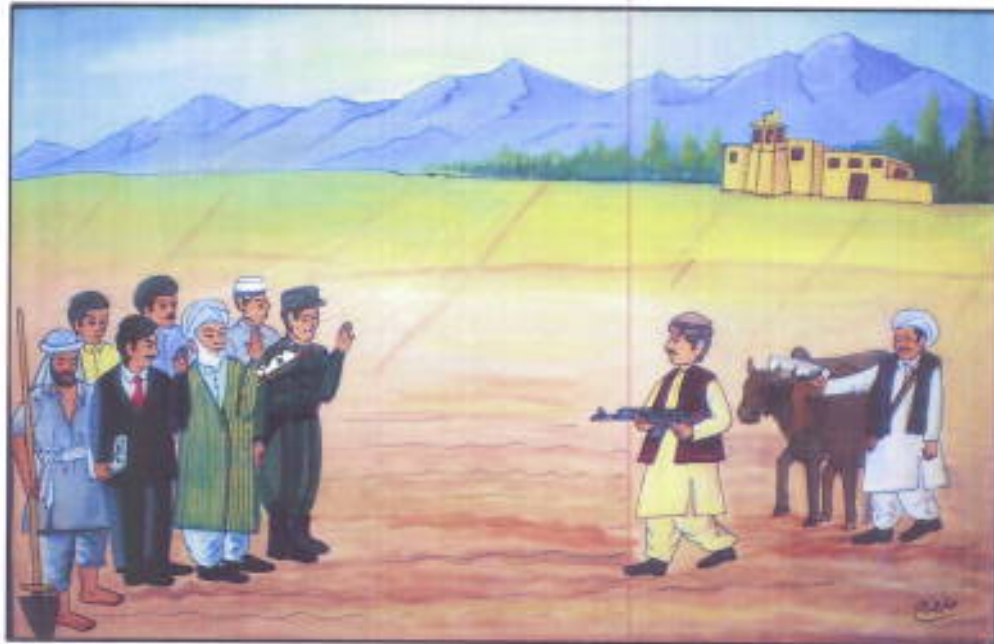
spread awareness of human rights and access to justice issues to every part of the population in the targeted districts through:

- Mass media campaigns - these campaigns will be predominantly via radio, with some supplementary print media to reinforce key messages. Key topics from training courses (family and personnel status law, protection of women and children in criminal law, right to a defense counsel, land law, legal awareness for religious leaders) will be presented through songs, panels and talk back shows.

The UN partners in this programme already have experience in conducting mass media programmes on constitutional and human rights issues, using Afghan national and local media in a range of local languages. In cooperation with a local NGO, UNDP produced and broadcast by radio 12 dramas on legal issues, 12 panel debates involving local justice officials and community representatives, 24 interviews on justice issues with stakeholders, 5 songs on women's rights issues, 12 open line 'talkback' radio shows (where listeners called in with questions and issues for discussion) and 30 community service announcements.

- Village public awareness activities – community events will be held including rallies, creative arts performances, communal viewing and discussion of a short film on harmful customary practices including payment of girl children as compensation. Messages from these events will be reinforced with publicity materials, including posters and banners. Resources which have been produced for mass media campaigns (such as songs on legal issues and women's rights, and community service announcements) will also be broadcast over public address systems before and after public events. The UN partners for this programme have already produced and trialed a range of resources, including films, posters, comic book style publications for audiences with low literacy, etc. These resources cover a range of issues, including women's rights, criminal law and right to defense counsel, land law, etc.

دفاع از حقوق غیر، دفاع از حق خود است



Defending the rights of others is defending your own rights

Joint Output 2: Community representatives and leaders have improved knowledge of human rights and skills to manage disputes.

The knowledge component also represents the continuation of an activity that proved effective in the first phase of the AJDL Project. By engaging in community-level training and discussion with local leaders, the AJDL Project has been able to have a significant impact on increasing the understanding of and commitment to enforcing human rights among these leaders. The skills component aims to ensure this knowledge of human rights is applied through local dispute resolution which complies with local and international obligations. Local CSOs will monitor provincial councils as they resolve disputes in their communities.

Indicative training courses for community representatives and leaders (male and female) will include:

- Family and personnel status law – this six day training course covers topics including the lawful age of marriage (to reduce child marriages), prohibition of forced marriages in Islam, rights relating to marriage (including economic rights, rights of residence etc), divorce rights, abandonment of marital residence.
- Land law – this five day training course covers topics including right to private property, inheritance rights of women, property rights during marriage and following the dissolution of marriage.

- Legal awareness for religious leaders – this three day training course covers topics including entering into an engagement and marriage, the consent of the parties to a marriage / forbidding of forced marriages, forbidding under Afghan law and Islam of harmful customary practices such as *badal* (exchange of girl children between families) and *bad* (payment of a girl child in compensation or restitution), inheritance rights of wives, mother, sisters, daughters, grounds for divorce, dealing with cases of adultery.

Joint Output 3. Government officials and CSOs demonstrate greater capacity to respond to victims of violence.*

This component builds on work already undertaken by UNICEF and UNIFEM in establishing networks to protect women and children who are victims of violence.

The indicative activities focus on violence against women and children, and include the development of standards and mechanisms for victim support services, the adoption of these standard operating procedures by justice institutions, training of social workers and community frontline workers, development of provincial child protection action networks (CPAN) focusing on prevention of practices such as exchange of girls (*badal*) and forced / child marriages.

