

Revised Final Report

UNDP Mozambique

“Strengthen access to justice and the Protection and Promotion of Human Rights 2018-2021”

“Reforço do Acesso a Justiça e a Promoção e Proteção dos Direitos Humanos em Moçambique 2018-2021”

Final evaluation

October 2022

Project information		
Project	<p>Strengthen access to justice and the Protection and Promotion of Human Rights in Mozambique 2018-2021</p> <p>Reforço do Acesso a Justiça e a Promoção e Proteção dos Direitos Humanos em Moçambique 2018-2021</p>	
Corporate Outcome and Output	<p>UNDAF / CPD Result 8: All people benefit from democratic and transparent governance institutions and systems that guarantee Peace Consolidation, Human Rights and Equitable service delivery.</p> <p>UNDAF Output 8.2</p> <p>Democratic institutions and processes strengthened to improve accountability, law making, representation and civic participation</p> <p>CPD Output 4.2</p>	
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Region	Regional Bureau for Africa	
Date project document signed		
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Evaluation type	Project	
Final / midterm / other	Final	
Period under review	2018-2021	
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1. Acknowledgements

The evaluators would like to express our appreciation to UNDP for providing us with the opportunity to participate in the final project evaluation of the Strengthen access to justice and the Protection and Promotion of Human Rights in Mozambique 2018-2021 / Reforço do Acesso a Justiça e a Promoção e Proteção dos Direitos Humanos em Moçambique 2018-2021.

We would like to appreciate the feedback provided by the Technical Committee during the inception discussions and the presentation of the draft report findings and recommendations. The thoughtful comments and fruitful discussion have helped ensure that the final report is reflective of the issues raised during the evaluation process.

The evaluators also appreciate the generosity of all the respondents who participated in the evaluation interviews and focus group discussions, especially those respondents who did not have a direct involvement with the project but agreed to participate in the evaluation to provide more detailed information about access to justice issues experienced by the vulnerable communities they are involved with.

Finally, we wish to specifically acknowledge and express our appreciation for the coordination and technical feedback provided by Dr. Rolando Baratta (Programme Analyst, Rule of Law), Dra. Habiba Rodolfo (Head of Governance Unit), and Serena Gonfiantini (Monitoring and Evaluation Specialist), in addition to the Rule of law project team and UNDP Country Office.

2. Table of Contents

Contents

1. Acknowledgements.....	4
2. Table of Contents	5
3. Executive summary	6
3. List of abbreviations and acronyms.....	12
4. Introduction.....	13
5. Evaluation design and approach	14
a. General approach and methodology.....	14
b. Limitations.....	15
6. Evaluation analysis, findings and recommendations	17
a. Context.....	17
b. Key Results and challenges	19
c. Relevance	22
d. Effectiveness	30
e. Efficiency	33
f. Implementation	38
g. Sustainability	48
g. Future programming considerations	52
7. Overall conclusions and strategic recommendations	54
8. Annexes	61
Annex A. Terms of reference	62
Annex B. Meeting schedule / List of stakeholders consulted	65
Annex C. Evaluation Matrix.....	73
Annex D. Output 1 – Ministry of Justice self-assessment.....	78
Annex E. List of sources reviewed.....	87
Annex F. Evaluator’s Biography	88

3. Executive summary

Background and scope:

The purpose of this report is to conduct an independent final evaluation of UNDP's 'Strengthen access to justice and the Protection and Promotion of Human Rights' project. The project was implemented between 2018-2021 and financially closed in 2022. The evaluation covers the full implementation period of the project, and is conducted in accordance with UNDP's evaluation guidelines and ethical standards.

The project includes the following outputs:

- Output 1: Improved access to justice at the national and local levels, with a focus on leaving no one behind.
- Output 2: National Human Rights system strengthened
- Output 3: Women's access to justice and women's human rights are strengthened, with a focus on Gender-Based Sexual Violence
- Output 4: Lawmakers and law implementers have the capacity to coordinate and implement HIV and Human rights interventions
- Output 5: The police adopt human rights practice that prevent crime, fight crime, protect citizens and engage in participatory dialogue with communities.

During implementation, Outputs 3 and 4 were discontinued, as they were integrated into the joint UN Spotlight Initiative. The evaluation accordingly focuses on Outputs 1,2 and 3.

The primary partners involved in the project are:

- Output 1. Ministry of Justice (coordinating activities implemented by the Supreme Court, the Attorney General's Office, the Correctional Services, Legal and Judicial Training Centre, the Directorate for Human Rights, the Free Legal Aid Institute)
- Output 2. National Human Rights Institutions (the Ombudsman and the National Human Rights Commission)
- Output 3. Ministry of Interior (Police of the Republic of Mozambique, SERNIC).

Methodology (summary):

The evaluation utilised various approaches to assess the relevance, effectiveness, efficiency and impact of the project. These approaches included literature review and analysis, key informant interviews and focus-group discussions conducted with the various key justice stakeholders, including at sub-national level members and representatives of civil society organizations (Association of Female Sex Workers, LGBTQ and PLHIV), as well as elected judges from community tribunals. Field visits were incorporated in the evaluation methodology to allow for auscultation and gathering of information and data from stakeholders beyond central offices in Maputo, but mostly to get views from beneficiary groups or closer to them on how these investments have triggered changes and responded to expectation of the ordinary citizen, particularly the most vulnerable people, as far as access to justice is concerned. Minutes of key informant interviews and focus group discussions were analysed using the ATLAS.ti software package for qualitative data analysis. To ensure accuracy and appropriateness of the information collected, data validation was introduced which entailed triangulation by comparing information shared on the interviews with that contained in the project formal reports from the various

implementing entities. A validation session was held to present the preliminary evaluation findings and recommendations, and a draft final report is presented to the Evaluation Reference Group for review and feedback.

Key findings:

The evaluation team presents the following key findings:

Evaluation dimension

The evaluators draw the following conclusions, and present the accompanying findings and recommendations for consideration:

General findings:

1. The project has overall delivered well, during an exceptionally difficult period of significant external turmoil. These external events included Tropical Cyclone Idai followed by Tropical Cyclone Kenneth in 2019, the impact of COVID-19 and the progressive deterioration of security in parts of Mozambique, notably Cabo Delgado. The UNCT shifted from a development context to humanitarian and recovery within the project period. Each event required the reprioritisation of project activities and project funding, with consequential impacts for some planned activities that could no longer be funded.
2. The project marks a sustained long-term engagement by UNDP in the justice sector of Mozambique, commencing since the 1990s. The use of UNDP's core TRAC funding to ensure that this partnership continued in the absence of other international donors is likewise notable and commendable.
3. There was a strong commitment by implementing partners to the project activities. Notably the Ministry of Justice exercised the primary coordination role under Output 1, and each institution implemented their own projects. The institutions coordinated by the Ministry of Justice were keen to have increased and direct participation in the project.
4. The project scope remained very ambitious. The initial project design was broad thematically and financially. The coordination mechanism and number of institutions involved were established based on the expectation that the project would be fully funded. Although activities were reprioritised to match the available funds, the number of institutions involved in the project remained the same, and the coordination mechanism was not made more streamlined.
5. The project benefited from coordination with UNCT members under the Spotlight Initiative and with OHCHR under the UPR project - "Improving the Implementation of the Universal Periodic Review Recommendations in Mozambique through Strengthening the Monitoring Role of Civil Society". The project also collaborated with UNDP projects, such as linking civil and political rights to UNDP's election project.

6. The project implementation partners and project management team should be commended for their efforts to implement the project, during a difficult period and with significant funding constraints.

