



United Nations Development Programme
Afghanistan
[STRENGTHENING THE JUSTICE SYSTEM OF
AFGHANISTAN]
[1st July 2008 – 30th September 2008]

Quarterly Project Report “3rd Quarter 2008”

Project ID: 0047952
Duration: 01-01-2006 – 31-12-2008
Component (MYFF): Goal 2.4 Justice & Human Rights
Total Budget: (2008) USD 1,210.517

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I. Implementation progress

Summary:

This quarter the entire emphasis was set on the start-up of two main components of activities, which had been selected from the catalogue of 15 Quick Impact Projects, as presented from the government of Afghanistan at the Rome Conference 2007. These are a Public Legal Awareness, to be implemented jointly with the corresponding unit at the MoJ, and the establishment of a Translation and Publication Unit within the Supreme Court.

Furthermore the project had taken over the responsibility to assist the MoJ and UNAMA in finalizing the draft for a new activity within the National Justice Program (NJP), the creation of a Human Rights Support Unit within the MoJ. The revised draft could be finished with inclusion of MoJ contributions.

In addition the drafting and editing on a concept for a revised package of project activities throughout a timeframe of 2 years was continued with UNDP internal senior management. Final decision is pending.

Output 1: Increase in number and diversity of persons receiving effective legal services from Permanent Justice Institutions.

Annual Target / Deliverables

Consolidated National Justice Sector Strategy (NJSS) is edited and finalized. NJSS has national and donor acceptance. Post Rome conference on NJSS has taken place by March 2008.

As reported in the second quarter, the NJP was published and endorsed by the MoJ in March 2008. All further justice reform activities of NJIs, donors and International community, including UNDP, are focusing on the implementation of the NJP as the new lead paper.

However, the Post Rome Conference, which was planned for 2008, did not take place, due to changed political requirements by donors and government. The corresponding activities are closed for 2008. Follow up will have to focus on implementation activities.

Output 2: Increase in number and diversity of persons receiving effective legal services from the Ministry of Justice.

Annual Target / Deliverables

Improved capacity of Planning and Strategy Unit at MoJ. Huquq department reorganized. Legal rights awareness increased through Huquq department/Public Legal Awareness unit. MoJ developed Legal Aid policy.

The focus of the work with MoJ in the third quarter was entirely on starting up the “Public legal Awareness” (PLA) campaign with the PLA unit / Huquq department at the MoJ.

The project team for the PLA campaign was available from July. After having set up the office logistics, the work plan for this quarter has been met. The collection of information on ongoing PLA campaigns and on results and reports from previous campaigns was finished. An assessment report as first deliverable is in process, as the reporting deadline crosscuts the work-process. Terms of reference for the civic educators to deliver workshops to the target population are being finalized in cooperation with the PLA-MoJ department. The definition of topics to be delivered and of a geographic catalogue as first deliverable was accomplished in cooperation with the MoJ, MoWA and the AIHRC.

The delivery of the component activities is well underway in the planned timeframe.

Following a request from UNAMA, OHCHR and the Deputy Minister of Justice, the project has assisted and contributed to the drafting of the final version of a project concept for the establishment of a Human Rights Support Unit within the MoJ, including the related budget. The SJSA project had been requested by MoJ to take over the administration of the implementation of this project and will provide its framework for the project implementation, since the Minister of Justice has formally endorsed the project concept. After the finalization of the final project concept, it was shared with donors for solicitation of donor contributions in late September 2008.

Output 3: Increase in number and diversity of persons receiving effective legal services from the Office of the Attorney General.

Annual Target / Deliverables

AGO to be supported in establishing of a resourceful library and technical trainings to attorneys.

The concrete objective of an AGO library had to be taken from the work-plan for 2008, as a result of complexities arising in international cooperation with the AG, who left office in the third quarter. A budget review in 3rd quarter determined that the budget portion earmarked for related AGO support could be better utilized for needed and easier accessible and deliverable support to the Supreme Court (SC) and Ministry of Justice/ PLA department with technical equipment, such as copiers.

The project has been requested to re-intensify the cooperation with the AGO under the newly appointed AG. With the appointment of the new AG, the project re-started technical assistance in the PRR process. This low cost cooperation, as reinitiated in the third quarter 2008 will only continue until the end of 2008, unless additional budget resources can be mobilized for support of the AGO through the project.

Output 4: Increase in the number and diversity of persons receiving effective legal services from the Supreme Court.

Annual Target / Deliverables

Capacity building through technical assistance for SC. Supporting the establishment of accountability mechanisms. Professional translation services available at the Supreme Court.

The focus in this reporting period was mainly on the finalization of the preparatory steps for the implementation of the Translation and Publication Unit. The rolling out of the project could not be started until end of September. Due to unexpected logistic problems with the office location that had previously been secured within the national court offices, as well as difficulties recruiting the relevant senior staff, trainers and the trainees for this unit, only a part of the trainees have been recruited to date. The recruitment of trainees was repeated in October 2008 as only non-qualified candidates had previously applied; recruitment of senior international staff for the unit is in progress.

This component will be rolled out in late October, about 2.5 months behind the original timeline.

II. Project implementation challenges

Updated project risks and actions

The existing risks for current and future project results are unchanged:

An existing gap in capacity of the three PJIs to absorb reform programs and their administration continues to exist.

The project will offer the three PJIs technical assistance in establishing and capacity building of corresponding Program Support Units within the institutions to raise reform program absorption and planning capacity within the institutions.

The high political sensitivity of justice reform and the possibility that obstacles within the justice institutions will halt progress or negatively impact the ongoing process.