These activities will take place in cooperation with the Ending Violence Against Women inter-ministerial commission, the Ministry of Labour and Social Affairs, the Deputy Ministry of Youth and the formal justice institutions.

Outcome 2: The professionalism and accountability of district-level formal justice system actors is strengthened.

Joint Output 4. District level formal justice sector actors have increased capacity to uphold legal rights.

During Phase 1 of the AJDL Project, UNDP found that justice actors were eager to participate in human rights training courses. While there are other actors involved in providing human rights training, including initiatives that will hopefully result in the mainstreaming human rights into basic training for justice providers, these trainings are not held at the district level. District level training courses are important and useful because they bring together the justice actors in the area to allow for an exchange of views and ensure that the personnel of each institution have consistent information. This can promote mutual accountability between the justice sector institutions at a local level.

Indicative training courses for formal justice sector actors include:

- Family and personnel status law – this six day training course covers topics including the lawful age of marriage (to reduce child marriages), prohibition of forced marriages in Islam, rights relating to marriage (including economic rights, rights of residence etc), divorce rights, abandonment of marital residence.
- Protection of women and children in criminal law and right to a defence counsel – this five day training course covers topics including women’s rights in Afghanistan based on the constitution, statutory laws, international conventions, the equality of

women, women's rights in Islam, sharia obligations to protect women and children and right to a defence counsel.

- Land law – this five day training course covers topics including right to private property, inheritance rights of women, property rights during marriage and following the dissolution of marriage.
- Prisons legislation – training for prisons and detention center staff on the new Prisons Act and regulations. A 'picture book' training approach has also been developed to train staff with low literacy levels.

The training resources for the formal justice system actors developed to date cover knowledge, skills and attitudes. This helps ensure that the topics are covered in a practical manner, and can be applied in the workplace. Following the training courses, the training organizations will follow up with a sample of trainees from each institution, to check how the course contents are being applied in the workplace. This follow-up will be undertaken in conjunction with senior officials from each justice institution, to demonstrate to staff the support of senior justice officials for the programme and to promote the institutionalization of the training course content.

Outcome 3: The facilities of the formal justice system at the district level have greater capacity and are more accessible to community members.

Joint Output 5: Physical infrastructure conditions of justice sector institutions at the local level are improved.

Justice sector infrastructure in Afghanistan has been extensively damaged, due to war and instability. There are several large scale infrastructure programmes underway at present, but many years will be required before infrastructure can be completely rehabilitated, and the current level of support is not adequate to meet the needs of the justice sector. This is especially true at the district level, as districts frequently benefit last from centrally driven infrastructure works programmes. It is crucial for this programme to engage in infrastructure not only because this work is the top priority for our local partners, but also because local justice infrastructure is the most visible aspect of the justice system and the existence of functioning infrastructure is integral for the achievement of all other aspects of access to justice.

Infrastructure works undertaken through this project will focus on existing justice sector structures, such as courts, prosecutor's offices, Ministry of Justice offices and detention facilities. Priority will be given to facilities which can be made functional again with limited investment. Sites for infrastructure works will be selected in conjunction with Central Government and Provincial Government authorities. This project will coordinate closely with other actors working on infrastructure programmes, both directly and through the Provincial Justice Coordination Mechanism (PJCM) to avoid duplication of efforts. Basic equipment will be provided once facilities are rehabilitated, to ensure that the buildings are operational at a minimal level (such as chairs, desks, filing cabinets, bookshelves etc).

Under the Access to Justice at the District Level Project, UNDP has worked with the Ministry of Justice, the Attorney-General's Office and the Supreme Court to conduct engineering

assessments of existing infrastructure, and prioritise the rehabilitation of justice sector facilities. This work has been closely linked with the human rights awareness and capacity development aspects of the Access to Justice at the District Level, to ensure that there is a comprehensive approach to simultaneously developing infrastructure and human resource capacity in the formal justice sector, and demand for justice services in community through outreach and awareness programmes.

The costs of infrastructure rehabilitation in Afghanistan using independent contractors can be moderate in comparison to infrastructure works in other post-conflict countries. During 2008, UNDP rehabilitated eighteen buildings in two provinces for well under US \$1 million. The rehabilitated facilities were prioritised by the Government of Afghanistan, and ranged from moderate damage to virtually destroyed. The selected facilities were:

- 11 detention centres (including separate facilities for men and women)
- 2 primary courts with prosecutor's offices
- 2 primary courts without prosecutor's offices
- 1 judge's residence

Additional justice sector facilities were rehabilitated by UNDP in Baghlan, Jawjan, Kunduz and Samangan. Note that the rehabilitation of police stations is not included in this project, as other international actors are supporting this work.

Infrastructure rehabilitation is consistently prioritised by the Government of Afghanistan, and a relatively small amount of money per site can establish a functional justice facility. These facilities are a tangible manifestation of the rule of law and the presence of the government in the community and a demonstration to justice officials and communities that the international community is supporting their needs. Additionally, it helps to facilitate the delivery of justice services to communities, by providing a location that justice sector officials can work from professionally, and a place that community members can go to if they need to access services.

