



United Nations Development Programme
Afghanistan
Support to Provincial Justice Coordination
Mechanism (PJCM)

First Quarter Project Progress Report
January-March 2010

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CPAP Component: Access to Justice and Human Rights
ANDS Component: Governance, Rule of Law and Human Rights
Total Budget: US\$ 3,181,790.80
Responsible Agency: UNAMA/UNDP

PJCM DONORS



United State of America



Germany



Canada



Italy

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Executive Summary

The Provincial Justice Coordination Mechanism (PJCM) continued and strengthened its coordination activities across Afghanistan, as described in previous reports. A notable increase in activities in the field of legal education and access to justice led to more active participation of Law Faculties in training related to various rule of law matters. New technical working groups were created and combined coordination meetings with the Governance and Human Rights Units established during the reporting period, broadening the scope of PJCM activities and fostering justice sector cooperation. The establishment of special coordination meetings with Police, Prosecutors' Offices and Courts in the Northern Region was a successful initiative that improved the working relationship among justice institutions, and is something that the PJCM will look to replicate in other regions. The first gender justice working group meeting in Kunduz indicated the importance and expansion of gender issues in the justice sector countrywide.

The PJCM released its Provincial Assistance Overview, outlining donor assistance to the justice system at provincial and district level in the areas of infrastructure, training, legal aid and corrections sector support, in January. Positive feedback was received and the data contained in the report will be used as the basis for a new mapping exercise in 2010, requested by the Ministry of Justice.

Finally, the transition of the PJCM from being a joint UNDP-UNAMA project to UNAMA solely began during this period, with recruitment procedures beginning for all posts.

Context

The Provincial Justice Coordination Mechanism was set up as a result of the July 2007 Rome Conference on Justice and Rule of Law in Afghanistan, at which it was agreed that such a mechanism was necessary in order to support rule of law reform and ensure the coordinated delivery of justice assistance in the provinces, consistent with the National Justice Sector Strategy and the National Justice Programme. The PJCM was launched on 1 July 2008 and is a joint UNAMA/UNDP project.

In assisting the Government of Afghanistan (GoA) to systematically expand rule of law beyond Kabul and to improve the delivery of justice assistance in the provinces, the PJCM aims to achieve:

- (1) effective coordination of donor assistance programmes at a central, regional and provincial level
- (2) identification of, and the mobilization of resources for future assistance to the provinces
- (3) comprehensive regional assessments of formal and informal justice systems in each PJCM area
- (4) facilitation of communication and information sharing between the GoA and the international community
- (5) transfer of expertise and strengthening the capacity of government officials to manage coordination within the justice sector in the future.

The overall aims of the PJCM, in particular the objectives numbered 2 and 5 in the preceding paragraph, fit within the UNDAF Outcome 4 under the heading Governance, Rule of Law and Human Rights, namely that “more Afghans have increased access to a reformed, comprehensive and effective Justice System”. Similar considerations apply to CPAP Outcome III, namely “Access to Justice and Human Rights improved through capacity building of justice institutions ...”

The development challenges that the project is intended to address can be considered in two parts. One is to improve the ability of justice sector institutions to identify their own needs, whether in terms of human resources, training, infrastructure or linkages with other institutions and to develop appropriate solutions. The second is to facilitate the delivery of assistance in respect of those needs, for example by establishing coordination mechanisms at regional and provincial levels and by mobilizing resources for training, building projects, improving access to justice, etc.

The direct beneficiaries of the PJCM are, therefore, the provincial and district level justice institutions. The indirect beneficiaries are the people of Afghanistan. While the justice institutions are also the main stakeholders in the project, key partners include justice sector donors and the agencies implementing justice sector assistance projects around the country.

Implementation Progress

Output 4: Policy Support – Provincial Justice Coordination Mechanism (Effective Coordination of Justice Sector assistance is ensured).

