



QUARTERLY PROJECT REPROT (April – June 2008)

United Nations Development Programme Afghanistan Access to Justice at the District Level (November 2005 – December 2008)



EC Results Oriented Monitoring Mission Visit to Rokhshana Girls High School –
District of Mazar, Balkh Province – June 2008.

Project ID: AFG/00047012
Duration: 1st November 2005 – 31 December 2008
Component (MYFF): MYFF Goal 2.4 – Justice and Human Rights
Total Budget: Euro 6,000,000 (USD 7,200,000)
Implementing Partners/Responsible parties: UNDP and NGOs

Table of Contents

I. IMPLEMENTATION PROGRESS	3
II. PROJECT IMPLEMENTATION CHALLENGES	8
Updated project risks and actions	8
Updated project issues and actions	8
III. FINANCIAL STATUS AND UTILIZATION	9
Financial status	9
Financial utilization	9

I. Implementation progress

The second quarter of 2008 has been focused on the engagement of NGO's to commence activities in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan and the preparation for activities in districts in the provinces of Badakhshan, Takhar and Nangarhar through a Call for Proposals. Main activities have been as follows. Conduct of a handover ceremony on 20 May 2008 in Heart attended by Government, Judiciary, Donor, local authorities and UNDP delegation to acknowledge completion of activities in districts in the provinces of Heart and Balkh. An external evaluation of project was undertaken by Monitor assigned by European Commission Headquarters as part of a Results Oriented Monitoring Mission. Capacity assessments, finalization of Project Cooperation Agreements and conduct of orientation session for selected NGO's to enable immediate commencement of activities in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan. Call for proposals for NGO partners to implement all project awareness raising and training activities in districts in the provinces of Badakhshan and Takhar. Also call for proposals for NGO partners to implement a selected range of awareness raising and training activities in districts in the province of Nangarhar. There was finalization with key stakeholders of justice facilities to be rehabilitated in districts in provinces of Baghlan, Jawzjan and Kunduz. The project team also conducted a presentation to orientation session of the Provincial Justice Coordination Mechanism. A request was submitted to the donor for the next installment payments under the two Agreements between UNDP and EC. UNDP finalized a concept note on access to justice activities for submission to the Millennium Development Goals conflict prevention trust fund, in partnership with other UN agencies. As referred to in the last report Ms Christine Fowler, the new Project Manager, arrived in May. Detail in relation to each project output is provided below.

Output 1-Justice facilities at provincial and district levels rehabilitated and functioning.

This quarter saw the finalization of the rehabilitation of seventeen justice facilities in districts in the provinces of Balkh and Heart. Defect repairs were completed and checked and basic office furniture was delivered. These facilities and associated furniture were formally handed over to the relevant government authorities.

The assessment reports, technical specifications and costs estimates on justice facilities to be rehabilitated in districts in the provinces of Baghlan, Jawzjan and Kunduz were finalised. As mentioned in the last report, in districts in the province of Samangan, the engineers did not find suitable buildings to be rehabilitated. Following the provision by justice institutions in Kabul on their priority districts within the provinces of Baghlan, Jawzjan and Kunduz; meetings were conducted with the key stakeholders to agree on a final list of ten structures to be rehabilitated in five districts from the provinces of Baghlan, Jawzjan and Kunduz. The procurement process to engage contractor /s to undertake this work has now commenced. UNDP procurement policy now requires the engagement of engineering consultancy services to undertake monitoring of rehabilitation works and the process to engage such services has commenced.

The estimated costs to complete this refurbishment work in districts within the provinces of Baghlan, Jawzjan and Kunduz is expected to fully expend the budget currently allocated to rehabilitation works. UNDP has commenced discussions with the EC on the issue of the expected completion date of the project and reallocation of the funds within the existing budget to permit rehabilitation works to be undertaken in districts in the provinces of Badakhshan, Takhar and Nangarhar. To avoid raising any expectations an assessment mission of justice facilities in districts in the provinces of Badakhshan, Takhar and Nangarhar will not be conducted until funding for any further rehabilitation activities is secured.

Output 2-Capacity of state justice officials at provincial and district levels improved.

The Afghan Human Rights Organization (AHRO) were selected to undertake trainings for justice sector officials (judges, prosecutors, lawyers and judicial police) on the protection of women, children and disadvantaged groups in criminal law; land law and family and personal status law in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan. The materials for these trainings are being finalized and quality checked by the Project Team and discussions on districts to be targeted are in progress to enable activities to commence in early August and conclude in November 2008.