The Government of Afghanistan has committed to maintain the buildings which will be rehabilitated under this project. One of the lessons learned from previous quick impact infrastructure rehabilitation projects is that the funds allocated were not sufficient to pay for long lasting materials, which will not reduce the future maintenance burden on the Government of Afghanistan. In this proposal, the amount of money allocated to emergency justice sector infrastructure works in each province is increased, so rehabilitations can be completed with higher quality materials, rather than relying on local materials. This will help the buildings to last longer especially during harsh winters, and reduce the maintenance expense which the Government of Afghanistan will face.



Rehabilitation in progress – detention center guard tower in Mazar-e-Sharif



Engineer's site inspection – Primary Court, Herat

Table 1: Results Framework

UNDAF Outcome: "More Afghans have increased access to a reformed, comprehensive and effective justice system." (UNDAF Governance, Rule of Law and Human Rights, Country Team Outcome 4)							
Joint Programme Outcome 1							
Local community capacity to understand the justice system, demand access to justice, and protect its vulnerable members' rights is strengthened							
Indicator: Number of participants in training courses and awareness raising activities, desegregated by location and gender.							
JP Outputs (Give corresponding indicators and baselines)	Participating UN organization-specific Outputs	Participating UN organization	Participating UN organization corporate priority	Implementing Partner	Indicative activities for each Output	Resource allocation and indicative time frame ²	
						Y1	Y2
<p>1. Community members have a greater awareness of constitutional and human rights.</p> <p>Indicator (UNDAF): Advocacy and media campaigns launched on the constitutional and legal rights of all citizens</p> <p>Districts covered by media campaigns for access to justice and rights awareness</p> <p>Increase in the percentage of population in target districts who can correctly describe their constitutional and human rights.</p> <p>Baseline: pilot awareness raising activities conducted in some provinces.</p> <p>Some awareness raising resources developed and field</p>	<p>1.1 Awareness of the general public raised regarding constitutional and human rights in an average of 7 districts in each of 6 provinces</p>	<p>Joint output UNDP technical lead</p>	<p>UNDAF Outcome 4²</p> <p>CPAP³ outcome 2</p>	<p>UNDP</p>	<p>Review existing public awareness materials and resources.</p> <p>Identify requirements for additional resources and translation of resources to additional community languages.</p> <p>Contract CSOs to develop additional public awareness materials as required.</p> <p>Contract CSOs to develop and implement mass media awareness campaigns through radio, with supporting print media.</p> <p>Contract CSOs to develop and implement village level public awareness activities, using theatre, music, poetry and village level public events.</p>	<p>249,000</p> <p>249,000</p> <p>498,000</p>	<p>Total</p>

² Unless otherwise stated, references to UNDAF Outcomes are to Outcomes in the Governance, Rule of Law and Human Rights area of cooperation of the United Nations Development Assistance Framework for the Islamic Republic of Afghanistan 2006 - 2008, as extended.

³ Unless otherwise stated, references to the CPAP are to the Country Programme Action Plan for the Islamic Republic of Afghanistan 2006 - 2008, as extended.