Relevance

Under the prevailing conditions of country development, particularly considering that since independence, Mozambique, despite being a free state, has been under recurrent conflicts - either through the deadly civil war which lasted for 16 years or the ongoing insurgency and other natural disasters - the project was highly relevant. The war coupled with the natural disasters not only have been destructive to the fragile economy of the country, including its infrastructure and the social fabric, but also have hindered the implementation of any prospects of development agenda through solid institutions and services that can better respond to the demands of the communities, particularly the underserved rural communities. Strengthening access to justice and through this goal mainstreaming human rights in the national legal framework or placing more emphasis on preventing and combating gender-based-violence, as well as the rights-based approach in serving people living with HIV or caring deficiency are all bold investments within the most challenging judicial reform which puts the human being at the centre of the equation, regardless his/her gender, ethnicity, color of skin, religion and place of birth. UNDP has, therefore, throughout this project supported key and critical activities of the judicial system in the country to further build and strengthen capacities and systems - in line with the priorities laid down in the Judicial Reform and the Government of Mozambique *Quinquenal Programme* (PQG).

Effectiveness (including partnerships)

Under enormous adversities - Cyclones, COVID 19 and Violent Extremism in Cabo Delgado Province -, the project managed to substantially achieve the expected results in the project log frame. It has created foundations to infuse the human rights considerations in the training curriculum for magistrates, public defenders and lawyers. Similarly, it contributed to mainstreaming into the same curriculum gender equality, the approaches to preventing and combating gender-based violence and HIV/Aids, as well as to a better treatment dispensed to key populations and vulnerable groups, including people with deficiency. With capacity creations and systems building at the core centre of the project investment, satisfactory numbers of magistrates and public defenders benefited from training, having equally been equipped with technology tools to operate remotely. Justice trials campaigns and the piloting of mobile tribunals were successfully implemented though in a small scale for the magnitude of problem (crowds in the penitentiary establishments), making the justice services closer to the most vulnerable populations and contributing to alleviate the crowds at the reclusive centres. The project investment facilitated the participation of the country in and reporting to UPR at the UN high level. Equally, through the project investment the NHRC and the Ombudsman Office managed to increase their visibility through awareness campaigns on human rights and the exposure of their missions and services to assist citizens with complaints derived from cases that have not been treated within the boundaries of the ordinary law. Both NHRC and the Ombudsman Office have benefited from project assistance to develop their communication and organizational strategic plans with clear vision and mission statements, and activity plans.

Despite having achieved the formulation of policies and legal instruments such as the Alternative to Imprisonment Law, the Needs Assessment for IPAJ, there were critical studies projected as baseline studies or data which were not completed or produced over the project implementation.

Efficiency

The project partners raised concerns about the degree of bureaucracy associated with UNDP's operational support, such as procurement and payments for events and travel. UNDP likewise noted concerns about the partners' knowledge of UNDP procedures, and the difficulty in supporting activities when requests are received late or are incomplete.

The project coordination structure involves a large group of institutions, and is perhaps too large to make quick decisions in a rapidly changing context that has been impacted by significant external shocks.

The project's overall delivery was low in 2018, but recovered to be between 94 and 99% for the remainder of the project. The overall project delivery rate was 85.5%. The provision of more detailed financial information would enable the evaluators to make further findings on project efficiency.

Impact

Despite having been held in a pilot mode, trials in campaigns were very impactful. Seen as critical in leading the justice system into a rigorous observation of the pre-trial detention deadlines, as well as in the decongesting the crowds in the penitentiary services, the provinces that have benefited from trials in campaign have reported positive impacts in the justice flow as whole. On access to justice and human rights promotion, as well as on awareness raising through services such as those of the Ombudsman and the National Human Rights Commission, communities are more aware of the services the system can provide and demands have increased. Of particular importance from a community lens is to have these services close to their settlements. This reduces transaction costs associated with requirements to submit the complaints in the district headquarters which can be 200 kms away from the place where the violations have occurred. The most outstanding proof of the impact of this investment is to have associations and individuals members of community-based organisations among whom women, female sex workers, people living with HIV and the LGBT- reporting positive changes in the relationships they have had with police over the last 4 to 5 years, as well as declaring that services to respond to gender-based violence, women and children cases at the police station are provided with dignity, respect and complete observation of the legal provisions under implementation in the country.

Sustainability

While capacity creation and institutional system strengthening were one of the core investments- in this project - including investments in technology and equipment - the budgetary challenges the justice sector has been going through over years may bring about difficulties in replicating and sustaining what the project has left. Among visible gains which could continue improving the service delivery within the justice sector a note should be made of the sectoral collaboration and system approach towards service delivery. This was quite evident in the pilot operation with mobile tribunal and trials in campaigns. Of critical importance as far as sustainability is concerned is the feedback obtained from community-based organisations, particularly those associations of female sex workers and LGBT, including women who have suffered any kind of GBV, on the treatment dispensed by police officers when cases of their rights violations are communicated formally in the police stations or even to the police patrolling the settlements. Rights-based approach and respect to individual dignity regardless of sex, race, status and sexual orientation is confirmed to be a practice that has shed fresh air and improved collaboration between communities and police in preventing and combating crimes, but equally have increased trust and therefore more access to justice services. This testifies that not only implementing partners in this project have passed through training and capacity enhancement on GBV, HIV and Human Rights, but equally such training is paying off. With curriculum development and revision at the Centre for Legal and Judicial Training (CFJJ) to mainstream gender equality, prevention and combat of gender-based violence and human rights in the modules offered to magistrates and public defenders, as well as to police officers it is expected that this will be permeated in these professionals modus operandi and last for years to come.

Summary of key recommendations

The evaluation team presents the following summary of key recommendations. Detailed recommendations are included the body of the report. For consistency, the numbering of the recommendations in the following section matches the numbering of the recommendations in the body of the report.

- A. The project would benefit from clearer articulation of the Theory of Change in relation to reaching vulnerable people and improving access to justice. The project assumption is that stronger institutions will be better able to provide access to justice. This is an assumption that the project could have tested, through increased emphasis on evidence generation and evidence-based decision making (which is a principle of people-centred justice approaches).
- B. Adopting a people-centred approach to justice, the project would have benefited from more clearly articulating the justice needs of justice users from their perspective, rather than the perspectives of rule of law institutions to deliver justice services. This may have led to a greater engagement with justice mechanisms which are closest to people, in particular the Community Courts.
- C. Greater attention was required by UNDP to ensure that the project logframe was a useful and relevant tool to guide project implementation. It is difficult for the project to articulate results

when the indicators, baselines and targets are not set, and are not reported against by UNDP nor by implementing partners.

