

United Nations Development Programme
Afghanistan
Justice and Human rights in Afghanistan (JHRA)
3rd Quarter Project Progress Report 2010



Inauguration ceremony of HRSU at MoJ



Baghlan Jadeed Primary court after completion

Project ID: AFG/00071252

Duration: 26 June 2009 – 30 June 2012

Strategic Plan Component:

Focus Area 2: Democratic Governance

CPAP Component:

Outcome 3: Access to Justice and Human Rights

ANDS Component:

Pillar 2: Governance, Rule of Law and Human Rights

Total Budget: USD 36,958,430

Responsible agency: UNDP

Donors



Canada



Denmark



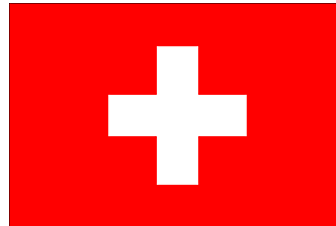
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I. Executive Summary

The Justice and Human Right in Afghanistan (JHRA) Project made significant progress on all component activities in the reporting period. The project's implementation rate gained momentum, as forecast in the second quarter report. Resources were put in place to build on this momentum in the last quarter of the year.

The recruitment of the Project Manager and District Level Component Manager were completed and the incumbents entered on duty, thus completing the JHRA management team.

The landmark achievement of the reporting period was the official inauguration of the Human Rights Support Unit (HRSU) in the Ministry of Justice on 29 September 2010. The opening was hosted by the Minister of Justice and attended by the ambassadors of the donor countries, the UNDP management team and the press. Speakers included the Minister, the UNDP Country Director and three ambassadors. The event was the culmination of six months of intensive activity 3rd Quarter activities, which also included drafting the HRSU Action Plan.

The District Level Component activities, including Public Legal Awareness and Construction/Rehabilitating of justice sector facilities, progressed in general from the assessment to implementation phases, with notable successes in the hand-over of seven judicial residences and the awarding of contracts to key NGO implementing partners in legal awareness, including the Educational Training Center for Poor Women and Girls of Afghanistan. Overall delivery of both goods and services remains very low. The Project is therefore accelerating procurement processes with the goal of signing and raising purchase orders in the fourth quarter on the contracts now pending at the end of the third quarter.

The Public Legal Awareness Unit continued to strengthen the ties between the central and district levels. The unit successfully implemented trainings targeting school students, teachers, religious leaders, conducted a 4-day capacity development training for PLAU staff of Huquq Department of MoJ, and broadcast of introductory programs relating to the Afghan justice system in two languages.

The Supreme Court Translation Unit has been preparing for its handover to the Court, while continuing to provide high-quality legal translations and capacity development resources to the Court. The Unit rendered the first-ever translations of basic human rights conventions into the Pashto language, as well as crucial institutional documents relating to administrative reform, anti-corruption and judicial performance. The Unit also dramatically improved the Supreme Court's information management capacities by establishing the Operational Knowledge Resource Centre for Judges. Upon expiration of the Unit's staff contracts on 30 September, however, JHRA is concerned about the Court's ability to integrate the Unit and financially support its operations within the current state budget cycle, the key sustainability obligation upon which the program's funding was conditioned.

The JHRA is reaching full strength and capacity just as stakeholders and the donor community is considering their response to the conclusions of the Kabul Conference. UNDP Afghanistan is embarking on its own transformation based on the pro-poor imperatives reinforced during the Conference, generating new synergies for inter-project coordination via the Justice Sector Cluster and a programmatic shift toward "claiming" human rights under UNDP's global Legal

Empowerment for the Poor (LEP) initiative. At the same time, there is renewal and reflection in the donor community, creating space for UNDP Afghanistan to play an enhanced role in shaping the overall direction for development assistance to justice and human rights in Afghanistan.

II. Context

UNDP has continuously supported justice reform in Afghanistan since the Bonn Conference. In 2003, UNDP launched a project entitled “Rebuilding the Justice Sector of Afghanistan (RJSA)” to support capacity strengthening in the Afghan justice institutions at the central level. Building on the accomplishments of the Rebuilding of the Justice Sector of Afghanistan (RJSA) Project, UNDP worked with the Government to develop a follow-on project titled “Strengthening the Justice System of Afghanistan (SJSA),” which started in January 2006. Also, in 2006 UNDP launched a separate Justice and Human Rights in Afghanistan project entitled “Access to Justice at the District Level (AJDL).” Following this continuous engagement in supporting Afghanistan’s justice sector, in June 2009 UNDP Afghanistan’s justice sector support entered into a new phase titled Justice and Human Rights in Afghanistan Project (JHRA). The JHRA Project draws on the lessons learned from the SJSA and AJDL Projects, replaces both projects, will continue many activities piloted by these projects, while also adding several new activities identified as priorities by the Government partners.