<p>tested.</p> <p>2. Community representatives and leaders have improved knowledge of human rights and skills to manage disputes.</p> <p>Indicator:</p> <p>Number of beneficiaries participating in training courses</p> <p>Number of Provincial Councils trained and applying Afghan laws and international obligations in dispute resolution</p> <p>Increase in the proportion of disputes observed during monitoring where Afghan laws</p>	<p>1.2. Human rights awareness of young people, their families and teachers raised through human rights activities in primary and secondary schools and non-formal classes for out-of-school children and adolescents.</p> <p>1.3 Advocacy and awareness materials include gender components for awareness raising of community members.</p> <p>2.1. Knowledge of human rights (including women's rights and the role of the formal justice system) of 840 community representatives and opinion shapers (community leaders, religious leaders) raised through training conducted in 7 districts in each of 6 provinces.</p> <p>2.2. Community members responsible for dispute resolution (including women and young people) receive paralegal training enabling them to assist other community members with advice and referrals in relation to legal rights and dispute resolution.</p>	<p>Joint output – UNICEF technical lead</p> <p>Joint output – UNIFEM technical lead</p> <p>Joint output – UNDP technical lead</p> <p>Joint output – UNIFEM technical lead</p>	<p>UNDAF Outcome 4 MTSP focus area 4; CPD 2009</p> <p>UNDAF CT Output 3.4</p> <p>UNDAF Outcome 4 CPAP outcome 2</p> <p>UNDAF CT Output 4.5</p>	<p>UNDP</p> <p>UNDP</p> <p>UNDP</p> <p>UNDP</p> <p>UNDP</p>	<p>Review existing curricula for human rights awareness activities in primary and secondary schools and non-formal classes for out of school children and adolescents.</p> <p>Conduct training needs assessment and develop additional curricula as required</p> <p>Vet new and existing curricula with stakeholders</p> <p>Implement training programmes, based on agreed curricula.</p> <p>Provision of technical advice and assistance in developing public awareness resources on women's rights and access to justice for CSOs, the general public and youth.</p> <p>Human rights training for community representatives and opinion shapers.</p> <p>Paralegal skills training for community members.</p>	<p>118,000</p> <p>80,499</p> <p>195,000</p> <p>6,720</p>	<p>57,550</p> <p>40,2249</p> <p>195,000</p> <p>6,720</p>	<p>175,550</p> <p>120,748</p> <p>390,000</p> <p>13,440</p>
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<p>and international obligations are correctly applied.</p> <p>Baseline: pilot human rights awareness activities conducted in some provinces</p> <p>Limited application of Afghan laws and international obligations during Provincial Council dispute resolution.</p>	<p>2.3. Capacity of 6 Provincial Councils and 6 local CSOs to monitor and report regarding local dispute resolution fora to promote compliance with Afghan laws and international obligations</p> <p>2.4 Curricula and training programmes for community representatives and leaders include gender components..</p>	<p>Joint output – UNIFEM technical lead</p> <p>Joint output – UNIFEM technical lead</p>	<p>UNDAF CT Output 4.5</p> <p>UNDAF CT Output 3</p>	<p>UNDP</p> <p>UNDP</p>	<p>Training on Afghan laws and international obligations for Provincial Council representatives.</p> <p>Monitoring of Provincial Council decisions for compliance with Afghan laws and obligations by local CSOs.</p> <p><i>Technical advice and assistance in developing training materials on women's rights and access to justice for CSOs, community representatives and provincial council members.</i></p> <p>Social Workers training; development of SOP for victims of violence and orientation on SOP targeting community frontline workers; Support for CPAN in referral development.</p> <p>Consultation and development of standard operating procedures on violence against women and children</p> <p>Liaise with stakeholders to promote the adoption and integration of the SOPs.</p>	<p>3,840</p> <p>70,499</p> <p>150,000</p> <p>85,000</p> <p>10,000</p> <p>10,000</p>	<p>3,840</p> <p>30,249</p> <p>235,000</p> <p>20,000</p>	<p>7,680</p> <p>100,748</p>
<p>3. Government officials and CSOs demonstrate greater capacity to respond to victims of violence.</p> <p>Indicator (UNDAF): Number of beneficiaries in human rights and civic education</p> <p>Development and introduction of SOPs dealing with cases of violence against women</p> <p>Increase in the proportion of cases of violence against women where the SOPs are correctly followed in the justice system.</p> <p>Baseline: pilot activities conducted in some provinces</p>	<p>3.1 Capacity of local justice and social service sector CSOs to provide timely and appropriate responses to victims of violence and at-risk children is built.</p> <p>3.2 Standard Operating Procedures to deal with cases of violence against women and children are integrated within the justice system.</p>	<p>UNICEF</p> <p>UNICEF</p>	<p>UNDAF Health and Education CT Output 4.4</p> <p>MTSP focus area 4; CPD 2009</p> <p>UNDAF Health and Education CT Output 4.1</p>	<p>UNICEF</p> <p>UNICEF</p>				

Joint Programme Outcome 2 -- The professionalism and accountability of district-level formal justice system actors is strengthened.
 Indicator: Increase in the percentage of formal justice system users in the target districts who express satisfaction that their case was handled appropriately.

Baseline: Some curricula developed and tested in pilot activities conducted in some provinces

JP Outputs (Give corresponding indicators and baselines)	Participating UN organization-specific Outputs	Participating UN organization	Participating UN organization corporate priority	Implementing Partner	Indicative activities for each Output	Resource allocation and indicative time frame*		Total
						Y1	Y2	
<p>4. District level formal justice sector actors have increased capacity to uphold legal rights.</p> <p>Indicator: (UNDAF)</p> <p>Number of training programmes incorporating human rights in administration of justice curricula for judges, prosecutors and lawyers established and conducted.</p> <p>Percentage of women participating in such training programmes.</p> <p>Baseline: some curricula developed and tested in pilot activities conducted in some provinces</p>	4.1. Capacity of formal justice sector at the district level strengthened through training of 840 justice sector officials trained in rights awareness, desegregated by institution.	Joint output – UNDP – technical lead	UNDAF CT Output 4.3 CPAP Outcome 1	UNDP	Review of existing materials and vetting with justice institutions Training needs assessment of justice sector personnel on legal and human rights. Development and approval of additional curricula as required Implementation of training programmes for local justice officials in selected provinces and districts, including land law, family and personnel status law, and protection of women and children.	255,000	255,000	510,000
	4.2. Capacity of officials and service providers built to provide timely and appropriate response to victims of violence, at-risk children and children in conflict with the law. 4.3 Curricula, training programmes and monitoring tools for local justice sector personnel include gender components.	UNICEF	UNDAF CT Output 4.4	UNICEF	Training follow-up by trainers, in conjunction with justice institution officials. Training of officials and service providers	70,000	55,000	125,000
		Joint output – UNIFEM – technical lead	UNDAF CT Output 4	UNDP	Technical advice and assistance in developing training materials on women's rights and access to justice for formal justice sector personnel.	80,499	40,2249	120,748