- F. UNDP could have mitigated (or partially mitigated) the absence of the CTA role by requesting a detailed assignment to support difficult periods (including renegotiating workplans with partners), engaging a senior consultant on a part-time periodic basis to provide support, making more use of UNDP's communities of practice and UNDP's global technical expertise.
- G. A mid-term review could have provided an opportunity for UNDP and partners to take stock of the new environment and identify course corrections.
- H. The project Coordination structure involves a large number of institutions. Given the changing environment and reduced resources available, there was a risk that the project tried to do too much, with too many different actors, with too little budget, and inadvertently compromised on some of the initial project objectives in order to meet priorities in the institutions' annual workplans.
- K. The project may have been able to respond more nimbly to develop pilot initiatives around Cabo Delgado, including pilot area-based justice and security approaches, combining access to justice, stabilisation and PCVE elements.
- N. In general, each project should develop a sustainability plan, led by the Project manager in consultation with partners and reviewed by the Country Office and the Technical Committee. Sustainability discussions should include partner contributions (potentially in kind), diversification of donor funding sources, and the inclusion of project activities in Government sectoral plans for planning and future budgeting purposes.
- O. Care should also be taken that the Government has the capacity to effectively continue the activities commenced with donor support – ie that the level of support provided matches the absorptive capacity of the institutions. This may also involve more explicit discussions with Government about multi-year priorities – since agreeing to support some activities may commit UNDP and the Government to continue to support that same workstream in the future so the gains can be embedded, at the expense of funding potential new initiatives. Programming decisions should be made on a life-cycle basis – ie, taking into account the whole of life costs, including acquisition, maintenance, operating costs etc. This involves upfront consideration of the operating costs of the mobile court, licensing costs for zoom and case management software, etc.
- P. In general, project investment in assets, including vehicles and IT equipment is regarded as higher risk to the nature of the assets and their deployment across institutions and locations. UNDP has already undertaken spot-checks and asset verification which is positive. This should continue to be accompanied by periodic monitoring and reporting by UNDP and the partner institutions to confirm the status of the assets and ensure they are being used and maintained for their intended purpose.

3. List of abbreviations and acronyms

CFJJ	Judicial and Legal Training Centre / Centro De Formação Jurídica e Judiciária
CNDH	National Human Rights Commission / Comissão Nacional dos Direitos Humanos de Mocambique
DIM	Direct Implementation Modality
DNDHC	National Directorate for Human Rights and Citizenship / Direcção Nacional dos Direitos Humanos e Cidadania
GANHRI	Global Alliance of National Human Rights Institutions
GBV / SGBV	Gender based violence / Sexual Gender based violence
GPJ	Office of the Ombudsperson / Provedor de Justiça de Moçambique
HACT	Harmonised approach to cash transfers
IPAJ	Institute of Sponsorship and Legal Assistance / Instituto do Patrocínio e Assistência Jurídica
MINT	Ministry of Interior
MJCR	Ministry of Justice, Constitutional and Religious Affairs
NHRC	National Human Rights Commission
NIM	National Implementation Modality
OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the High Commissioner for Human Rights
PLWHIV/AIDS	People living with HIV / AIDS
PQG	Government Five Year Plan / Government of Mozambique Quinquenal Programme
SDGs	Sustainable Development Goals
SERNIC	National Service of Criminal Investigation / Serviço Nacional de Investigação Criminal
TRAC	Target for Resource Assignment from the Core
UPR	Universal Periodic Review
UNDAF	United Nations Development Assistance Framework
UNEG	United Nations Evaluation Group
UNSDCF	United Nations Sustainable Development Cooperation Framework

4. Introduction

The purpose of this report is to conduct an independent final evaluation of UNDP's 'Access to Justice and Human Rights' project. The project was implemented between 2018-2021 and financially closed in 2022. The evaluation covers the full implementation period of the project, and is conducted in accordance with UNDP's evaluation guidelines and ethical standards.

The project includes the following outputs:

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- Output 4: Lawmakers and law implementers have the capacity to coordinate and implement HIV and Human rights interventions
- Output 5: The police adopt human rights practice that prevent crime, fight crime, protect citizens and engage in participatory dialogue with communities.

During implementation, Outputs 3 and 4 were discontinued, as they were integrated into the joint UN Spotlight Initiative. Within the remaining three Outputs, funding constraints meant that many of the planned activities outlined in the project document could not be implemented. Accordingly, the scope of this evaluation focuses predominantly on the activities within Outputs 1,2 and 5 which were implemented during the project period.

The primary audiences of the final evaluation are:

- The UNDP Mozambique country office, who has commissioned the evaluation.
- The Project Board, who has oversight of the implementation of the project.
- Partner institutions and organisations involved in implementation of the project.
 - 1. Ministry of Justice (Supreme Court, the Attorney General's Office, the Correctional Services, Legal and Judicial Training Centre, the Directorate for Human Rights, the Free Legal Aid Institute)
 - 2. National Human Rights Institutions (the Ombudsman and the National Human Rights Commission)
 - 3. Ministry of Interior (Police of the Republic of Mozambique, SERNIC).
- Potential donors who may be interested in funding UNDP's work on access to justice and human rights.

The expected uses of the evaluation report are:

- To provide an independent assessment of the project results.
- To inform the implementation of the successor project (which has already been drafted).

This report provides an overview of the evaluation methodology, evaluation findings and recommendations. The evaluation annexes include the Terms of Reference, the evaluation matrix, list of interviews / focus group discussions convened, list of key documents reviewed, and the evaluators pledge of ethical conduct.

5. Evaluation design and approach

a. General approach and methodology

Methodology

The consultants employed a wide variety of methods to assess the contributions of this project in strengthening access to justice and human rights in Mozambique. Highlights of the methodological approaches are outlined below:

Literature review: the consultants reviewed and analysed the project documents, including the annual reports prepared by the implementing partners, as well as the relevant documents associated with the project under evaluation. This review was instrumental in producing insights and a better understanding of the context and conditions under which the implementation occurred. Through this review, the consultants were able to formulate additional questions to inform the analysis. The ToRs contained critical questions to guide the evaluation) – (Annex __, List of documents reviewed.

Informant interviews and observation: key informant interviews were conducted with the key personnel and officers attached to project operations from UNDP, the Ministry of Justice, the Supreme Court, the Attorney General Office, the Ministry of Interior, The Police General Command, The Ombudsman Office, the National Human Rights Commission, the Provincial Directorate of Justice, and Labour of Sofala Province and the Judicial Tribunal of Sofala Province. The interviews were complemented by focus group discussions with both implementing partners – specifically technical teams at the Police General Command, the Community Tribunals visited in Beira – Sofala, and the Central Penitentiary Establishment of Beira – and representatives of beneficiaries – the Association of Female Sex Workers, the LGBTQ+ group, and the Women's Forum. The interviews and the focus group discussions were conducted in Maputo-City and Beira, Sofala Province – this last venue being the location selected for the field visit.

The observation was explored during the field visit and consisted of observing and confirming key critical parameters of observation and or respect of prisoner human rights previously selected and organized in a matrix. The exercise was solely implemented in the premises of the Central Penitentiary Establishment of Beira through visits to cells, the internal health post, meeting rooms, kitchen, washrooms and the area inside the backyard of the Penitentiary Establishment.

To enhance the representation of vulnerable groups in the evaluation, organisations working with women, with LGBTI communities, with sex-workers and on HIV/AIDs issues were purposefully selected for interview, although they were not direct beneficiaries of the Access to Justice project.

To enhance the representation of rural respondents, representatives of community courts were also invited to participate in focus group discussions, and provide feedback on the access to justice issues they identified in their communities, and pathways followed by disputants to resolve cases. These respondents similarly were not direct beneficiaries of the Access to Justice project, but were selected to enhance the information available on rural justice needs, and to partially validate or counter-balance the justice priorities observed by institutional respondents.

A schedule of key informant interviews and focus group discussions is included in the Annexes.

Key Evaluation Questions: the evaluation process- was guided by several evaluation questions, either raised in the ToRs, or developed based on inception discussions and preliminary document review. The questions were developed by the evaluators and refined through discussion with the evaluation manager, based on the inception report. The focus of the evaluation questions aimed at seeking answers to the following critical aspects: relevance, effectiveness, efficiency, impact, and sustainability. Answers to these questions provided the substance from which to draw conclusions and lessons learned. The evaluation matrix is included in the annexes.