The design of the JHRA was the product of extensive consultations with the three justice institutions– the Ministry of Justice, the Attorney General’s Office, and the Supreme Court – as well as with other actors working to support the justice sector in Afghanistan. The JHRA is also designed to be fully in line with Afghanistan’s National Justice Programme (NJP), which constitutes the justice section of the Afghan National Development Strategy (ANDS – the Afghan PRSP). Reflecting the priorities of the Government, as articulated in the NJP, the JHRA Project prioritizes support at the district level, including infrastructure support. This approach is of vital importance to UNDP’s Government partners, as the presence of the formal justice sector at the district level is weak in many parts of the country, and ability by the Government to effectively ensure rule of law is a crucial component of peace-building in Afghanistan. The JHRA also has a very important contribution to make in this area as very few other actors are working in the justice sector at the district level. UNDP’s experience 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 in the districts.

III. Status of the progress towards the achievement of output/outcome

Output One: The Capacities of the National Justice Institutions to Effectively Deliver Justice and to Uphold Human rights is Strengthened.

1.1 The capacity of the Supreme Court Translation Unit is operational and its performance capacity enhanced

The JHRA Supreme Court Translation Unit continued to provide high-quality legal translations and capacity development resources to the Court. As set out in last quarter's report, the Unit provided translations of international legal documents, including:

- the *International Convention on Civil and Political Rights* (ICCPR),
- the *International Convention on Economic, Social and Cultural Rights* (ICESCR),
- the *Convention on Elimination of All Forms of Discrimination against Women* (CEDAW),
- the *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (CAT),
- the *International Convention on Elimination of All Forms of Racial Discrimination* (ICEAFRD), and
- the *International Convention on the Rights of Children* (ICRC).

This is the first time these fundamental international human rights instruments have been translated in to the Pashto language. The completed translations will be published in the next quarter, and will facilitate the dissemination of human rights knowledge among Supreme Court officials and be incorporated into daily judicial practices

The Unit translated nine different documents including the manual Administration Reform and Anti Corruption in Judiciary of Islamic Republic of Afghanistan (revised version) and the Judges Performance Guideline. The Unit also translated a variety of other legal texts and documents, as well as coordinating correspondences between the Supreme Court and international courts and other daily judicial letters with international community. The Unit further provided simultaneous translation and transcripts and during meetings, workshops and trainings, and continued to translate documents for the Public Legal Awareness Unit (PLA) and Ministry of Justice (MOJ).

The JHRA / Supreme Court Translation Unit has not just strived to achieve its working objectives and develop its own operational capacity, but has also greatly contributed to the capacity development of the judges and the court as an institution, transferring knowledge, experiences and technical expertise to various departments of the Supreme Court. The Unit enhanced the court's information management capacities through the creation of an Operational Knowledge Resource Centre for Judges. The Centre is equipped with all required facilities including physical and electronic libraries, language learning software and translations technology. Such facilities will enhance the judges' access to legal resources, and improve the Supreme Court's judicial service delivery to the public.

The Unit works closely with the Budget and Finance, Studies & Research, and Publication Departments of the Court to prepare the budget for development projects, and to translate other required documents in support of the Court's development plan. The Unit has initiated a handover of operations to the Court itself, in line with donor agreements and to reinforce sustained Afghan leadership in its internal capacity development. The handover is intended to contribute to the consolidation of the Supreme Court structure (Tashkeel) and demonstrate ownership of the translation infrastructure. Functional handover of Translation Unit now complete, and will be officially marked in a public event acknowledging the support by all key shareholders – including donors, UNDP and the Supreme Court. There are, however, reservations about the preparedness and capacity of the Court to sustain the operation.

1.2 Public Legal Awareness at the national and sub-national levels improved

Capacity development training for district and central-level staff of PLAU in Bamyan province:

The JHRA Public Legal Awareness Unit conducted a 4-day capacity development training for PLAU staff of Huquq Department of MoJ, including districts and central-level staff, from 30 August -2 September 2010. The training concentrated on basic human rights such child rights, women's financial rights and the elimination of violence against women. Other legal subjects included an introduction to the Legal Aid Department of MoJ, processes for property dispute resolution, and methodologies of conducting legal awareness activities in the field. All training materials were prepared based on Islamic orders, domestic laws and international conventions to which Afghanistan is a signatory. Besides training materials, a package of essential legal texts including the Law on the Elimination of Violation against Women, the Investigation of Child Violations, the Regulation of the Legal Aid, the Law on Obtaining Rights, Legal Procedure of Civil Court, and other complementary laws and regulations were distributed for the participants. Upon conclusion the training was positively evaluated, with participants requesting the extension of such trainings in the future.

Evaluation session

On 4 September 2010, an evaluation session took place to assess the improvement in skills, knowledge, abilities and capacities of the PLAU staff who participated in Kabul capacity development training from 20-28 June 2010. Mr. Nazir Hussain Zahidi of the Bamyan PLAU staff arranged and conducted community-based legal awareness workshop in Zakaria High School in Bamyan. The participants were 36 male and female students, teachers, religious leaders, community elders, and the Head of the Community Development Council.