Activity 1 – Coordination of justice sector in the provinces improved

Weekly/monthly coordination meetings with justice institutions

General justice coordination meetings continued to take place regularly in most provinces, on the whole now led by the national institutions. In some regions, such as the North and Northeast, these meetings have had a more positive response from the national authorities and participation in them is higher and the meetings are held regularly. Security-related concerns in other parts of the country provoked numerous cancellations and postponements. As these meetings become more regular, the PJCM will take a less prominent role and will focus on making sure that the meetings not only take place but also that they produce concrete results by ensuring that agreed actions are followed up.

A total of 31 general justice coordination meetings took place in the reporting period:- ten in the Central Region, two in the Western Region, seven in the Northeastern Region, seven in the Northern Region, two in the Southeastern Region, two in the Southern Region and one in the Eastern Region. Preparation began for the first such meeting in Bamyan and it is expected to take place in May.

The PJCM teams also organised or attended well over 200 thematic and other rule of law related meetings (21 in the Central Region, 34 in the Central Highlands Region, 35 in the Western Region, 28 in the Northeastern Region, 25 in the Northern Region, 30 in the Eastern Region, thirteen in the Southern Region and 29 in the Southeastern Region).

In the Northern Region, these included two Rule of Law, Governance and Human rights meetings in Sar-i-Pul, two Corrections Coordination meetings in Faryab, and one Corrections Centres Working Group meeting, one Gender Coordination meeting, one Law Enforcement and Criminal Justice Coordination meeting and three Legal Aid Working Group meetings in Mazar-e-Sharif.

The PJC team in the Northeastern Region continued to work with the ANDS mechanism of the Governance, Rule of Law and Human Rights Sector Working Group and meetings took place in Takhar, Kunduz and Baghlan. Further, on 8 and 9 March 2010, on the initiative of the PJC team and with GTZ support, the first Regional Conference of Chief Judges and Chief Prosecutors from Kunduz, Badakhshan and Takhar was held at the Kunduz Appeals Court, with the aim of promoting coordination between major rule of law actors in the region, increasing awareness of justice reform priorities, and sharing information and experiences on anti-corruption activities.

On 12 January, the PJCM team facilitated the launching of the first gender justice working group meeting in Kunduz, chaired by the Head of the Department of Women Affairs. The objective of the meeting was the establishment of a coordination mechanism among the provincial organizations that are involved in gender justice issues, in particular those providing legal aid.

In the Eastern region, the PJC team, in coordination with the Governance Unit of UNAMA and the PRT, established the Rule of Law-Governance Technical Working Group meeting in Jalalabad, Nangarhar province. The PJCM team also attended three thematic meetings on anti-corruption in the Eastern Region.

On the whole, these meetings have facilitated greater cooperation and coordination not only among the justice institutions and also between the justice institutions and other parts of the government. This in turn has focused attention on the implementation of national strategies, such as the ANDS and the National Justice Sector Strategy, and is an important step in linking the central and provincial levels of planning and development.

Capacity development of justice institutions to take control of coordination

Some aspects of this are dealt with above, in particular in respect of ensuring proper follow-up of coordination meetings. More specifically, the PJC team hosted and chaired three Legal Aid Working Group meetings in Balkh during the period. In the course of these meetings, the participants decided to set-up special coordination meetings with Police, Prosecutor's Office and the Court in order to improve their working relationship with defense lawyers, as well as to establish monthly continuing legal education workshops at which each legal aid organization would take turns to conduct two to three hour workshops on different legal topics for legal aid lawyers in the province. The first workshop was conducted on 31 March by PJCM and the topic was the lawyers' code of conduct.

The PJC team in the North East Region also facilitated and organized a six-day training in Takhar for 35 defense lawyers from Badakhshan, Kunduz and Takhar. The program was supported by German Technical Cooperation-Rule of Law, the Swedish Ministry of Foreign Affairs FA and Open Society Institute and focused primarily on Code of Conduct, case management and criminal and civil procedure code. The main objective was to increase

professional coordination between lawyers from different institutions, including the Ministry of Justice, private practitioners, and non-governmental legal aid lawyers.