Data collection and Analysis: the consultants collated data through content review from the literature and reports, as well as from the interviews, the focus group discussions held and the observation. The validation of the data was managed through data triangulation based on comparisons between the information contained in the reports and project documents with the contributions obtained in the interviews, as well as in the focus group discussions and observation.

Data collated was heavily qualitative. Interview records were collated, entered and analysed using ATLAS.Ti software. Respondents were categorised based on demographics, including gender, location, organisation, relationship to the project. Respondent responses were coded including barriers to accessing justice, challenges, project function, partnership / coordination issues, services provided, vulnerability and DAC / OECD evaluation criteria of impact (results), relevance, efficiency, effectiveness, sustainability and implementation (including coherence and partnerships). These codes were further itemised into sub-categories to allow for more detailed analysis. Based on this, the consultants studied the evaluation themes, objectives and the outcome areas which in the end allowed to generate insights and conclusions to firstly respond to the evaluation parameters – relevance, effectiveness, efficiency, impact, and sustainability – and lastly to draw lessons learned and recommendations.

Validation: a validation discussion was held, to present the preliminary evaluation findings and recommendations to stakeholders from UNDP and the Technical Board.

Evaluation ethics: The evaluation (including data collection) was conducted in accordance with the UNDP's evaluation guidelines and the UNEG ethical guidelines for evaluation. Both evaluators signed the UNEG pledge of ethical conduct, which is annexed to this report. The evaluation was conducted in a way to observe ethical principles, including 'do no harm', informed consent, confidentiality of data, voluntary provision of information, and the disclosure of evaluation limitations. Interviews and focus group discussions were guided by a semi-structured instrument, including a structured introduction to outline the purpose of the meeting and obtain informed consent for participation in the evaluation.

b. Limitations

The following limitations were identified:

- It was not possible to meet with one key stakeholder, *Serviço Nacional de Investigação Criminal* (SERNIC), during the evaluation period. Efforts were made by both the evaluators and also UNDP to arrange a meeting.
- As many of the interviews were conducted in Maputo, efforts were made to obtain supplementary information from other areas more distance from Maputo capital. The original Terms of Reference prepared by UNDP did not include field travel, however based on the inception discussions UNDP agreed to fund the travel of the national expert to allow additional data collection. Beira (Sofala province) was purposefully selected, based on factors including accessibility and the implementation of project activities in the location.

Additional interviews were scheduled for remote districts of Maputo province, however it was not possible to conduct these interviews as the institutional interlocutor facilitating these meetings for the national evaluator was unable to travel to the districts to arrange these meetings.

- It was not possible to meet with ultimate beneficiaries of the project - for example, detainees who had been released through the intervention of the mobile court pilot supported by the project. The national evaluator did have access to Beira prison and was able to speak with detainees and prison officials at this location.
- The international evaluator was unable to travel to Mozambique within the evaluation period. Interviews were conducted by both evaluators virtually or using a hybrid physical / virtual approach where possible. All interviews, focus groups and provincial level meetings were conducted by the national expert alone. The international evaluator has reviewed all the minutes of the physical meetings which he could not participate in.
- The evaluation team did not include a female member, which may have limited some of the opportunities for data collection on sensitive issues relating to gender and SGBV.
- While overall disbursement data is available, some financial data is not available. Notably data on the disbursements by implementing partner, and the expenditure of project resources by UN budget category. This limits the ability of the evaluators to comment on some aspects of the financial efficiency of the project.
- Aspects of the project log-frame in the project document are incomplete, notably Output indicators, activity baseline figures and targets.

6. Evaluation analysis, findings and recommendations

a. Context

Since 2017 — when Non-State Armed Groups claiming to affiliated with the Islamic State — launched their first attacks at the Police Station in the village of *Mocimboa da Praia* in northern Mozambique - to date, the country has been immersed in external factors that have produced severe impacts in its prospects for development.

In March 2019, the central region of the country was severely devastated by the tropical cyclone IDAI which made landfall at the Port of Beira, prior to moving across the region hitting not only the surrounding districts, but equally countries such as Zimbabwe and Malawi. This natural phenomenon was considered the worst natural disaster to hit the country over the last two decades. The same year saw one more raid for the destabilization of the normal life citizen were enjoying at the natural resources endowed northern province of Cabo Delgado hit by insurgents' jihadists which resulted in massive internal displacement of populations, the disruption of investments, economic activities and public services replaced by a prolonged chaos and suffering for the population.

The following year, 2019, in April, the northern region of Mozambique was hit by Tropical Cyclone Kenneth which caused deaths, destruction of facilities as well as of communication network, putting thousands of people at risk of acquiring waterborne diseases such as cholera.

While the country was struggling to respond adequately to the emergency these cyclones had generated, the COVID 19 outbreak in 2020 made the emergency even more tight with all attention from the authorities posed into alleviating the burden out of these natural phenomena. Government measures to deal with the pandemic were put in place and monitored at the top level giving it the priority nature it deserved. Restrictions to mobility and curfews were the options to total lockdown for a fragile economy which shapes up the dynamic of social relations, the production of goods and services in the country. Thus, markets, pharmacies, supermarkets, banks, transportations, and government services continued to operate but under reduced hours and limited capacities.

These external factors have had unimaginable impacts in spheres of economy and social life. The cyclones not only caused massive material damages and irreparable human losses, but equally dragged the country's development backward. Covid 19, as acknowledged elsewhere, not only represents a public health emergency, but equally has imposed massive and far-reaching economic and social costs in countries and Mozambique, despite a comparative lower infection and associated death rate when compared with other countries, cannot be a silo case. For its fragile health care system, the mortality and morbidity rates registered in the country have inflicted the organizations losses or setbacks in human capital contribution to service delivery and production at large. Data from some sources has suggested that "Mozambique lost in total 3.6 per cent growth in 2020 due to COVID 19 and that total employment is 1.9 percent down compared with a scenario without the pandemic".¹

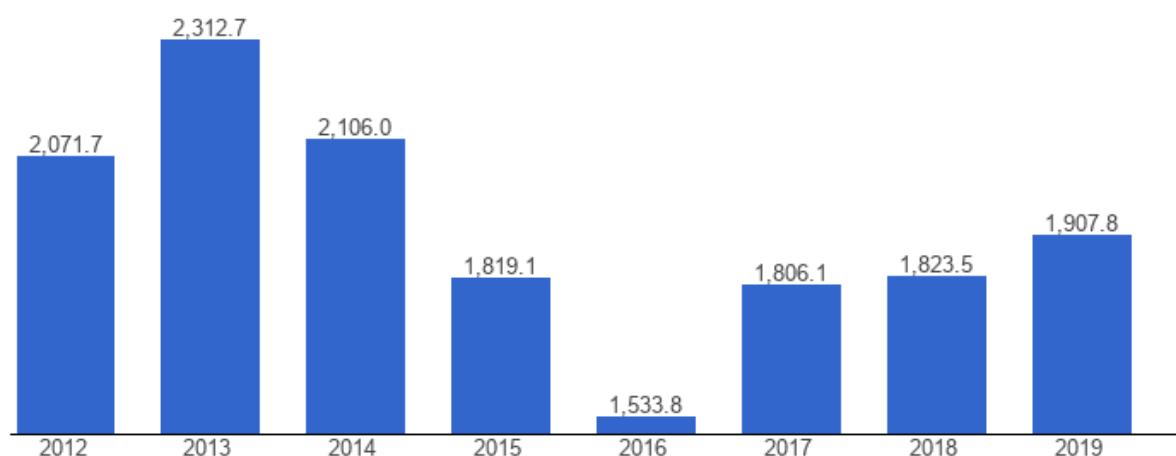
These losses and setbacks combined with the escalating insurgency targeting civilians, public infrastructure, and government buildings, for a country with shortages of public investment and resources in general, poses unmeasurable challenges as the scarce budget that would traditionally go for recurrent activities should be deviated to mitigate the deadliest impacts of the

¹ <https://www.theafricareport.com/137710/mozambiques-hidden-debt-scandal-where-did-the-2bn-go/>

emergency the country has been immersed in over the last 5 years. Destruction and conditionalities to mobility for a country of physical contacts, communication and socialization and less virtual service delivery do play a part in constraining both demand and supply of goods and services. Public services until the onset of the COVID-19 pandemic, with very few exceptions, were not prepared in infrastructure and systems terms nor in human capital to operate in online models of service delivery. The justice system is traditionally conceived to work with papers, codes and face-to-face disputes or litigations and as such is one of those public services that have been negatively impacted by the external factors that have been referenced above.