	4.4 Training of 140 Prison and detention centre staff	Joint output - UNODC technical lead	UNDAF CT Output 4.3	UNDP	Training of prison staff on new Prison Act and regulation	104,500	104,500	209,000
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Joint Programme Outcome 3 - The facilities of the formal justice system at the district level have greater capacity and are more accessible to community members.								
Indicator: Number of facilities rehabilitated, equipped and functioning, desegregated by institution and location.								
Baseline: Infrastructure efforts have focused on central and provincial levels. Limited infrastructure projects at district levels.								
JP Outputs (Give corresponding indicators and baselines)	Participating UN organization-specific Outputs	Participating UN organization	Participating UN organization corporate priority	Implementing Partner	Indicative activities for each Output	Resource allocation and indicative time frame*		
						Y1	Y2	Total
5. Physical infrastructure conditions of justice sector institutions at the local level are improved. Indicator (UNDAF): Number of Provincial Courts, juvenile courts, Attorney General and MoJ offices established, functioning and staffed with vetted and qualified personnel, including Women Baseline: Infrastructure efforts have focused on central and provincial levels. Limited infrastructure projects at district levels.	5.1. Emergency infrastructure works in 18 justice facilities in districts	Joint output - UNDP technical lead	UNDAF CT Output 4.1 CPAP Outcome 1	UNDP	Conduct engineering infrastructure assessments in conjunction with justice sector institutions. Prioritise justice sector facilities for emergency infrastructure restoration projects. Emergency infrastructure restoration of basic justice sector facilities.	750,000	750,000	1,500,000
	5.2 18 justice facilities are equipped and functional	Joint output - UNDP technical lead	UNDAF CT Output 4.1 CPAP Outcome 1	UNDP	Provision of basic equipment for justice facilities restored under this programme.	150,000	150,000	300,000
	5.3 Justice facilities comply with international standards	UNODC	UNDAF CT Output 4.1	UNODC	Technical advice on best practice designs and equipment specifications for justice facilities restored under this programme	31,250	31,250	62,500

Table 2: Budget Summary Table

	Joint Programme (UNDP Administered)	UNDP	UNICEF	UNIFEM	UNODC
1.1 Supplies, commodities, equipment and transport	300,000	215,000	15,000	45,800	10,000

1.2 Personnel (staff, consultants, travel and training)	151,000	701,758	130,000	412,244	140,000
1.3 Training of counterparts	1,242,000			25,620	
1.4 Contracts	2,280,000				
1.5 Other Direct Costs	254,300	148,734		3,310	
Total Direct Costs	4,227,300	1,065,492	145,000	486,974	150,000
2.0 UN Agency Indirect Cost (7%)	295,911	74,585	10,150	34,088	10,500
Grand Total	4,523,211	1,140,077	155,150	521,062	160,500

6. Management and Coordination Arrangements

The coordination arrangement will be established according to the Operational Guidance Note for the Participating UN Organisations.⁴

A **National Steering Committee (NSC)** will be established to oversee and coordinate the operations of this Joint Programmes funded by the UNDP-Spain MDG Achievement Fund in accordance with the Terms of Reference of the Fund. The NSC will oversee the overall implementation of Programme activities. It will provide strategic guidance and approve the Joint Programme Document (JPD), including its revisions and annual workplans and budgets. It will be composed of the UN Resident Coordinator (Co-Chairperson), a representative of the Government of Afghanistan (Co-chairperson), and a representative of the Spanish government. The Committee will meet twice a year. When possible, the NSC will use coordination mechanisms set up in Afghanistan to plan stakeholder consultations.

The primary responsibilities of the NSC will be to:

- a. Reviewing and adopting the Terms of Reference and Rules of Procedures of the NSC and/or modify them, as necessary (Generic Terms of Reference can be found on the MDTF website)
- b. Approving the Joint Programme Document before submission to the Fund Steering Committee. Minutes of meeting to be sent to MDG-F Secretariat with final programme submission.
- c. Approving the strategic direction for the implementation of the Joint Programme within the operational framework authorized by the MDG-F Steering Committee.
- d. aligning MDG-F funded activities with the UN Strategic Framework or UNDAF approved strategic priorities;
- e. Approving the documented arrangements for management and coordination
- f. establishing programme baselines to enable sound monitoring and evaluation
- g. Approving the annual work plans and budgets as well as making necessary adjustments to attain the anticipated outcomes.
- h. Reviewing the Consolidated Joint Programme Report from the Administrative Agent and provide strategic comments and decisions and communicate this to the Participating UN Organizations.
- i. Suggesting corrective action to emerging strategic and implementation problems.
- j. Creating synergies and seeking agreement on similar programmes and projects by other donors.
- k. Approving the communication and public information plans prepared by the PMCs.

Draft terms of reference and rules of procedure are attached as Annex 2 for review and endorsement by the National Steering Committee.

A Programme Management Committee (PMC)

The NSC shall ensure that Programme Management Committee (PMC) is established to assume responsibility for the operational coordination of the Joint Programme. The PMC's membership will

⁴ UNDP – Spain Millennium Development Goals Achievement Fund Operational Guidance Note for Participating UN Organisations, Version 2 Oct 2007

consist of relevant implementing parties such as Participating UN organizations, Government representatives and civil society representatives as appropriate. The NSC will oversee that the PMC:

- a. ensuring operational coordination
- b. appointing a Programme Manager or equivalent thereof;
- c. managing programme resources to achieve the outcomes and output defined in the programme;
- d. establishing adequate reporting mechanisms in the programme;
- e. integrating work plans, budgets, reports and other programme related documents; and ensures that budget overlaps or gaps are addressed;
- f. providing technical and substantive leadership regarding the activities envisaged in the Annual Work Plan;
- g. agreeing on re-allocations and budget revisions and make recommendations to the NSC as appropriate;
- h. addressing management and implementation problems;
- i. identifying emerging lessons learned; and
- j. establishing communication and public information plans.