A call for proposals to select an NGO partner to conduct training and awareness raising activities to improve the capacity of justice officials in districts in the provinces of Badakhshan, Takhar and Nangarhar has been advertised. The intention is for these activities to commence in October and conclude in December 2008.

Output 3 - Legal awareness and capacity of community leaders increased.

The Afghan Human Rights Organization (AHRO) were also selected to undertake trainings for community leaders on land law and family and personal status law in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan. The materials for these trainings are being finalized and quality checked by the Project Team and discussions on districts to be targeted are in progress to enable activities to commence in early August 2008 and conclude in November 2008.

A call for proposals to select an NGO partner to conduct training and awareness raising activities to increase the legal awareness and capacity of community leaders in districts in the provinces of Badakhshan, Takhar and Nangarhar has been advertised. The intention is for these activities to commence in October and conclude in December 2008.

Output 4 - Increased justice awareness and skills of religious leaders.

The Educational and Training Centre for poor woman and girls of Afghanistan (ECW) were selected to undertake seminars and consultations involving religious leaders addressing issues related to women, children and disadvantaged groups in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan. The materials for these seminars and consultations are being finalized and quality checked by the Project Team and discussions on districts to be targeted are in progress to enable activities to commence in early August 2008 and conclude in November 2008.

A call for proposals to select an NGO partner to conduct seminars and consultations to increase the justice and awareness and skills of religious leaders in districts in the provinces of Badakhshan, Takhar and Nangarhar has been advertised. The intention is for these activities to commence in October and conclude in December 2008.

Output 5 - Public awareness of legal rights increased.

The Saba Media Organization (SMO) were selected to undertake a targeted media campaign at district level through a comprehensive radio programs including radio broadcasts, presentations, panel discussions, interviews, dramas, debates, opinion surveys, songs, stories, documentaries and other methods to raise public awareness on human rights and administration of justice issues in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan. The materials for the media campaign are

being finalized and quality checked by the Project Team and discussions on districts to be targeted are in progress to enable activities to commence in early August 2008 and conclude in November 2008.

The Civil Society Development Centre (CSDC) were selected to undertake village public awareness activities such as seminars, workshops, mobile theatre and discussions to raise awareness on human rights and administration of justice issues in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan. The materials for these awareness campaigns are being finalized and quality checked by the Project Team and discussions on villages in districts to be targeted are in progress to enable activities to commence in early August 2008 and conclude in November 2008.

A call for proposals to select an NGO partner to conduct legal rights awareness activities through public radio programs in districts in the provinces of Badakhshan and Takhar has been advertised. A call for proposals to select an NGO partner to conduct village public legal rights awareness activities in districts in the provinces of Badakhshan and Takhar has also been advertised. The intention is for both of these activities to commence in October and conclude in December 2008.

Output 6- Quality of legal rights awareness education in schools is improved.

During this quarter the NGO Coordination of Humanitarian Assistance (CHA) completed its project activities of monitoring the teachers who were implementing training of school student on justice principles, children rights, gender and civic education issues through the presentation of lectures, stories, and drama. As noted in previous report the training by teachers of students had been delayed due to the school three month winter vacation period from end of December 2007 until 22 March 2008. Extensive monitoring of this training was undertaken during this reporting period with key stakeholders and donor partners also being provided the opportunity to observe the conduct of these activities in schools in Herat.

CHA conducted its activities in seven districts in Balkh and Herat provinces and as indicated below trained 320 teachers (42.5% being female teachers) who then raised the awareness of 32,000 students (44% being female students) who each participated in approximately ten different awareness raising activities.

Summary of Legal Rights Awareness Training in Schools - Oct 07 to May 08

Province	District	Schools	Teachers Trained		Students	
			Male	Female	Male	Female
Balkh	Nahr-Shahe	10	15	5	1500	500
	Dehdadi	20	25	15	2500	1500
	Chemtal	10	10	10	1000	1000
	Balkh City	40	45	35	4600	3400
Province Total		80	95	65	9600	6400
Herat	Enjil	30	31	31	3000	3200
	Guzarah	20	25	13	2100	1700
	Herat City	30	32	28	3100	2900
Province Total		80	88	72	8200	7800
Total		160	183	137	17800	14200

The NGO Humanitarian Assistance Muska (HAM) were selected to undertake training courses for school teachers on justice principles, children rights, gender and civic education issues; and then monitor these teachers undertaking the training and implementing legal rights awareness activities in schools in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan. The materials for these trainings are being finalized and quality checked by the Project Team and discussions on schools in districts to be targeted are in progress to enable activities to commence in early August 2008 and conclude in the middle of December 2008 before the closure of schools for the winter break.