Coping with COVID-19 measures enacted by the Government to control the spread of the virus meant additional challenges to the judicial system in Mozambique. In April 2020, the Government of Mozambique declared a state of emergency. Access to services were restricted, staff rotation and public service hours also conditioned, including restriction of visits (and disallowing to some extent) to prisoners by parents. As a result, a number of judicial cases had to inevitably be deferred or paralysed. While supervising the principles of democracy, human rights, and the rule of law within the context of emergency the pandemic had imposed, the sector had to act accordingly to protect its personnel from that deadly disease. Ensuring citizens' and organizations' compliance with social distancing measures, mobility restrictions and the curfews entailed the tread off in access to justice which had to be shrunk due to all these conditionalities and challenging, therefore, the project goal of strengthening access to justice and human rights. The state of emergency was replaced with a 'state of calamity' in August 2020, enabling the relaxation of some measures.

There was some suggestion during the evaluation that donor funding to Mozambique had been reduced due to loss of donor confidence arising from the 'hidden debt' scandal and associated economic crisis. The chart below shows the significant impact on foreign aid during the peak of the scandal.²



Foreign aid and official development assistance received, Mozambique (\$US million)

² Betho, Rosario et al. 2021. The macroeconomic impact- of COVID-19 in Mozambique. United Nations University. UNU - WIDER

b. Key Results and challenges

The project has taken positive steps in supporting the rule of law institutions to strengthen their capacities to deliver services to vulnerable people. Overall progress is equally commendable when considering the significant external shocks that impacted on the ability of the partners to implement the project, and the ability of UNDP to fund it to the anticipated level – notably the humanitarian disasters associated with Tropical Cyclones Idai and Kenneth (in 2019), the confinements associated with COVID-19 during 2020, and the progressive deterioration of security conditions in Northern Mozambique, notably in Cabo Delgado.

Despite these enormous external challenges, the following important achievements may be noted:

Output 1: Increased access to justice at all levels focusing on ‘not leaving anyone behind.’

- Completion of an institutional capacity assessment of the IPAJ’s capacity to provide legal aid services to vulnerable people, particularly people living with HIV/AIDS, survivors of SGBV, people in detention and people living in poverty. The capacity assessment was launched by the Minister of Justice and provides a blueprint for ongoing development of IPAJ and the legislative and policy frameworks on legal aid.
- Completion of a 6-month public defender training programme for 30 legal aid trainees (8 women, 22 men), to strengthen the capacity of IPAJ to provide legal assistance to vulnerable people.
- Completion by IPAJ of a South-South technical cooperation study between Mozambique and Brazil on legal assistance.
- Preparation of a baseline assessment on access to justice by the Ministry of Justice (MCJR). The baseline assessment faced lengthy delays and was not prepared in time to inform the project baseline as intended, with consequences for the ability of the project to monitor according to the project document framework. However, it has provided a helpful evidence base for the development of the successor UNDP Access to Justice project.
- Support for judicial inspection and monitoring visits conducted by the Attorney General and Supreme Court to regional and rural areas.
- Support for itinerant justice activities in 2019, including conducting hearings in places of detention. Itinerant justice sessions were held in Sofala, Nampula and Maputo provinces, conducting hearings for 265 cases out of a planned target of 600. Of the 265 hearings, 72 were conducted in Sofala province, 14 in Maputo Province and 179 in Nampula province.
- Development of a pilot mobile court in 2021, based on converting a truck into a mobile courtroom. The two-month pilot period targeted cases in rural and remote areas of Maputo province, and heard 29 cases (18 females and 11 males). 16 of these cases involved people with long pre-trial detention, thus helping to expedite justice.
- In collaboration with the Spotlight Initiative, outreach campaigns were conducted by TV, radio and community campaigns. Six Palaces of Justice were provided with vehicles and motorbikes to assist them to access rural areas.
- Policy work was undertaken on the legal framework for Community Courts. This involved regional consultations with over 450 participants, including over 200 Community Court judges representing every district of Mozambique. Based on the consultations, draft legislation has been prepared and is currently waiting for Parliamentary endorsement.
- The project supported continued policy work and legislative development on alternatives to detention. Legislative amendments to the Criminal Code, Criminal Procedure Code and the Code on Execution of Sentences was passed, and the project held capacity development events for 124 rule of law personnel (37 females and 87 males) to sensitise them to the new provisions. The project also supported a South-South exchange between

Prison authorities in Mozambique and Brazil, to encourage peer to peer learning, and begin community sensitisation on the new provisions to increase community awareness and understanding of the changes. Justice actors including the Ministry of Justice are yet to fully rollout the new framework in a consistent way. Some actors, particularly the prison authorities, are yet to develop an operational regulatory framework (regulation) to clarify remaining operational aspects of the new system, and funding issues remain a constraint for the implementation of the alternatives to detention system.

- Development with the Legal and Judicial Training Centre of training manuals on
 - Alternatives to detention; and
 - Human Rights, GBV and people living with HIV / AIDS
- Training of 55 rule of law personnel (22 females, 23 males) in the courses above, and the integration of the training manuals into the mandatory Judicial Training Centre curricula, resulting in the training of 114 justice trainees (co-funded with the Swiss Cooperation), of which 105 passed the final exam.
- Advocacy and awareness on human rights and Mozambique's commitments under national, regional and international law, conducted jointly with OHCHR. This included support for the UPR submission in the second cycle, the development of an action plan on the second cycle recommendations, preparations for the third cycle and events including Human Rights day on 10th December, and Human Rights symposiums.

Output 2: Strengthened National Human Rights System, the National Human Rights Commission, and the Office of the Ombudsperson.

- Development of a strategic plan and communications plan for the National Human Rights Commission.
- Development of a strategic plan and communications plan for the Office of the Ombudsman.
- Conduct of community outreach campaigns, through TV, radio and community outreach, to build awareness of human rights and promote awareness of the Office of the Ombudsman and how to make a complaint.
- With South-South cooperation between the National Human Rights Commission and the African Network of National Human Rights Institutions, supported by the Global Alliance of Human Rights institutions a group of former regional Human Rights Commissioners conducted a capacity assessment of the National Human Rights Commission. The capacity assessment provided recommendations on strengthening the Human Rights Commission, including legal reforms, case management good practices, the development of training manuals and the communications plan. This capacity assessment was used by the Human Rights Commission and UNDP to mobilise additional support, some provided by UNDP (and European Union) and OHCHR and other support provided directly to the National Human Rights Commission (including IOM, USAID and national NGO FAMOD).
- Preparation of a legislative revision for the law establishing the National Human Rights Commission, to strengthen its independent status. This legislation is currently awaiting Parliamentary review and assent.
- Support for the National Human Rights Commission to conduct more than 20 field missions and fact-finding missions, particularly to study displacement following the cyclones and the conflict in Cabo Degado, and also to review cases of extra-judicial killing, exploitation by extractive industries, and land disputes.
- Preparation of annual reports on the work of the National Human Rights Commission, informed by the information collected during the field missions above.