The workshop focused on the same human rights topics as the Huquq training, and was warmly appreciated by participants. Religious leaders promised to convey the lessons to their communities, and to support PLAU staff in legal awareness activities in the field. After Bamyan, PLAU/JHRA staff agreed to implement the same program for PLAU staff of the MoJ in both the provinces of Jawzjan and Sari Pul. Cost projections, training materials and the agenda are in place, as agreed upon in close consultation among PLAU/Huquq Department of the MoJ, and PLAU/JHRA senior staff.

Media Campaign

Over the reporting period the PLAU/ JHRA collaborated with the UNDP Public Information Section and implemented its media campaign, integrating valuable suggestions from the MoJ. The program, "An Introduction to the Afghan Justice System" was aired in the month of September, including 6 Dari spots and 3 Pashto spots broadcasted once in the afternoon from 4-5 pm, once in the evening from 7-8 pm and once in the morning 9-10 am.

Output 2: Capacity of the Government of Afghanistan to fulfill its international human rights obligations in a coordinated manner is strengthened.

The Human Rights Support Unit (HRSU)

During the reporting period, the HRSU advanced simultaneously on a number of issues, including: (1) inaugurating the HRSU at the Ministry of Justice, (2) drafting the HRSU Action Plan and revision

of the unit's budget, (3) convening the first Task Force meeting, (4) developing work plans for the thematic sub-units and (5) capacity development of the staff.

The HRSU Inauguration: On 29 September, the MoJ held the HRSU's Inauguration Ceremony at the MoJ's Conference Hall. Given the limited space, only key partners such as the HRSU's donors, representatives of line ministries, AIHRC and CSOs and media participated. The Minister of Justice, UNDP Country Director, Ambassadors of Canada, UK and Norway (on behalf of Germany, Denmark and Switzerland), and AIHRC's Deputy Chair spoke. The UNDP issued a Press release on the Inauguration in Dari and English languages, which was posted in its web-site. The Inauguration was originally scheduled 17 July but delayed on the advice of the National Directorate of Security (NDS).

The HRSU strategic papers: The HRSU developed its Action Plan and revised its budget based on its Log frame, which is the foundation for monitoring and evaluating the project's results. The draft AP was shared with the MoJ, MFA, UNAMA, AIHRC and the unit's donors for the review and advice. Donors requested stronger gender dimensions and a clear connection between Islamic values and international human rights standards, and commented on a number of budget lines, such as the staffing table (international and national), justification for salary scale and the purchase of armored vehicle. On 22 September, the donors convened a stakeholders' meeting where all strategic documents, including Logframe, Action Plan, Budget, and Capacity Building Plan were approved.

The Task Force meeting: On July 7, the HRSU held a presentation for the Minister of Justice to better inform him about the unit's objectives, terms of reference and its role and responsibilities as an inter-ministerial body. On July 11 The Minister chaired the first Task Force meeting, convening Deputy Ministers of the MoI, MoWAMoE, MFA, the Head of the Human Rights Desk, representatives of the UNAMA, AIHRC as well as the HRSU donors' representative. The Minister underscored the importance of cooperation with the international community to foster respect for human rights culture in the country. The H/HRSU outlined the tasks and responsibilities of the unit and possible areas of cooperation with the line ministries. All present ministries' officials confirmed their membership to the Task Force, assuring their strong support for the HRSU. The next Task Force meeting will be convened in October to endorse the HRSU's strategic papers.

The Presidential Decree:Based on the request of the Deputy Minister of Justice, the HRSU drafted a Presidential Decree on the establishment of the unit in the ministry. The initial draft proposes to mandate the HRSU (1) to ensure all laws and policies are consistent with international human rights standards, (2) to monitor the implementation of human rights treaties ratified by the Government of Afghanistan (3) to follow up on the UN Committees' recommendations with relevant ministries, (4) to educate government employees on human rights, and (5) to mainstream human rights and gender perspectives in all government sectors. The draft Decree was shared with the MoJ and the HRSU donors for their review and advice. The HRSU received the donors' comments, which will be integrated in the draft. The HRSU also expects the MoJ's comments.

Capacity building: On July 28-29, the HRSU organized a two-day workshop on follow-up to the Universal Periodic Review (UPR) recommendations in close collaboration with the UNAMA, which gathered staff of the MoFA's Human Rights Desk, HRSU, and the AIHRC to develop an Action Plan. The first day was led by the UNAMA trainer, who made a presentation on the UPR procedure, a full-circle process comprising 3 key stages, such as (1) review of the human rights situation of the State, (2) implementation between two reviews (4 years) of the recommendations accepted and voluntary pledges and commitments by the State under Review and (3) reporting at the next review on the implementation of those recommendations and pledges and on the human rights

situation in the country since the previous review. The second day focused on the Afghanistan human rights treaty obligations and its recent UPR report to the Human Rights Council. The participants discussed the four priority areas stemming from the UPR Recommendations, such as human rights treaty ratification and reporting, women's rights; transitional justice Action Plan, and support to the AIHRC. The participants lastly developed an Action Plan to implement the UPR recommendations, which the HRSU then incorporated into its own AP and sub-units' annual work plans.