A call for proposals to select an NGO partner to conduct legal rights awareness activities in primary and secondary schools in districts in the provinces of Badakhshan, Takhar and Nangarhar has been advertised. The intention is for these activities to commence in October and conclude in December 2008.

Output 7- The constitutional guarantee to the assistance of defense counsel in criminal cases, particularly for women and children is operationalized.

The Afghan Human Rights Organization (AHRO) were selected to under training courses and awareness raising activities in districts in the provinces of Baghlan, Jawzjan, Kunduz and Samangan on the constitutional rights to defense counsel in criminal proceedings. The courses and awareness raising activities target both justice sector officials (judges, prosecutors, lawyers and judicial police) and also the general public including target groups such as NGOs and legal aid providers. AHRO will also work to establish referral mechanisms to link those in need of legal aid with appropriate service providers. The materials for these trainings are being finalized and quality checked by the Project Team and discussions on districts to be targeted are in progress to enable activities to commence in early August 2008 and conclude in November 2008.

A call for proposals to select an NGO partner to conduct awareness raising of the constitutional right to defense counsel in districts in the provinces of Badakhshan and Takhar has been advertised. The intention is for both of these activities to commence in October and conclude in December 2008.

Output 8- Availability of legal texts improved.

The International Institute of Higher Studies in Criminal Sciences (ISISC) in consortium with the International Human Rights Law Institute (IHRLI) signed a partnership agreement with UNDP to develop and disseminate two publications. The first publication is 'Selected Decisions of the Afghan Supreme Court,' which will review approximately 12 major cases decided by the Afghan Supreme Court, analyzing the facts of the cases, the points of law, and the legal relevance of the decisions. The second publication is 'The Afghan Legal System', which will provide an overview of the Afghan legal system, covering the structure of the system, the distinct roles of different justice sector actors, how legislation is created and implemented, the Afghan constitution, and the integration of the Sharia within the Afghan legal system.

During this reporting period the Project held discussions with ISISC who agreed to submit a revised work plan to enable UNDP consideration of a further no-cost extension to allow ISISC to complete the two publications. An update from ISISC on when the revised work plan will be submitted has been requested. As ISISC had experienced difficulties in obtaining copies of cases from the Supreme Court, the Project provided to ISISC summaries of 18 Supreme Court cases ranging across six areas of law (zina, kidnap, abandonment of marital residence, juvenile cases, payment document forgery and land

cases) to enable ISISC to progress with the publication on 'Selected Decisions of the Afghan Supreme Court'. ISISC have also experienced some challenges in relation to editing the draft ten chapters of the publication 'The Afghan Legal System'. While all the draft chapters have been provided to the Project for review and comment, ISISC have acknowledged the requirement for them to undertake further editorial work. At this stage the Project has provided extensive comments to ISISC on one chapter and will provide comments on other chapters once the revised work plan is submitted.

Output 9- Coordination and implementation capacity strengthened.

The Project conducted a range of monitoring and evaluation follow up missions to districts in the provinces of Balkh and Herat discussing the impact and outcomes of trainings and awareness sessions undertaken for justice sector officials, community leaders, religious leaders, school teachers and school children. These missions revealed strong support and further demand for these types of activities that had been undertaken with examples provided of changes in attitudes and behaviours that had resulted from awareness gained during the trainings.

During this quarter the Project continued to liaise with representatives of the justice institutions (Supreme Court, Ministry of Justice and Attorney General's office) to ensure that they remain informed of the project activities. A significant achievement for the Project occurred with a Handover Ceremony on 20 May 2008 in Herat to acknowledge completion of activities in districts in the provinces of Herat and Balkh. The ceremony received strong support from all areas and was attended by Government, Judiciary, Donor, local authorities and a UNDP delegation. This provided an invaluable opportunity for all stakeholders to observe the impact of project activities through discussions with beneficiaries and inspection of rehabilitation works. The ceremony was first conducted in Anjeel District where the rehabilitated Primary Court and Detainees Center was handed over and concluded in Herat City where a ceremony was conducted in the Herat Provincial Court Conference Hall. These ceremonies represented a significant milestone in the Project achievements.