Output 5: The police with human rights practices that allow preventing, combating crime, protecting the citizen and engage in participatory dialogue with communities.

- Support for community consultations on community policing. This led to the beginning of a community policing strategy, which will be continued under the successor project.
- Development of a Case management system for the SERNIC (Investigative Police) and training of administrators to operate the system. The system will improve case tracking, record keeping and reporting.

Cross-cutting – COVID-19 adaptation

With the arrival of COVID-19 and the associated lockdown protocols, UNDP supported the rule of law institutions to prepare an action plan on 'Delivering justice services in times of Covid-19'. The action plan aimed to support the continuity of service delivery (using remote mechanisms where feasible), and to test the feasibility of e-justice initiatives to enhance service delivery and access to justice as part of a pilot step towards digitalisation and e-justice.

The project provided a comprehensive package of IT equipment to partner rule of law institutions, including laptops, modems, printers, servers, webcams, tablets, internet connectivity, zoom licenses and videoconferencing.

Using this equipment, the Legal and Judicial Training Centre was able to train 30 legal aid public defenders and 114 judicial trainees as part of a virtual training room / remote modality.

As the procurement of this support was a response to COVID-19, it was not planned or budgeted. The purchase was possible after re-programming funds to meet this priority, which meant there was insufficient funds to implement some scheduled activities in the partners' annual workplans.

Challenges

While noting the results and achievements above, it is also important to note the challenges. Key challenges in relation to the cyclones, COVID-19 and worsening insecurity are already noted. As noted the response to these challenges also reduced the funding available for UNDP to support planned activities already agreed in partner's workplans.

The UNDAF notes the following challenges in relation to access to justice:

*'Access to justice remains challenging and is hampered due to costs, regional asymmetries accompanied by slow procedures. There are reports of corruption and partiality of justice institutions. At the local level, many resort to informal mechanisms for conflict resolution, which have in the past presented challenges in terms of the standards applied, particularly in reference to issues affecting women and children. Chronic funding limitations affect the security and corrections systems, and lack of a more comprehensive reform of security sector means police and armed forces continue to operate in law enforcement operations together with unclear chain of command and accountability mechanism.'*³

This introduces a second series of challenge in relation to the project's impacts. The project sought to improve access to justice by strengthening the capacity of the rule of law institutions to provide services. However, according to the baseline study commissioned by UNDP and implemented by the Ministry of Justice and a commercial research firm, 75.4% of respondents preferred their disputes to be resolved in a Community Court, 12.1% of respondents preferred

³ UN Mozambique 2017-2021 UNDAF Evaluation 2021, page 56

their disputes to be resolved through family dialogue and only 5.3% of respondents preferred that their dispute was resolved in the formal Judicial Tribunal.⁴ While the project undertook some important work in relation to Community Courts, including the consultations which will lead to the draft Community Courts legislation, it seems that the vast majority of project funds have been implemented in support of the formal justice system. The formal justice system is simply not preferred, used or trusted by most respondents to the UNDP commissioned study. This undermines the potential impacts of the project. From a people-centred perspective, more engagement with justice mechanisms that are most used and trusted by justice seekers would likely yield greater impacts than purely strengthening services which likely remain unaffordable, incomprehensible or otherwise out of reach for most justice seekers.

UNDP notes with some justification that the role of the Community Courts remains constrained, due to the lack of a clear legal foundation, lack of funding, issues around the appointment of Judges, lack of supervision mechanisms and compliance with human rights standards. UNDP suggests that due to these factors, there is limited political will from the Government for UNDP to engage more substantively with Community Courts (and perhaps limited donor appetite too). From this perspective, the dialogue process supported by UNDP has the potential to provide a clearer legislative framework for Community Courts that can enable future support. Notwithstanding these challenges (which are relatively common for many Courts in the region at the lowest tier), in other countries UNDP has found ways to engage on capacity building, supervision and monitoring of Community Court / Local Court level Courts. In some countries this work has also been complemented by paralegal mechanisms for monitoring and community-based dispute resolution, to provide a 'more human rights compliant' option as an alternative to Community Courts (see for example UNDP's support to the PASI paralegal network in Malawi, and the Timap paralegal network in Sierra Leone).

c. Relevance

How relevant is the project to the global, regional and national development goals?

The project is highly relevant to the goals of the Government of Mozambique, and the goals of the UN nationally and globally.

Rule of law is a cross cutting priority (support pillar) in the 2015-2019 Five-Year Plan, which includes a strategic objective (iv) on access to justice:

*'Ensuring Justice is available to all, closer and fairer, with a focus on the effectiveness of citizens' fundamental rights, duties and freedoms.'*⁵

Under this strategic objective, a range of activities were prioritised, including improved case management and reduced court delays; legal assistance; consolidating the role of community courts, dissemination of legislation; promotion of alternative sentencing options.

Under strategic objective (v), the Government prioritises community policing.⁶

⁴ Baseline study on citizens access to justice services 2015-2019, Ministry of Justice, Constitution and Religious Affairs, page 45

⁵ Government of Mozambique Five Year Plan 2015-2019, pages 46-47

⁶ Government of Mozambique Five Year Plan 2015-2019, page 48

The successor five-year plan 2020-2024 maintained a focus on the priorities supported by the project. The relevant objective is Strategic Objective (ii):

*'Ensuring the proper functioning of the administration of justice with a view to guaranteeing access to justice and the law to citizens.'*⁷

Under this strategic objective, the Government prioritised strengthening rule of law institutions, including IPAJ, SERNIC, the Ombudsman; strengthening the protection of human rights; promoting the rule of the community courts; and measures to decongest the prisons.

Community policing remains a priority under strategic objective (iii).

The two five-year plans do include consideration of HIV/AIDS as a priority of the Government, but from a health perspective rather than justice. However, it is noted that HIV/AIDS is regarded by institutions such as the police as an important issue, primarily in relation to exposure risks of their own police force during deployments away from their families.

On this basis, there is a close relationship between the objectives of the Government and the objectives of the access to justice project.

Similarly from a UN perspective, the project is aligned with:

- SDG 16 (Peace, justice and strong institutions) and SDG 5 (gender equality - particularly before the integration with the Spotlight Initiative).
- UNDAF⁸ Outcome 8:

'All people benefit from democratic and transparent governance institutions and systems that guarantee peace consolidation, human rights and equitable service.'

- And Output 8.4:

'Equitable access to justice services and human rights framework strengthened'.

- UNDP Country Programme document Output 4.5 - Capacity of justice and human rights institutions developed to provide equitable access to services.

Finding:

The project is highly relevant to the Government's goals as outlined in both Five-Year Plans which span the project implementation period; and highly relevant to the UN / UNDP's institutional architecture and associated goals as enumerated in the SDGs, UNDAF and Country Programme Document.

How relevant is the project to the development needs of the people/beneficiaries, in particular women and vulnerable groups including persons with disability and albinism?