On August 2, HRSU met with Ms. Sima Samar, Chairperson of AIHRC and discussed the unit's role in the ministries and state institutions and cooperation between the AIHRC. The Chairperson pledged full support, offering assistance in capacity building of the HRSU and providing the unit with the outreach materials, educational resources and publications on a regular basis. Both sides agreed to hold a joint workshop on how the AIHRC and HRSU can center their work on core protection issues, such as the prevention of torture and degrading treatment, arbitrary detention and women rights.

On 3 August, the HRSU in partnership with the UNDP ACT project organized a workshop on linkage of Corruption with Human Rights. The ACT Project Manager gave a two-hour presentation on the impact of organized crime, acts of terrorism and corruption on human rights, focusing on right to development. The HRSU staff along with representatives of Human Rights Department in the MoF and UNAMA Human Rights Team learned about the (1) Palermo and Merida Conventions, (2) their connections with the rights enshrined in the UDHR, ICCPR and ICESCR, and (3) how to measure the level of corruption at the country level. It was agreed that the HRSU will host a follow-up workshop on how to assess the implementation of the legal instruments and their compliance with anti-corruption at the state level. The HRSU plans to include anti-corruption aspects in the HRSU long term development plan, which will be drafted in 2011.

On 16 August, the UK Embassy, one of the HRSU's donors, requested to nominate a staff member to study Human Rights at the Nottingham University. The HRSU nominated three (3) staff members, including one female and two males. The Nottingham University selected the female candidate and funded her entire expenses for a three month course, which began at the end of September 2010.

The HRSU's sub-units & observations: The HRSU set its structure, which is composed of four (4) sub-units, such as (1) Human Rights Education, (2) Legal Technical and Strategic Studies, (3) Monitoring, Evaluation and Follow-up and (4) Internal HRSU related Issues. Each sub-unit is responsible for a specific range of activities. The Human Rights Education sub-unit focuses on capacity building programs of the State officials, mostly through conducting trainings and workshops on human rights. The Legal Technical and Strategic Studies sub-unit is responsible for conducting a comparative study of the Afghanistan laws and policies and international human rights standards, advocacy for the ratification of key UN human rights treaties and Optional Protocols to the Conventions and providing an analysis of domestic laws and sub-laws. The Monitoring, Evaluation and Follow-up sub-unit focuses on monitoring and following up on the implementation of the human rights treaties ratified by the GoA. The Internal HRSU Related Issues sub-unit is responsible for the HRSU internal issues, including drafting reports, maintenance of the HRSU web page, needs assessments of the HRSU, human resource and budget management. Each sub-unit developed its Work Plan and defined needed resources. On 20 September, the HRSU, during its regular monthly meeting with the Minister, informed him about the unit's division into thematic sub-units, a draft presidential decree on the establishment of the HRSU and its agreement with the Taqnin (Legislative Department) on organizing a round table discussion on

the implementation of the Universal Periodic Review's recommendations. According to unit's assessment, a number of the UPR recommendations are relevant to the MoJ and requires the Taqin's direct involvement, such as the revision of the Shia Personal Status Law and Afghanistan national legislation to ensure its compliance with the Constitution and international obligations, including protecting the right to privacy and non-discrimination. On 23 September, at the Minister's request, the HRSU met with Mr. Hashimzai, the MoJ Deputy Minister to inform about the HRSU's progresses for the last six (6) months. The HRSU provided the Deputy Minister with a copy of the HRSU Terms of Reference, Action Plan, Capacity Development Plan and Log frame in Dari. The Deputy Minister requested the HRSU to focus on the de radicalization in the prisons, assisting the government to set specific programs to look at prisoners as individuals and tailor prison programs to their needs. The HRSU established its contact with the UNODC to closely cooperate in prison reforms to address de radicalization issues.

To initiate new cooperation with the Taqin, the HRSU met with its Head of Office of International Law and Human Rights. The HRSU briefed about the linkage between the unit and GoA commitments in the Bon and Kabul Conferences to respect protect and fulfill human rights in the country and identified opportunities for bilateral cooperation in the near future. The HRSU observed that the Office on the International Law and Human Rights has limited cooperation with the Human Rights Department and its Treaty Reporting Unit in the MoFA. The HRSU was also concerned with the fact that one of the key offices in the Ministry has no information about the UPR's recommendations to the GoA, which are explicitly relevant to the department's activities. The UPR's recommendations were translated into Dari by the HRSU and shared with the Department of Taqin.

The HRSU analyzed the Shia Personal Status Law and its compliance with the international human rights treaties, including the CEDAW and CRC. The findings of the HRSU will be discussed with the Taqin department during a round table in November. The MoJ in close partnership with the HRSU launched the unit's web page in English on the ministry's web site. The HRSU webpage will be also supported in Dari and Pashto languages. The HRSU developed its leaflet, which aims to inform the public about the detailed mandate, inter-ministerial role and functions of the HRSU within the ministries. The leaflet is available in Dari, Pashto and English.