The RC or his/her representative will chair. Experts can be invited as observers to the PMC meetings when needed. The PMC will normally meet quarterly.

The **Resident Coordinator** will be the co-chair of the National Steering Committee, and the Resident Coordinator and his or her nominee will be the chair of the Programme Management Committee. *The MDG-F will rely on UN Resident Coordinators (RC) to facilitate collaboration between Participating UN Organizations to ensure that the programme is on track and that promised results are being delivered.*

A **Technical Committee** will be comprised of representatives of Government justice institutions and participating UN agencies. The technical committee will undertake activities such as the selection of project provinces, planning of procurement, drafting of requests for proposals for CSO partners, formation of evaluation committees for procurement and coordination of monitoring and evaluation activities.

The **National Joint Programme Coordinator** will manage the programme and provide coordination on a day to day basis. The Joint Programme Coordinator will support the Technical Committee and the Programme Management Committee. This position will be funded with contributions from each UN agency under the MDG-F programme budget. The Joint Programme Coordinator will be based within the UNDP Justice Programme Office; this has been decided by all partner agencies for a variety of reasons, including availability of space within the different agencies, the relatively central location of the UNDP justice programme and its proximity to the government offices, the fact that UNDP will be managing procurement for the majority of the activities and the Joint Programme Manager will be able to most effectively if co-located with the staff handling procurement and contract management for the PTJ, and the fact that UNDP is the lead agency on delivering the project overall. In order to ensure that the Joint Programme Coordinator has a supervision structure that accommodates both the need for full accountability to all partners in the joint programme and for constant access to support, s/he will have a dual reporting line to both the head of the RC's office and to the Programme Manager of the UNDP Justice Programme.

Many of the project activities will be conducted using local CSOs in remote provinces and districts. To avoid overloading the limited number of local CSOs present in those locations and simplify coordination and the implementation of project activities, the UN agencies have agreed that procurement of CSO services will be consolidated as much as possible. The UN agencies believe that this consolidated approach will lead to economies of scale through cost savings in CSO activities.

UNDP will manage the procurement of CSO services through requests for proposals for consolidated parcels of related activities. UN agencies in consultation with Government counterparts will provide technical leadership in developing the terms of reference, evaluating proposals and monitoring the quality of implementation according to their specialist areas of expertise – for example, UNIFEM in conjunction with Government counterparts will take the lead on ensuring that terms of reference, training curricula and awareness raising activities appropriately advocate for women's rights. The UNCT believes that this approach will significantly promote Government ownership and enhance the joint nature of the programme.

A list of implementation Focal Points has been developed and is attached as Annex 1. This list is available to the Joint Programme Steering Committee and other stakeholders.

7. Fund Management Arrangements

In accordance with the UNDP – Spain Millennium Development Goals Achievement Fund Operational Guidance Note for Participating UN Organisations, programmes under this Fund are administered using a 'pass through' funds management arrangement with UNDP MDTF Office acting as the Administrative Agent (AA).⁵

Each organisation assumes complete programmatic and financial responsibility for the funds disbursed to it by the administrative agent and can decide on the execution process with its partners and counterparts following the organisation's own regulations.

Each Participating UN Organisation establishes a separate ledger account for the receipt and administration of the funds disbursed to it by the Administrative Agent. Participating UN organisations are requested to provide certified financial reporting according to the budget template. Participating UN Organizations are entitled to deduct their indirect costs on contributions received according to their own regulations and rules, taking into account the size and complexity of the particular programme.

Subsequent instalments will be released in accordance with Annual Work Plans approved by the NSC. The release of funds is subject to meeting a minimum commitment threshold of 70% of the previous fund release to the Participating UN Organisations combined commitments (Commitments are defined as legally binding contracts signed, including multi-year commitments which may be disbursed in future years). If the 70% threshold is not met for the programme as a whole, funds will not be released to any organisation, regardless of the individual organization's performance.

On the other hand, the following year's advance can be requested at any point after the combined disbursement against the current advance has exceeded 70% and the work plan requirements have been met. If the overall commitment of the programme reaches 70% before the end of the twelve-month period, the participating UN Organizations may upon endorsement by the NSC request the MDTF to release the next instalment ahead of schedule. The RC will make the request to the MDTF Office on NSC's behalf.

⁵ UNDP – Spain Millennium Development Goals Achievement Fund Operational Guidance Note for Participating UN Organisations, Version 2 Oct 2007, pg 1

Any fund transfer is subject to submission of an approved Annual Work Plan and Budget to the MDTF Office.

In accordance with the MDG-F Operational Guidance Note, indirect costs charged by the Participating UN Organisations will not exceed 7% of their respective programme expenditure.

Cash Transfers:

Where programme agencies are working with implementing partners, the Harmonised Approach to Cash Transfers (HACT). A risk management approach will be adopted, with capacity assessments of institutional and financial management systems conducted for partners managing in excess of \$100,000. On this basis, a quality assurance plan will be developed for each partner, and the most effective appropriate method of cash transfer will be adopted. In Afghanistan, agencies have typically used a combination of direct agency implementation, direct cash transfers and direct payments.