Most significantly, following extensive efforts of the PJCM team in Kunduz in late 2008 to establish links between the local Law Faculty and that in Tehran, Iran, in January and February, eight law teachers from Kunduz and Takhar attended an advanced course in Tehran.

Linkages between provincial and central justice institutions

The PJCM has continued to prepare and circulate monthly reports of its provincial activities in line with the substantive areas of the National Justice Programme (NJP). These reports have been translated and provided to the justice institutions in Kabul. In addition, the UNAMA Rule of Law Unit has attended the monthly central-level coordination meetings of the justice institutions, chaired by the Supreme Court, and has offered to provide information on the provincial situation if requested.

At the January PJCM Board meeting, the Ministry of Justice asked the PJCM to assist with mapping implementation of the NJP in the provinces. Some preliminary work to develop a method for doing this and for collecting the data began during the period, in coordination with ISAF.

The temporary deployment of some UNAMA Rule of Law Unit staff to the PJCM offices during the period also facilitated links between the provinces and the central level, particularly in respect of corrections where issues of concerns were able to be taken to the Prison Working Group in Kabul. A UNAMA Corrections Advisor, the local PJC team and the US State Department representative toured the Bamyan Provincial Prison and the new prison site with the Director General of the CPD and CSSP representatives and as a result proposed security infrastructure improvements. The PJC team also submitted an application to UNAMA for Quick Impact Project funds to provide text books to the Juvenile Rehabilitation Centre in Bamyan.

Activity 2 Justice Assessment Reports Completed

Implementation of recommendations

The Provincial Assistance Overview, referred to in previous reports as the criminal justice assessment, was distributed to the justice institutions, donors and other international partners at the PJCM Board Meeting in January and subsequently by email and other mean. While time has not permitted the new initiatives to follow up particular recommendations, the overall data gathering exercise represented by the report will be continued and built upon in the mapping exercise referred to above.

The PJCM teams have continued to work to address arbitrary detention in their regions. For example, following the formation of a prison observer group in Kandahar in late December 2009, the PJCM team has worked closely with that group, as well as conducting prison visits, to assist the group in dealing with excessive detention. A similar initiative was also undertaken in Uruzgan. Building on these initiatives, the UNAMA Rule of Law Unit is

now finalizing a proposal for generic structure for such committees, so that they could be established in each province, with PJCM assistance where necessary.

Some PJCM teams have been working on district assessments. In the Western Region, those for Zinda Jan, Pashtun Zargun and Kolsan Districts were completed. The US DoS and the PJCM have now completed joint assessments in all six districts of Bamyan province.

Thematic reports

A short thematic report analyzing the organization, function and responsibilities of the Huquq Department of the Ministry of Justice was drafted during the period and is expected to be finalised in the next quarter.

Activity 3 - Improved donor/implementer coordination

The PJCM teams have continued to encourage or facilitate donor/implementer coordination during the period. There have been some particular areas where this has been focused. One has been legal education and training, which has expanded considerably in some parts of the country. In the Northern Region, extensive legal training programmes for the police, prosecutors and judges on various legal topics have been organized by European Union Police with the assistance of Combined Security Transition Command-Afghanistan and Justice Sector Support Programme and coordinated by UNAMA. The PJCM also supported UNODC in organising several two-day workshops on Code of Conduct and Professional standards for approximately 250 prosecutors from the Eastern and Northern regions. Training provided the basic tools for Prosecutors in those Regions to perform their duties in a professional and unbiased manner.

Further, on 25 March, in order to promote linkages between North and Northeastern Higher Legal education institutions, and to coordinate mutual efforts in Balkh and Kunduz on donor activities, the PJCM teams from both provinces made a preliminary assessment of current donor programming on legal education in Balkh and possibilities for cooperation between the respective institutions.