Output 3: Capacity of district level justice sectors to effectively deliver justice and uphold human rights is strengthened.

The District Level component of the JHRA divides its activities into:

- Public Legal Awareness and Human rights Education and training; and
- Construction and Rehabilitation of Justice Sector facilities for the Ministry of Justice, the Supreme Court, and the Attorney General's Office

DLC Public Legal Awareness (PLA)

The JHRA District Level Component (DLC) awarded contracts to three NGOs for the implementation of four different lots in legal awareness activities in Badakhshan, Faryab and Jawzjan provinces. Humanitarian Assistance Muska (HAM) was contracted to implement legal awareness education trainings in primary and secondary schools (teachers and students) on 29 August. The NGO will conduct trainings in 180 schools, reaching 450 teachers and 45000 students in 21 districts in the mentioned provinces. HAM selected the trainers and conducted a six-day ToT (training of Trainers) in Kabul for the provincial instructors. On 6 September 2010 the Educational

Training Center for Poor Women and Girls of Afghanistan (ECW) was awarded two lots: a) Protection of Women and Children in Criminal Law and Access to Defense lawyer; and b) Religious Leaders' training. The NGO provided its action plan for ongoing activities, and developed the manual for the protection of women in criminal proceedings. The women's NGO submitted the manual to JHRA review, and the DLC approved it after adding stronger emphasis on the international normative framework for human rights. Saba Media Organization (SMO) was awarded the Public Awareness Raising through Radio Programs contract on 14 September 2010, and submitted an inception report reflecting the early development of materials to supplement their broadcasts.

In August the UNDP Country Office, the JHRA/ DLC Monitoring and Evaluation Officer and a representative from the Supreme Court conducted an assessment mission to Saripul Province in support of the joint Peace through Justice and District Level Component programs at the district level. The team met with local provincial and related justice institutions authorities, and visited the Sancharak District Level Primary Court to assess for rehabilitation.

DLC Engineering

Based on DLC assessments conducted last quarter for rehabilitation/construction and Public Legal Awareness in Faryab and Jawzjan Provinces (with sufficient data already acquired for of Badakhshan Province), the DLC formulated the data and began architectural design for construction of Primary Courts, joint office buildings for prosecutors and the Hoqooq Department and detention centers at the district level. The facilities and districts were selected and prioritized in consultation with justice officials at the district, provincial and capital levels. The following justice facilities were recommended for rehabilitation/construction and advertised under open bidding process:

Province	District	Name of Structure	Status
Faryab	Andkhoy	Rehabilitation of the Andkhoy Justice residential House	Rehabilitation work begun and continues
	Andkhoy	Construction of a joint office building for Prosecutors and Hoqooq Department	Evaluation of bids completed, under procurement process
	Dawlat-Abad	Rehabilitation of the Dawlat Abad Justice residential House	Rehabilitation work begun and continues
	ShirinTagab	Construction of a joint office building for Prosecutors and Hoqooq Department	Contract with selected construction company to be signed by mid-October
Jawzjan	Aqcha	Rehabilitation of the Aqcha Detention Center	Contract with selected construction company to be signed by mid-October

	Khwaja Do Koh	Construction of a joint office building for Prosecutors and Hoqooq Department	Evaluation of bids completed, under procurement process
Badakhshan	Kishem	Rehabilitation of Primary Court building including one water bore well	Contract to be issued by mid-October
	Jirum	Rehabilitation of the Primary Court building including one water bore well	Contract to be issued by mid- October
	Baharak	Construction of Detention Center	ITB to be issued

Meanwhile an RfP for Monitoring and Reporting on above mentioned justice facilities was advertised. Due to a lack of qualified proposals in the first round the RfP was re-advertised, and the proposals are currently under evaluation. Construction and rehabilitation projects for justice facilities in Baghlan and Balkh Provinces reported as “begun” in the 2nd Quarterly have been completed and handed-over to justice institutions in the 3rd Quarter.

Province	District	Name of Facility	Status
Baghlan	Baglan-e-Jadeed	Rehabilitation of the Primary Court (one story building)	Completed-Handed over
	Baglan-e-Jadeed	Rehabilitation of 4 justice residential houses including 5 water bore wells	Completed-Handed over
	Doshi	Rehabilitation of one justice residential house including water bore well and boundary wall	Completed-Handed over
Balkh	NahriShahi	Rehabilitation of the NahriShahi Detention Center	Completed-Handed over

The rehabilitation of the Dehdedi Detention Center (Balkh Province), including one water bore well and a boundary wall, was contracted with a construction company but cancelled due to a land dispute between the District Governor and the Ministry of Justice.

IV. Challenges

Risks

The possibility of political upheaval and a deterioration of the security situation in Kabul and the provinces remain constant and imminent threats. While short-term lulls in project implementation (such as White City restrictions during the Parliamentary elections and the observance of Al Fatr during September) are foreseeable.