8. Monitoring, Evaluation and Reporting

Monitoring:

At the commencement of the programme, a monitoring and evaluation consultant will be selected to develop M&E tools, including further refinement of the indicators, targets and data collection instruments. This will help to ensure that agencies are reporting in a consistent manner, and assist in the aggregation of programme data. An assessment will be made of available information, to develop the programme baseline.

One of the considerations when selecting target provinces for the programme will be the identification of under-resourced provinces where there is significant needs in the justice sector. It is likely that limited or no justice sector work will previously have taken place in these provinces, and that there will be limited or no baseline data available for the provinces. At the commencement of work in each province, the programme will undertake a rapid assessment, using a consistent assessment tool to be designed during the initial M&E consultancy. Together with information available from other sources, this will form the baseline for each province.

The programme will undertake regular monitoring of activities, in accordance with the programme monitoring framework. Monitoring will occur throughout the programme year, and will culminate in an end of year review against workplan targets. Each agency will undertake monitoring of its activities in accordance with its own operational policies. Wherever feasible, joint monitoring visits will be undertaken, particularly to review district based activities. This is consistent with current operational security requirements (MOSS), which require multiple MOSS compliant vehicles to visit project locations. National counterpart institutions will be encouraged to participate in monitoring activities.

Table 2 'Joint Programme Monitoring Framework (JPMF)' summarises monitoring arrangements for the joint programme, including monitoring activities that the participating UN organizations and/or national counterparts will undertake. The table is consistent with the UNDAF M&E Framework.

Table 2: Joint Programme Monitoring Framework (JPMF)

Expected Results (Outcomes & outputs)	Indicators (with baselines & indicative timeframe)	Means of verification	Collection methods (with indicative time frame & frequency)	Responsibilities	Risks & assumptions
Outcome 1 - Local community capacity to understand the justice system, demand access to justice, and protect its vulnerable members' rights is strengthened	Indicator: Number of participants in training courses and awareness raising activities, disaggregated by location and gender.	Project progress reports, Awareness raising program reports	Quarterly from implementing partners	UNDP, UNIFEM, UNICEF	De functioning of justice sector due to security situation in some provinces
Joint Output 1 - Community members have a greater awareness of constitutional and human rights.	Indicator (UNDAF): Number of advocacy and media campaigns launched on the constitutional and legal rights of all citizens Number of districts covered by media campaigns for access to justice and rights awareness Baseline: pilot awareness raising activities conducted in some provinces. Some awareness raising resources developed and field tested.	Project progress reports, Awareness raising program reports	Quarterly from implementing partners	UNDP, UNIFEM, UNICEF	De functioning of justice sector due to security situation in some provinces Risk of raising community expectations which cannot be met by the formal justice system
1.1.Awareness of the general public raised regarding constitutional and human rights in 7 districts in each of 6 provinces	Number of awareness programs conducted Number of people received full information on human rights disaggregated by gender Increase in the percentage of population in target districts who can correctly describe their constitutional and human rights.	Project progress reports, Awareness raising program reports	Quarterly from implementing partners	UNDP, UNIFEM, UNICEF	Challenges of monitoring implementation due to security situation Limited number of national CSO partners in provinces and districts
1.2. Human rights awareness of young people and their families raised through human rights activities in primary and secondary schools and non-formal classes for out-of-school children and adolescents.	Human rights awareness raising initiatives in place in formal and non-formal schools Number of young people received full information on human rights disaggregated by gender	Project progress reports, Awareness raising program reports	Quarterly from implementing partners	UNICEF, UNIFEM	Challenges of monitoring implementation due to security situation

Expected Results (Outcomes & outputs)	Indicators (with baselines & indicative timeframe)	Means of verification	Collection methods (with indicative time frame & frequency)	Responsibilities	Risks & assumptions
1.3 Technical advice and inputs into curriculum development, training and monitoring gender components for awareness raising of community members.	Technically sound community awareness materials available	Technical inputs provided by UNIFEM (Reports on technical inputs, awareness raising)	Quarterly	UNIFEM	Community awareness activities are based on assessments and relevant to communities.
Joint Output 2. Community representatives and leaders have improved knowledge of human rights and skills to manage disputes.	<p>Indicator:</p> <p>Number of beneficiaries participating in training courses</p> <p>Number of Provincial Councils trained and applying Afghan laws and international obligations in dispute resolution</p> <p>Increase in the proportion of disputes observed during monitoring where Afghan laws and international obligations are correctly applied.</p> <p>Baseline: pilot human rights awareness activities conducted in some provinces</p>	<p>Knowledge level, attitudes and behaviours (project evaluation report)</p> <p>Pre-training and post-training observation by CSO partners.</p>	<p>End of the project</p> <p>Reports from CSO partners</p>	<p>Joint UN program</p>	<p>Challenges of getting community participation and ownership</p> <p>Community leaders allow access to dispute resolution fora for NGO monitoring</p>
2.1. Knowledge of human rights (including women's rights and the role of the formal justice system) of 840 community representatives and opinion shapers (community leaders, religious leaders, teachers) raised through training conducted in 7 districts of 6 provinces.	<p>Number of awareness programs conducted</p> <p>Number of people received full information on human rights disaggregated by gender</p>	Project progress reports, Awareness raising program reports	Quarterly from implementing partners	UNDP, UNIFEM, UNICEF, Government of Afghanistan	<p>Challenges of monitoring implementation due to security situation</p> <p>Challenges of getting community participation and ownership</p> <p>Limited number of CSO partners in provinces and districts</p>