During this quarter the first external evaluation of the Project was undertaken. The European Commission Headquarters assigned a Monitor to evaluate the Project as part of an overall Results Oriented Monitoring Mission to Afghanistan. The evaluation included discussions and meetings in Kabul and a mission to Balkh province to undertake discussions and meetings with NGO partners and beneficiaries (including justice sector officials, community leaders, religious leaders, school teachers and school students).

The Project is in the process of finalizing a terms of reference for a detailed external evaluation of the overall Project to be undertaken and it is expected that this evaluation will be conducted in late October / early November 2008.

The Project conducted a presentation on project activities to the orientation session of the newly established Provincial Justice Coordination Mechanism (PJCM). The Project intends to work very closely with the PJCM and provide support and contributions to its important mandate and likewise also benefit from the advantages of improved coordination within the Justice Sector.

The Project met with the Afghanistan Independent Human Rights Commission to provide information on the Project and current activities and to discuss areas of mutual collaboration

The Project is currently implementing the outcomes of the lessons learned for working with NGO partners that were identified in the last report. The NGO partners are very receptive to this increased level of coordination and consequential capacity development of their organizations.

II. Project implementation challenges

Updated project risks and actions

As raised in the previous report the security situation is an important consideration for UNDP when selecting districts and provinces. It is acknowledged that the situation in Afghanistan is fluid, and previously safe areas can become insecure. The Project will work closely with stakeholders and UN Security to remain up to date on field security issues and mitigate any potential risks.

Updated project issues and actions

Two NGO partners (CHA and ISISC) require a no-cost extension to allow them to finalise their project activities. The no cost extension for CHA is currently being processed. The Project cannot process the no cost extension for ISISC until a revised work plan is submitted. ISISC have been recently requested to provide an update on when this revised work plan will be provided.

The Project has requested from the EC payment of further instalments. Although the funds have been committed by the EC, the Project does not currently have sufficient received funds to undertake the planned activities in Badakhshan, Takhar and Nangarhar. The Project is closely coordinating with the EC to ensure funds are made available in the near future.

The aim of the Project was to undertake awareness raising activities and rehabilitation works in districts in eight provinces. To date these activities have been completed in districts in two provinces. The Project has set itself an ambitious schedule to undertake activities in the remaining districts in provinces over the next six months. The Project has recently raised with the donor the receptiveness of an application from UNDP for a three month no cost extension (until 31 March 2008) to mitigate against any potential delays.

III. Financial status and utilization

Financial status

The Project has requested further installments from the EC.

Table 1: Contribution overview 1 November 2005 – 31 December 2008

DONOR NAME	CONTRIBUTIONS		CONTRIBUTION BALANCE
	Committed	Received	
EC	7,200,000	3,540,160	3,659,840
TOTAL	7,200,000	3,540,160	3,659,840

Financial utilization

The Budget 2008 figures below represents the Budget based on the funds received, which is different to the actual budget for the Project which provides for all the committed funds. It should be noted that the Project has signed agreements with NGOs and commenced the procurement process for Rehabilitation works which is expected to fully utilise the Budget for the Rehabilitation Activity and then total delivery would be 100% against the Budget identified in Table 2.

Table 2: Quarterly expenditure by activity 1 April – 30 June 2008

Activity	BUDGET [2008]	QUARTERLY (Q1&Q2) EXPENDITURE	BALANCE as 30 June 2008	DELIVERY Rate (%)
Activity 1: Programme Management	176,840	175,525	1,315	99%
Activity 02: Rehabilitation	591,400	147,711	433,689	25%
Activity 03: Training/Awareness	223,329	218,948	4,381	98%
UNDP GMS) 5%	49,078	28,536	37,601	58%
Total	1,030,647	570,720	459,928	55%

Table 3: Quarterly expenditure by donor 1 April 2008 – 30 June 2008

DONORS	ACTIVITY	2008 Budget	Q1 EXPENDITURES 01/01/08 - 31/03/08	Q2 EXPENDITURES 01/04/08 - 30/06/08	BALANCE as of 30/06/08	DELIVERY RATE %
--------	----------	-------------	-------------------------------------	-------------------------------------	------------------------	-----------------

EC	Programme Management	176,840	76,649	98,877	1,315	55%
	Rehabilitation	581,400	4,043	143,668	433,689	
	Training/Awareness	223,329	137,383	81,565	4,381	
GMS 5%		49,078	11,478	17,058	37,601	
Subtotal EC		1,030,647	229,552	341,168	459,928	
Total		1,030,647	229,552	341,168	459,928	55%