Specific challenges to the JHRA relate to budget allocations and weak institutional capacities within and among GOA institutions at all levels. The cancellation of the Dehdedi Detention Center contract may have been avoided had district officials communicated more candidly among themselves and with the JHRA. At the central level, the end of September falls in the middle of the Afghan budget cycle, and the cost of providing professional legal translated remains very high. Thus the Supreme Court will face serious challenges integrating the Translation Unit into their structure and to cover the required operational expenses from their current budget – a basic challenge to the Unit’s sustainability. To address the issue properly, it is recommended for the Afghan Supreme Court to immediately discuss this issue with Ministry of Finance and to also seek further support from the international community for at least one year to sustain this transitional process.

Issues

Due to the MoJ’s internal procedure, the HRSU has no authorization to manage its web page directly. The HRSU currently uploads all information relevant to its activities through the MoJ Web-Support Unit. The HRSU plans to launch its own web-site. The HRSU requested the MoJ to advertise three (3) posts for the unit, such as Senior Human Rights Officer, Human Rights Training Officer and Human Rights Officer in the ministry web site. The MoJ received the terms of references for all three posts in Dari in English at the beginning of September from the HRSU. The MoJ posted the advertisements with a 4 week delay, despite several reminders from the HRSU.

The JHRA participates actively in the UN Agencies Rule of Law forum, and in the Board of Donors for the justice sector. There is currently significant turnover in these bodies, with new personnel representing key institutional players. There appears a shared understanding evolving of the challenges of justice and human rights programming in the Afghanistan context. We will see, in the coming quarter, to what extent this leads to better cooperation and renewed momentum.

V. Lessons Learned

In structuring such projects designed to be handed-over to the government (i.e. the Tashkeel) it is necessary to have a written agreement with the related institution from the outset. The agreement (in the form of a Memorandum of Understanding or other instrument of consensus) should clearly delineate mutual obligations during project implementation, and articulate shared objectives, including hand-over timelines and modalities. The agreement also assists in a day -to -day administration of the project, as well as anticipates factors (especially financial) which may ultimately weaken the projects short-term sustainability and longer-term impact. It is also important to present a summary of progress and achievement report in national languages to the relevant government authorities. Such reporting practices, if consistently followed, will help the Unit to maintain close ties with the government officials and enhance the sense of ownership within the government institution.

VI. Future Plans

- Continue intense operation to complete procurement procedures in order to drastically increase delivery of goods and services throughout the 4th Quarter
- JHRA Management to travel to provinces and conduct assessments for current and future field operations at the district level
- Finalize recruitment of key international and Afghan human rights experts to enhance the JHRA field capacities, particularly in monitoring and evaluation, at the district level
- Draft and finalize, in coordination with the Country Office Program Support Unit, strategic documents for Capacity Development and Resource Mobilization in support of UNDP's 2011 AWP (to be adopted by mid-December 2010) Participate, along with representative of the Country Office, in the Access to Justice Week in early October in Bangkok. The conference, co-hosted by the Asia Foundation and UNDP Thailand, will examine best practices in providing legal access to the poor, and draw on lessons learned in implementing innovative data-collection methodologies among rural, isolated communities
- Improve, in cooperation with the UNDP Country Office Communications Unit, JHRA outreach (updated website and consistent publications of success stories for all components)
- Begin to establish concrete modalities for inter-project cooperation through proactive participation in the Justice Sector Cluster, applying LEP principles and augmenting support to community-based, traditional dispute resolution bodies
- Begin to identify appropriate activities and qualified NGO candidates for the JHRA/DLC Small Grants Project
- Execute formal hand-over of the Supreme Court Translation Unit, and support the court's advocacy with the GOA and the international community for sustained Translation Unit operational funding within the current budget year and beyond
- Host, in conjunction with donors, the GOA and Afghan CSO shareholders, an inaugural event to publicize the award of contracts and to highlight successes in Public Legal Awareness
- Joint actions with Taqin to follow-up to the recommendations made by treaty bodies;
- Strengthening close relations with the Human Rights Units in MiA and MoWA and establish its contacts with the Legal Departments in both ministries;
- Advocacy for the presidential decree on the HRSU;
- Continuous capacity building to equip the HRSU staff with sufficient knowledge of their areas of work;
- Development of the unit's resource center, which will offer a wide array of materials, including, books, journals, and online library for the professional staff of the MoJ;
- Development of a questioner to conduct a multi-ministry training needs assessment for the state officials.
- Participate in strategic discussions with local stakeholder, other members of the UN family and the donor community towards a new direction and renewed momentum in the evolution of justice and human rights in Afghanistan.