⁷ Government of Mozambique Five Year Plan 2020-2024, page 53

⁸ United Nations Development Assistance Framework (UNDAF) Mozambique 2017-2021

The project as designed is relevant to the needs of vulnerable groups. The project was designed in support of the Government's priority of improving access to justice for vulnerable groups, noting in particular the following proposed activities:⁹ (emphasis added)

Needs of women:

- Ensure the **integration of the gender perspective in the policies and strategies** of the CNDH and the Office of the Ombudsman;
- **Promoting the advancement of women** in the Police and Justice Sector;
- **Strengthen MINT and MJCR interventions** in assisting GBV victims to prevent and combat harmful social practices.

Needs of people living in rural areas:

- **Consolidate the role of Community Courts in pacifying and resolving conflicts in communities:** working together with the work of integrated justice services and providing support to selected districts;
- **Expand the coverage of the justice network:** through piloting of mobile courts;
- **Promote the dissemination of legislation to improve citizens' legal awareness:** by supporting awareness-raising initiatives.

Needs of people living with HIV/AIDS:

- **Prevent and Combat HIV and AIDS**, as well as stigma and discrimination in the corporation, in prisons and in the workplace;
- Strengthen the capacity of the main actors, of the Justice System “the Law Makers and the Law Implementers” for the **coordination and execution of HIV and Human Rights interventions;**
- **Strengthening the capacity of three municipalities (Maputo City, Matola and Xai-Xai)** in interventions to combat the HIV epidemic in cities.

Needs of the poor:

- **Provide legal and judicial assistance** to the economically disadvantaged population: through support through the IPAJ;

Needs of detainees:

- **Implementation of alternative sentences to prison:** through support for legal and policy reform, institutional capacity building, technical assistance and awareness-raising initiatives.

In addition, the theory of change frames the project's interventions as designed to improve access to justice for vulnerable people. However, the needs of some vulnerable groups (including people living with disabilities, and people with albinism) are not clearly articulated as categories of vulnerability.

During implementation, two Outputs (3 and 4) were closed and integrated into the UNDP implemented activities under the joint UN Spotlight Initiative. While the activities continued under different projects, this change meant that some of the activities intended to support vulnerable

⁹ Project document, 'Strengthen access to justice and the Protection and Promotion of Human Rights 2018-2021' page 18

people were not implemented under the Access to Justice project (but were instead implemented under the Spotlight Initiative).

Another constraint experienced during implementation was the shortfall of funds. While an ambitious range of access to justice initiatives were envisaged during project design, not all activities could be implemented due to a combination of:

- lack of external funding,
- competing priorities identified by UNDP (including the response to external shocks) and
- competing priorities identified by the Government partner institutions (including preferences for funding institutional support initiatives).

Having said this, as noted above under the Project Impacts and challenges and in the following section, most of the project activities focused on strengthening the capacity of the rule of law actors to deliver services to vulnerable people. However, according to studies, the formal justice system is not a trusted or preferred mechanism for people to seek justice. Community Courts are the most proximate part of the justice system, and the project had some important, but limited engagement with this mechanism. Of the Community Courts members interviewed in this evaluation, none of the respondents said they were aware of this project. As discussed above, UNDP noted that issues around the Community Courts prevented more substantive engagement with Community Courts, including the uncertain legal framework, issues around accountability and human rights compliance.

In other African contexts, researchers have noted that the international community may elevate the formal justice system above other justice pathways, either deliberately (eg due to alignment of values) or inadvertently. This elevation may influence or constrain Government policy options – ie, if the Government believes that donors want and will financially support certain justice pathways, the Government is more likely to adopt those pathways than pursue unsupported alternatives. This suggests that the international community (including UNDP) have a responsibility to avoid eliminating justice pathways due to its own preferences and values, partly when those pathways are the ones most used and preferred by the local population. This argument is developed as follows:

‘Reform efforts should focus broadly on how to provide greater access of the kind of justice that (people) want, rather than narrowly focusing on strengthening the formal system.

A number of developing and post-conflict states experience a similar preference of their population for customary justice options over the formal system. Given this expressed preference, access to justice and rule of law initiatives risk failing the ownership test when they appear to impose value systems together with legal reforms... The operation of the justice system and the alternatives that individuals seek reflect interpretations and beliefs about power, politics, gender relations, family structures, religion, the role of the state and countless other aspects of society.

The United Nations, the United States of America and the large variety of NGOs that are currently investing in rule of law programming routinely express concern over the protection of human rights and the strengthening of the State security and law enforcement apparatus — the national police, prosecution and the prison system This focus reflects a donor response to strategic priorities articulated by the Government, as well as the justice paradigm most familiar to international supporters.

Outside researchers caution that this elevation of the formal system is based on an idealised version of what that system could be, not a realistic perception of what it is. Irrespective of the truth of this observation, the belief in the ultimate primacy of the formal system — even if an ideal to be attained in the future — creates a firm constraint on the justice options that the Government will wholeheartedly pursue.’¹⁰

Finding: The project as designed was highly relevant to the needs of vulnerable groups, and the project document clearly identified proposed activities targeted at reaching vulnerable groups. While noting positive project results in policy development, capacity development and service delivery relevant to vulnerable people, during implementation these activities were implemented in a more limited way than originally planned, due to changes in strategy (discontinuing Outputs), limited funding and competing priorities. The activities also targeted the capacities of formal rule of law institutions, however these institutions are not the most relevant means of seeking justice for many people according to studies including UNDP’s baseline study.

What opportunities are there to better align the support to the changed context and the needs of the beneficiaries? Are there risks associated with some work areas, from a do no harm perspective?

As highlighted in the challenges section above, several significant external events took place during the project period. This included two major cyclones, COVID-19, the deterioration of security in the province of Cabo-Delgado (which had been identified as one of the pilot sites for area-based programming). The UN system switched from development support to a humanitarian operation in response to these external shocks, with implications for UNDP’s ability to mobilise donor resources.

Given the dramatic and rapidly changing context, it is perhaps surprising that the adjustments to the project strategy were not more significant. UNDP used the COVID situation as an opportunity to support the digitalisation process within the rule of law institutions, which was a positive approach, and offers entry points for future work including case management, remote management and remote trials. UNDP withdrew or scaled back other aspects of the planned project, including the reduction or withdrawal of activities in conflict affected areas, the shortening of the envisaged mobile court pilot, etc. In general, although the context changed dramatically, the project remained more or less within the originally designed scope (apart from e-justice / digitalisation as a significant change in strategy in response to COVID, and joint infrastructure damage assessments conducted with the Ministry of Interior to assess cyclone damage).

There were perhaps opportunities for the international community, including UNDP and UNDP’s rule of law programming to have responded more nimbly to the deteriorating security situation in Cabo-Delgado. UNDP has a body of expertise in working in fragile environments, and aspects of UNDP’s area-based stabilization approach as developed in Iraq and Nigeria may have been relevant to the changing security context. Rule of law and access to justice have an essential part to play in these stabilization approaches. UNDP’s global expertise in Prevention and Countering of Violent Extremism may also been of assistance in adjusting the project’s approach.¹¹ It appears that the approval of the Government’s Cabo Delgado Reconstruction Plan in 2021 was taken as a positive signal by the international community and UNDP to re-engage in Cabo Delgado, leading to UNDP’s stabilisation programme in 2021 which incorporates work with rule of law and security.