Expected Results (Outcomes & outputs)	Indicators (with baselines & indicative timeframe)	Means of verification	Collection methods (with indicative time frame & frequency)	Responsibilities	Risks & assumptions
2.2. Community members responsible for dispute resolution (including women and young people) receive paralegal training enabling them to assist other community members with advice and referrals in relation to legal rights and dispute resolution.	Number of community members trained in paralegal disaggregated by gender, province	Project progress reports, paralegal training reports	Quarterly from implementing partners	UNDP, UNIFEM, UNICEF	Challenges of monitoring implementation due to security situation Challenges of getting community participation and ownership Provincial councils are committed in the initiative
2.3. Capacity of 6 Provincial Councils and 6 local CSOs to monitor and report regarding local dispute resolution fora to promote compliance with Afghan laws and international obligations	Number of provincial council representatives trained in dispute resolution, Afghan law and international obligations Well defined and functioning monitoring and reporting mechanism in place Technically sound, need based training curriculum available	Monitoring activities Training records Reporting formats and completed reports	Quarterly reports from and monitoring CSOs Annual reports from provincial councils.	UNIFEM, UNICEF	
2.4 Technical advice and inputs into curriculum development, training and monitoring gender components for community representatives and leaders.		Technical inputs provided by UNIFEM (Reports on technical inputs, training curriculum)	Quarterly	UNIFEM	Training curriculum is based on needs
Joint Output 3. Government officials and CSOs demonstrate greater capacity to respond to victims of violence.	Indicator (UNDAF): Number of beneficiaries in human rights and civic education Development and introduction of SOPs dealing with cases of violence against women Increase in the proportion of cases of violence against women where the SOPs are correctly followed in the justice system. Baseline: pilot activities conducted in some provinces	Project progress reports, training reports.	Quarterly from implementing partners	UNIFEM	SOPs can be negotiated with stakeholders Stakeholders will support, adopt and implement SOPs

Expected Results (Outcomes & outputs)	Indicators (with baselines & indicative timeframe)	Means of verification	Collection methods (with indicative time frame & frequency)	Responsibilities	Risks & assumptions
3.1 Capacity of local justice and social service sector CSOs to provide timely and appropriate responses to victims of violence and at-risk children is built.	Level of capacity of CSOs providing timely and appropriate responses to victims	Efficiency, cost effectiveness, trained human resources etc (Performance assessment reports)	Performance assessment at the beginning and end of the project	UNIFEM, UNICEF	Committed organizations are selected Challenges from culture and religious groups
3.2 Standard Operating Procedures to deal with cases of violence against women and children are integrated within the justice system.	SOPs exist and have been adopted by Government institutions	Activity reports	Quarterly progress reports	UNICEF, UNIFEM	Ability of Government institutions to implement the SOPs once developed
Outcome 2 -- The professionalism and accountability of district-level formal justice system actors is strengthened.	Indicator: Number of participants in training courses desegregated by institution, location and gender. Baseline: Some curricula developed and tested in pilot activities conducted in some provinces	Activity reports Training records	Quarterly	UNDP, UNICEF, UNIFEM, UNODC, Government of Afghanistan	

Expected Results (Outcomes & outputs)	Indicators (with baselines & indicative timeframe)	Means of verification	Collection methods (with indicative time frame & frequency)	Responsibilities	Risks & assumptions
<p>Joint Output 4. District level formal justice sector actors have increased capacity to uphold legal rights.</p>	<p>Indicator: (UNDAF)</p> <p>Number of training programmes incorporating human rights in administration of justice curricula for judges, prosecutors and lawyers established and conducted,</p> <p>Percentage of women participating in such training programmes;</p> <p>Indicator (programme)</p> <p>Increase in the percentage of formal justice system users in the target districts who express satisfaction that their case was handled appropriately.</p> <p>Baseline: some curricula developed and tested in pilot activities conducted in some provinces</p>	<p>Training records, activity reports</p> <p>Formal justice system user satisfaction survey</p>	<p>Quarterly</p> <p>Yearly</p>	<p>UNDP, UNICEF, UNIFEM, UNODC, Government of Afghanistan</p>	<p>Successful participation from justice sector ensured</p> <p>Availability of funding and Government support for a client satisfaction survey</p>
<p>4.1. Capacity of formal justice sector strengthened through training of 840 justice sector officials trained in rights awareness, desegregated by institution.</p>	<p>Number of justice sector officials trained in rights disaggregated by gender and institution</p>	<p>Project progress reports, Training program reports</p>	<p>Quarterly from implementing partners</p>	<p>UNDP, UNICEF, UNIFEM, UNODC, Government of Afghanistan</p>	<p>Challenges of monitoring implementation due to security situation</p> <p>Challenges of getting participation and ownership</p>
<p>4.2. Capacity of officials and service providers built to provide timely and appropriate response to victims of violence, at-risk children and children in conflict with the law.</p>	<p>Level of capacity of officials providing timely and appropriate responses to victims</p>	<p>Project progress reports, Training program reports</p>	<p>Quarterly from implementing partners</p>	<p>UNICEF, UNIFEM, Government of Afghanistan</p>	<p>Challenges of monitoring implementation due to security situation</p> <p>Challenges of getting participation and ownership</p>