Financial Section:

Table 1: Income and Expenditures

Donor	INCOME			EXPENDITURES			BALANCE	Remarks
	Total Commitment (approx US\$)	Total Received (approx US\$)	Total Receivable (approx US\$)	Total Cumulative Expenditures as of Dec 2009	Current Year 2010 (Cumulative) as of the current Quarter	Total Expenditures	Total Received minus Total Expenditures	
SDC	200,000	200,000	-	-	135,154	135,154	64,846	
DENMARK	200,000	200,000	-	-	46,233	46,233	153,767	
GERMANY	200,000	200,000	-	-	58,057	58,057	141,943	
NORWAY	193,496	193,496	-	-	71,096	71,096	122,400	
UK	287,356	287,356	-	-	14,135	14,135	273,221	
DFAIT	2,362,071	2,362,071	-	189,069	1,335,096	1,524,165	837,906	
EC Old Agreement	811,930	811,930	-	643,879	-	643,879	168,051	
EC New Agreement	7,530,000	3,741,664	3,788,336	-	421,860	421,860	3,319,804	
UNDP	441,237	441,237	-	126,928	9,350	136,278	304,959	
Total	12,226,090	8,437,754	3,788,336	959,876	2,090,981	3,050,857	5,386,897	

Table 2. Expenditure by Major Outputs (2010)

Project Output	Budget (AWP 2010)	Cumulative Expenditure as of the current Quarter	Delivery Rate*	Remarks
Output 1: Capacity of National Justice Institutions to effectively deliver justice and uphold human rights is strengthened	812,307	584,011	71.90%	
GMS	61,141	43,958	71.90%	
Sub-total Output 1.	873,448	627,969	71.90%	
Output 2: Capacity of the Government of Afghanistan to fulfill its international human rights obligations in a coordinated manner is strengthened.	995,263	549,443	55.21%	
GMS	74,912	41,356	55.21%	
Sub-total Output 2	1,070,175	590,799	55.21%	
Output 3: Capacity of district level justice sectors to effectively deliver justice and uphold human rights is strengthened.	3,361,923	876,000	26.06%	
GMS	253,048	65,935	26.06%	
Sub-total Output 3			26.06%	

	3,614,971	941,935		
Output 4. Sound Project Management.	1,557,923	626,949	40.24%	
GMS	117,263	47,190	40.24%	
Sub-total Output 4	1,675,186	674,139	40.24%	
Grand Total	7,233,780	2,834,842	39%	

Table 3. Expenditure by Donors (2010)

Donor	Project Output	Budget (AWP 2010)	2010 Cumulative Expenditure as of the current Quarter	Delivery Rate*
UNDP	Output 4. Sound Project Management.	9,350	9,350	100%
GMS		-	-	
Sub Total		9,350	9,350	100%
DENMARK	Output 2: Capacity of the Government of Afghanistan to fulfill its international human rights obligations in a coordinated manner is strengthened.	79,496	42,997	54%
	Output 4. Sound Project Management.			
GMS		5,984	3,236	54%
Sub Total		85,480	46,233	54%
GERMANY	Output 2: Capacity of the Government of Afghanistan to fulfill its international human rights obligations in a coordinated manner is strengthened.	115,000	53,993	47%
	Output 4. Sound Project Management.			
GMS		8,656	4,064	47%

Sub Total		123,656	58,057	47%
NORWAY	Output 2: Capacity of the Government of Afghanistan to fulfill its international human rights obligations in a coordinated manner is strengthened.	130,497	66,119	51%
	Output 4. Sound Project Management.			
GMS		9,822	4,977	51%
Sub Total		140,319	71,096	51%
UK	Output 2: Capacity of the Government of Afghanistan to fulfill its international human rights obligations in a coordinated manner is strengthened.	205,400	13,146	6%
	Output 4. Sound Project Management.			
GMS		15,460	989	6%
Sub Total		220,860	14,135	6%
EC	Output 3: Capacity of district level justice sectors to effectively deliver justice and uphold human rights is strengthened.	4,014,708	392,330	10%
	Output 4. Sound Project Management.			
GMS		302,182	29,530	10%
Sub Total		4,316,890	421,860	10%

DFAIT	Output 1: Capacity of National Justice Institutions to effectively deliver justice and uphold human rights is strengthened.	1,961,554	1,241,639	63%
	Output 2: Capacity of the Government of Afghanistan to fulfill its international human rights obligations in a coordinated manner is strengthened.			
	Output 4. Sound Project Management.			
GMS		147,644	93,457	63%
Sub Total		2,109,198	1,335,096	63%
SDC	Output 2: Capacity of the Government of Afghanistan to fulfill its international human rights obligations in a coordinated manner is strengthened.	100,000	125,693	126%
	Output 4. Sound Project Management.			
GMS		7,527	9,461	126%
Sub Total		107,527	135,154	126%
MDGF	Output 4. Sound Project Management.	111,600	-	0%
GMS		8,400	-	0%
Sub Total		120,000	-	0%
Grand Total		7,233,280	2,090,981	29%

Table 4 - Expenditures by Donor by Inputs - 2010 (Optional based on Donors Agreement)