The political level engagement will have to remain and interventions on the more diplomatic level will need to be enhanced to remove impediments and lay the groundwork for smooth implementation of overall reform and support processes.

Certain activities, such as the newly raised HRSU activity are directly linked with the necessity for additional donor support. There is potential for donor fatigue, and for scheduling problems, resulting in donor funds being available for 2009 and later periods only. This might impact the project, especially the new commitment to support the HRSU.

As mitigating measure, the project has requested from UNAMA/OHCHR strong political support for this component by the SRSG, including lobbying of donors.

Updated project issues and actions

The project's funding situation remains as mentioned in previous reports. In 2008, the project remained on the level of providing limited assistance and services. The main activities in third quarter focussed entirely on the two components – support to the PLA and the SC Translation and Publication unit. As a result, some other activities in the old work-plan were not launched. In spite of the low budget level for this year, however, the project has been able, in the past and in the current reporting period, to deliver substantial support in key areas to the national partners within the 3 PJIs.

The project is scheduled to close at the end of 2008. Because of the ongoing activities, the project will request an extension agreement with the government. Resource mobilization efforts are ongoing for future activities.

III. Financial status and utilization

Financial status

Table 1: Contribution overview [Jan 1, 2006 – Sep 30, 2008]

DONOR NAME	CONTRIBUTIONS		CONTRIBUTION BALANCE
	Committed	Received	
NETHERLAND	691,688	622,530	69,158
UNDP	395,520	395,520	-
UNDP	630,400	630,400	-
UNDP	400,000	400,000	-
UK	753,024	753,024	-
CANADA	110,965	110,965	-
DFAIT CANADA *)	1,852,654	1,852,654	
TOTAL	4,834,250	4,765,093	69,158

*) part of this contribution is for coverage of expenses in 2009

Financial Utilization

Table 2: Quarterly expenditure by activity from [July 1, 2008 to Sep 30, 2008].

Based on extrapolated data, using only funds for activities, which are planned in 2008, not for 2009 activities:

Activity	BUDGET [2008]	Q1 & Q2 Expenditures	Q3 Expenditures	BALANCE	DELIVERY (%)
Programme Management	144,217.10	60,080	57,114.39	27,022.71	81.26%
Support to the Ministry of Justice.	435,169.67	90,983	58,608	285,578.67	34.38%
	179,414.06				33.28%

Support to Attorney General Office.		51,628	8,080		
				119,706.06	
Support to Supreme Court		103,244	4,086		
	401,211.16			293,881.16	26.75%
UNDP GMS (based on donor agreements) 5% for Netherland and 7% for DFAIT.					
	50,505.01	14,279	5,790	30,436.01	39.74%
Total		320,212	210,664		
	1,210,517.00			679.641	43.86%

Based on (not updated ATLAS data):

Activity	BUDGET [2008]	Q1 & Q2 Expenditures	Q3 Expenditures	BALANCE	DELIVERY (%)
Programme Management	213,043.82	60,080	57114.39	65,703	55%
Support to the Ministry of Justice.	802,223.69	90,983	58,608	613,168	18.64%
Support to Attorney General Office.	179,414.06	51,628	8,080	119,707	33.27%
Support to Supreme Court	1,089,786.76	103,244	4,086	975,084	9.84%
UNDP GMS (based on donor agreements) 5% for Netherland and 7% for DFAIT.	138,185.44	14,279	5,790	118,117	14.52%
Total	2,422,653.77	320,212	210,664	1,891,778	22%

Table 3: Quarterly expenditure by donor [July 1, 2008 – Sep 30, 2008]

DONORS	ACTIVITY (as per approved budget)	2008 and 2009 Budget	corrected 2008 budget (*)	Q1 Exp.	Q2 Exp.	Q3 Exp.	BALANCE 30.09.08	DELI VERY RATE %
UNDP	Programme Management	74828.91	74828.91	-	26,335	57114.39	-8,621	
	Support to Ministry of Justice	148852.11	148852.11	-	8,353	58,608	81,891	
	Support to Attorney General Office	140726.48	140726.48	-	12,998	8,080	119,648	
	Support to Supreme Court	35592.5	35592.5	-	15,593	4,086	15,914	
GMS (see agreement) N/A								
Subtotal UNDP		400,000	400,000	-	63,279	127,889	208,832	48%
DFAIT	Programme Management	108792.72	39966	-	5,297	29,962	4,707	
	Support to Ministry of Justice	598268.02	231314	-	11,930	39,465	179,919	
	Support to Attorney General Office	0	0	-	-	-	0	
	Support to Supreme Court	1015907.6	327334	-	49,364	7,373	270,597	
GMS 7% (see agreement)		129,685	41,903	-	5,012	5,781	31,110	
Subtotal DFAIT		1,852,654	640,517	-	71,603	82,581	486,333	24%
Netherlands	Programme Management	29422.19	29422.19	24,711	3,737	184	790	
	Support to Ministry of Justice	55103.56	55103.56	67,470	3,231	-	-15,597	
	Support to Attorney General Office	38687.58	38687.58	33,313	5,316	-	58	
	Support to Supreme Court	38286.66	38286.66	15,154	23,133	-	-	
GMS 5% (see agreement)		8,500.01	8,500.01	7,403	1,864	10	(776)	
Subtotal Netherland		170,000	170,000	148,050	37,281	194	(15,525)	109%
Total		2,422,654	1,210,517	148,050	172,162	210,664	679,641	44%

*) DFAIT funding for activities, which are scheduled in work plan for months after December 2008 have been taken out from 2008 budget

Annexes

CDR July – September 2008