A second area of focus during the period has been on advocating and promoting rule of law public awareness campaigns. In the Northern Region, Radio Nehad launched its legal awareness radio programme on 5 January in partnership with the UNAMA, the PJC team, the Balkh DoJ and Radio Nehad. In the Central Highlands Region, the PJC team offered assistance to the Afghan Independent Human Rights Commission in complementing programme contents, such as on the rights of the accused, in the existing Radio Bamyan Legal Awareness programme focused on Human Rights issues and activities. Two radio shows in the form of roundtable discussions (addressing forced marriages and divorce issues) were chosen to be edited and sent to the PRT Farah to be broadcast.

The PJC team met with the USAID Representative for PRT Mazar-e-Sharif on 16 January, to discuss designing a series of informal justice – formal justice sector coordination workshops for each of the four provinces covered by the PRT. The workshop's purpose is to map out all justice activities in the province and to strengthen or create additional ties between formal and informal justice so as to better serve the legal needs for the citizens of each province.

Lastly, the PJCM teams from Central, Eastern, Northern and Western regions assisted the Italian Cooperation and Inter Agency Task Force (IATF) to identify participants and arrange their transport to the Alternatives to Juvenile Detention workshop that took place in Kabul from 14 to 16 March.

Challenges

Security

Security continues to be a concern, restrict travel to some parts of the country and so limited attendance at meetings or the organisation of other coordination activities.

Issues

Project Funding

A Project Board meeting was held in January 2010. Unfortunately, security concerns on the day it was held meant that not all donors were able to attend. At the meeting, Italy agreed to a no-cost extension of the project. The USA later indicated its agreement. At the end of the reporting period, discussions were still underway with Canada and Germany.

Transition to UNAMA

Following confirmation in early 2010 that all PJCM posts were now budgeted for by UNAMA and the recruitment process began. By the end of the period, only one international coordinator remained with the UNDP-funded offices of the project, thus severely limiting its effectiveness, although the national staff have done excellent work in trying to maintain momentum.

It is expected that the recruitment of most of the national posts at least will have been completed by UNAMA by the end of the next quarter and that, to a large extent, existing staff will continue with the PJCM.

Future Plans

The next quarter will be one of consolidation, with the project maintaining its momentum and continuing with existing activities, while the administrative aspects of the transition to UNAMA take place behind the scenes. This will give the project the opportunity to consider how to best have impact, such as by increasing the effectiveness of the existing justice coordination meetings through ensuring a consistent and thorough follow-up on the various issues that emerge from those discussions. Emphasis will also be placed at establishing and enforcing lines of communication between central level decision bodies and regional authorities through the focus on national strategies. Legal education and access to justice seem to have awakened a particular interest among justice officials and donors and PJCM will help promoting and expanding activities in those areas, for example by replicating good practices from other provinces and districts.

Financial Section

Table 1. Funding Overview

Donor	Commitment (Currency of the Agreement)	Received (Currency of the Agreement)	Received (USD)	UNORE	Balance (Currency of the Agreement)
Government of Germany	USD 554,208	-	554,208	0.00	-
Government of Italy	Euro 331,471	331,471	521,181	1.572	-
Government of United States	USD 1,561,308	-	1561,308	0.00	-
Government of Canada	CAD 533,101	533,101	545,093	1.022	-
Total	-	-	3,181,791	0.00	-

Table 2: Expenditure Status (by activity)

Activity	Budget	Donor	Expenditure Status at [1 st Jan to 31 st Mar 2010]		Quarter 1 Expenditure	Total Expenditure	Balance	Delivery
			Commitment	Disbursement				
Activity 04 Technical and management support provided to the project	102,160	Government of Germany	-	22,334	22,334	22,334	79,334	22%
Activity 04 Technical and management support provided to the project	53,001	Government of Italy	-	50,023	50,023	50,023	2,978	94%
Activity 04 Technical and management support provided to the project	123,606	Government of United States	-	90,777	90,777	90,777	32,829	73%
Activity 04 Technical and management support provided to the project	91,226	Government of Canada	-	12,281	12,281	12,281	78,945	13%
UNDP GMS (based on donor agreements) 7%	30,116	Germany, USA, Canada, Italy	-	13,203	13,203	13,203	16,912	44%
Total	400,108	-	-	188,618	188,618	188,618	211,490	47%

Note: It is important to mention that an armored project vehicle that was purchased using Government of US funds has been sold to another UNDP project for USD 140,000. The funds will be credited to the same donor in the project and will be spent to support project operations.