Donors	Outputs	Staff salary	Consultants	Travel	Training & Workshops	Equipment	Supplies	Contracts	Other Exp	Total
DENMARK	2 and 4	42,997	-	-	-	-	-	-	3,236	46,233
GERMANY	4	53,993	-	-	-	-	-	-	4,064	58,057
NORWAY	2 and 4	39,847	-	6,876	-	16,441	-	2,955	4,977	71,096
UK	2 and 4	-	-	-	1,700	-	7,717	2,955	1,765	14,137
EC	3 and 4	246,956	-	34,266	2,000	35,694	14,255	59,159	29,530	421,860
DFAIT		343,346	8,800	6,963	28,374	477,874	59,273	317,008	93,457	1,335,095
SDC	2 and 4			(3,660)		118,583	10,770		9,461	135,153
UNDP	4							9,350		9,350
Total										2,090,981

Annexes

Annex 1: Performance Tracking Table

Result/Goals	Performance Indicators	Baseline Info	Performance Benchmark and Targets	Implementation Progress in reporting quarter
1. Capacity of National Justice Sector institutions to effectively deliver justice and uphold human rights is strengthened	<p>Professional translation capacity in SC improved and translation services being provided; a well language lab in place</p> <p>Number of public legal awareness activities developed and implemented by Ministry of Justice</p>	<p>Supreme Court has limited translation, and publication capabilities, and low level of capacity in administration;</p> <p>Ministry of Justice has limited capacity to organize and undertake public legal awareness raising activities;</p>	<p>Translation Unit has a functional Resource Center and professional translators in Pashto and Arabic in place</p> <p>Draft Public Legal Awareness Strategy developed; Legal Awareness materials developed and disseminated targeting the general public and key target populations; conduct capacity development workshops for MoJ PLAU staff</p>	<p>Refurbishment of Translation Unit completed; 47 different documents translated; procurement work for the equipment of Resource Center completed: UN HR conventions translated into Pashto</p> <p>First draft of Public Legal Awareness Strategy prepared in collaboration with stakeholders ; 8 different brochures, 4 posters and 4 billboards designed and developed; Procurement work for TV and Radio spots completed.</p>
2. Capacity of the Government of Afghanistan to fulfill its international human rights obligations in a coordinated manner is strengthened.	Capacity of governmental institutions to respect, protect and fulfill its obligations in accordance with the Afghanistan and international treaty obligations increased	Lack of internal governmental mechanism to monitor the implementation of Afghanistan international treaty obligations; laws are not in conformity with the Afghanistan Constitution international human rights obligations	Minister of Justice strongly supports HRSU , chairs the Task Force meetings; the line ministries are supportive of the establishment of HRSU	HRSU officially inaugurated and operational; HRSU capacity building assessment conducted and training courses started with UN Agencies and AIHRC; Revised HRSU Logframe submitted for comments to partners

3. Capacity of district level justice actors to effectively deliver justice and uphold human rights is strengthened.	<p>Number of justice facilities rehabilitated and equipped.</p> <p>Awareness raising activities initiated</p>	<p>Limited number of functioning justice facilities in districts in provinces.</p> <p>District level justice officials and community members have a low level of legal knowledge and awareness</p>	<p>Up to 21 Justice facilities in 3 provinces rehabilitated and equipped (including construction of wells);</p> <p>Training materials reviewed ; # of individuals trained,</p>	<p>Legal awareness activities launched by NGO partners in Fayab and Jawzjan provinces. Construction and rehabilitation of various justice facilities started in targeted provinces</p>

Annex II: Risk Log

#	Description	Date Identified	Type	Impact & Probability	Countermeasures / Mngt response	Owner	Submitted, updated by	Last Update	Status
1	Security constraints especially for activities at the district level	01/04/2010	Security	Potential risk of injury or death to project staff doing the infrastructure assessment and also contractors for construction work. Potential impact on activities – delayed or rescheduled activities. P = 2 I = 5	Comply with UNDSS security arrangements and assessments. Obtain security clearances for travel.	Project Manager	Project Manager	30.06.2010	No change
2	Difficulty in recruiting qualified staff, particularly women	1/04/2010	Operational	Delays in the recruitment of key staff delaying implementation of project activities, P = 3 I = 3	Accelerate recruitment processes and broader advertisement of vacant positions	Project Manager	Project Manager	30.06.2010	
3	Political support, particularly for HRSU in MoJ	01/04/2010	Political	Lack of political support from the government might jeopardize the efforts to mainstream human rights in the government policies and programmes. P=2 I=3	Establishment of a taskforce consisting of senior government official; advocacy for a presidential decree on HRSU.	Project Manager	Project Manager	30.06.2010	

Annex III: Issue Log

ID	Type	Date Identified	Description	Status/Priority	Status Change Date	Author
1.	Other	1/04/2010	Delays in signing Lease Agreement for the HRSU Office	Changed (done)	01/06.2010	Project Manager
2.	Other	1/04/2010	Delays in recruitment of qualified project staff	Improved but still an issue		Project Manager
3.	Other	1/04/2010	Limited participation of women in the program from government side especially public legal	Ongoing		Project Manager
4.	Other	1/04/2010	Continued security considerations at the district levels with impact on implementation and monitoring	Ongoing		Project Manager