Table 3. Expenditure Status (by donor)

Donor	Budget	Activity	Expenditure Status at [01 st Jan-31 st Mar 2010]		Quarter 1 Expenditure	Total Expenditure	Balance	Delivery
			Commitment	Disbursement				
Government of Germany	102,160	Activity 04 Technical and management support provided to the project	-	22,334	22,334	22,334	79,334	22%
Government of Italy	53,001	Activity 04 Technical and management support provided to the project	-	50,023	50,023	50,023	2,978	94%
Government of United States	123,606	Activity 04 Technical and management support provided to the project	-	90,777	90,777	90,777	32,829	73%
Government of Canada	91,226	Activity 04 Technical and management support provided to the project	-	12,281	12,281	12,281	78,945	13%
GMS 7%	30,116	Germany, USA, Canada, Italy	-	13,203	13,203	13,203	16,912	47%
Total	400,108	-	-	188,618	188,618	188,618	211,490	47%

Annexes

Annex I: Performance Tracking Matrix

Result/Goals	Performance Indicators	Baseline Info	Performance Benchmark and Targets	Implementation Progress in reporting quarter
Output as stated in the AWP	Performance indicators can be captured from Results Framework. Indicators should also capture key priorities such as capacity development and gender.	Baseline data establishes a foundation level from which to measure change. It is a statement of where the outcome currently stands based on the indicators being used for measurement . Without this data, it is very difficult and even impossible to measure change over time or to monitor and evaluate. With baseline data progress can be measured against the situation that prevailed before an intervention or project. This information can be obtained from the AWP.	Once the baseline is established a target should be set. The target will normally depend on the programme period and the duration of the interventions and activities. At the output level targets can be set for a much shorter period, such as 1 year, 6 months and so forth.	Progress Reporting

Annex II: Risk Log

RISK LOG

Project Title:	Award ID:	Date:
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#	Description	Date Identified	Type	Impact & Probability	Countermeasures / Mngt response	Owner	Submitted, updated by	Last Update	Status
1	Enter a brief description of the risk <i>(In Atlas, use the Description field. Note: This field cannot be modified after first data entry)</i>	When was the risk first identified <i>(In Atlas, select date. Note: date cannot be modified after initial entry)</i>	Environmental Financial Operational Organizational Political Regulatory Strategic Other Subcategories for each risk type should be consulted to understand each risk type (see Deliverable Description for more information) <i>(In Atlas, select from list)</i>	Describe the potential effect on the project if this risk were to occur Enter probability on a scale from 1 (low) to 5 (high) P = Enter impact on a scale from 1 (low) to 5 (high) I = <i>(in Atlas, use the Management Response box. Check "critical" if the impact and probability are high)</i>	What actions have been taken/will be taken to counter this risk <i>(in Atlas, use the Management Response box. This field can be modified at any time. Create separate boxes as necessary using "+", for instance to record updates at different times)</i>	Who has been appointed to keep an eye on this risk <i>(in Atlas, use the Management Response box)</i>	Who submitted the risk <i>(In Atlas, automatically recorded)</i>	When was the status of the risk last checked <i>(In Atlas, automatically recorded)</i>	e.g. dead, reducing, increasing, no change <i>(in Atlas, use the Management Response box)</i>
2			Environmental Financial Operational Organizational Political Regulatory Strategic Other	Text P = I =					

3			Environmental Financial Operational Organizational Political Regulatory Strategic Other	Text P = I =				
4								