¹⁰ Rawls, Traditional Justice: Practitioners’ Perspectives. Paper No 2, ‘Policy Proposals for Justice Reform in Liberia: Opportunities under the current legal framework to expand access to justice.’ 2011

¹¹ For example, <https://www.undp.org/news/undp-launches-new-series-reports-preventing-violent-extremism>

Also under the successor project UNDP proposes to resume and significantly strengthen work in this area, using area-based approaches. However, it remains a point for consideration whether UNDP may have been able to engage in a limited way from an earlier date, given UNDP's global expertise in these subject areas. This may also have assisted UNDP to develop a more relevant offer to attract donor interest, which is a relevant consideration since the project as proposed did not attract external donor support. This perhaps emphasises the value of exploring small pilot initiatives in a flexible and creative way, to test approaches, build experience and generate preliminary results to attract donor interest, perhaps prior to the launch of the stabilisation programme in 2021. However, we again note that there may have been limited space to do this prior to the approval of the Government's reconstruction plan.

An additional major factor to consider is UNDP's increasing adaption of 'People Centred Approaches' towards access to justice. The Project's theory of change (as discussed below) makes the assumption that access to justice will arise from strengthened delivery of justice services and improved coordination. This approach has been increasingly called into question, as stronger rule of law institutions do not necessarily deliver improved outcomes for justice seekers. Some institutional strengthening activities have a place within a rule of law project approach. For example, activities such as strategic planning may be important for improved institutional operations. However, the connection between institutional capacity building activities (such as strategic planning) and improved justice outcomes for justice seekers may be very remote.

Furthermore, the capacity of the Government to support the decentralisation of the justice system is unclear, but appears limited. The Director of Mozambique's Legal and Judicial Training Centre was quoted publicly¹² as saying that Mozambique currently has 463 Judges and nearly 500 prosecutors, but Mozambique requires 2,500 judges and 2,500 prosecutors to have a ratio of one per 10,000 inhabitants. With due respect to the Director, it does not appear that the country has the financial capacity, nor the absorptive capacity to extend the formal justice system in this way.

This expansionist (or decentralised) vision of the formal justice system is a significant consideration when recalling that most people in Mozambique do not use the formal justice system to resolve disputes. The remoteness, cost, and perception of corruption is a substantial barrier for the use of the formal justice system, especially for people living outside of cities. Lack of legal knowledge, complex processes and lengthy delays also contribute to a preference for avoiding the formal justice system, except where this is required for serious cases. UNDP has had a lengthy historical engagement with the formal justice system in Mozambique, including supporting the establishment of the Palaces of Justice to provide integrated justice and security services at district level.¹³ UNDP has also supported efforts by the formal justice system to reach rural areas, including through the piloting of mobile court approaches and community-based rapid hearings. However, most justice seekers will use Local Customary Courts, Community Courts or alternative methods of seeking justice. Decentralisation efforts to locate Palaces of Justices closer to people may help with physical accessibility, but does not of itself make formal justice faster, cheaper or more understandable.

The project document notes:

¹² <https://clubofmozambique.com/news/mozambique-needs-over-2500-more-prosecutors-and-judges-217951/>

¹³ <https://allafrica.com/stories/200609270874.html>

*'The role of Community Courts in contributing to access to justice, their independence and oversight, and their compliance with international standards for the administration of justice and human rights remains unclear.'*¹⁴

Under the Project, UNDP provided technical assistance to the Ministry of Justice in developing a draft Revised law on Community Courts. This is a welcome step, which involved a series of consultations with over 450 stakeholders including over 200 Community Court judges. The draft legislation will help to clarify the legal and procedural operations of the Community Courts. However, it should be noted that none of the Community Court Judges interviewed during this evaluation said they were familiar with UNDP's work on access to justice, or the activities implemented in their district with the support of UNDP. This suggests that there may have been other opportunities to strengthen project implementation through collaboration with Community Court members – eg inviting their participation in community outreach events, seeking their assistance in ensuring that witnesses appear at mobile court hearings, etc.

The OECD outlines a range of criteria for people-centred design and delivery of legal and justice services.¹⁵ These criteria include evidence-based planning; equality and inclusion; accessibility; availability; prevention, proactivity and timeliness; responsiveness to local circumstances; empowering justice seekers; collaborative and integrative; fair processes and fair outcomes; and effective. While there are elements of UNDP's Access to justice Project design priorities which correspond with some of these criteria, fundamentally the formal justice system in Mozambique is not perceived as accessible or timely and it is perceived as corrupt and unfair in both process and outcome. On this basis, it seems likely that if the analysis of access to justice needs was undertaken from a people-centred approach, the project design would have targeted less institution-centric strategies and activities. For example, the Project supported the IPAJ to conduct a 'legal needs assessment' of the IPAJ's capacity to provide legal aid services to vulnerable people. Without detracting from the value of this study for the IPAJ, a more fundamental 'legal needs assessment' of the population may have provided information without presupposing the role of the IPAJ. The more general baseline study may have been intended to partially provide some data on the legal needs of communities, however this study was subject to lengthy delays and was not completed in time to inform the project strategy.

Having said this, some UNDP respondents suggested that the initiatives under this project laid the ground-work which have made possible the more people-centred approach of the successor project. It's arguable that UNDP may not have had the programming space, nor the institutional tools and donor support, to develop a more people-centred approach for this project, when taking into account the needs and priorities expressed by the Government. On this interpretation, the Access to Justice project formed the 'proof of concept' which enabled a more people-centred approach in the successor project.

Whether the relationship between outcome, outputs, activities and inputs of the projects are logically articulated. Whether the outcome and outputs of the projects were stated explicitly and precisely in verifiable terms with SMART indicators disaggregated by sex, age and location;

There are opportunities to significantly strengthen the Project's logframe.

¹⁴ Project document, 'Strengthen access to justice and the Protection and Promotion of Human Rights 2018-2021' page 12

¹⁵ <https://www.oecd.org/governance/global-roundtables-access-to-justice/oecd-criteria-for-people-centred-design-and-delivery-of-legal-and-justice-services.pdf>

The Project Theory of change is:

'If the provision of justice services, human rights mechanisms and access to justice, especially for women and vulnerable groups are strengthened, coordinated, inclusive, transparent and participatory with respect to human rights, then they will contribute to maintaining peace and stability and improving access to justice and increasing people's trust in justice and human rights institutions.'

This Theory of Change led the project implementation team to focus predominantly on the formal justice sector, rather than access to justice from a people-centred and community-centred approach. Improved justice was viewed through an institutional lens, which limited opportunities to view issues from the perspectives of justice-seekers. Engagement with Community Courts was perhaps an opportunity to work with the tier of Courts which are most relevant to most of the population, however this engagement was channelled through the Ministry of Justice around legalistic issues relating to draft legislation on the Community Courts. While it is important to establish a proper legal basis for the Community Courts (especially in the opinion of lawyers), dialogue between communities and Community Courts on non-legal solutions to improving justice outcomes and processes may also have been informative. Again, while not detracting from the value of the draft legislation or the consultation processes which developed the draft legislation, it is informative to note that the engagement with the tier of justice which is most relevant to the day to day needs of most people was channelled through the responsible Government Ministry, had a legalistic focus, and that a relatively small proportion of the project's budget was allocated to this activity.

The Theory of change also envisages a coordinated 'whole of justice' sector approach. In practice this appears ambitious for a complicated context such as Mozambique, particularly where limited Government resources are available and there is an element of competition between Ministries and institutions to seek essential funds.

The Outcome level indicators are clear and relevant, although perhaps capture a limited subset of the Project's activities (as they focus on legal aid and legislation in relation to HIV/AIDS discrimination).

The Output indicators, targets and baseline are not recorded in the Project logframe.

The Activity indicators are numerous, and are incomplete in relation to baselines and targets. The evaluators understand that studies were to be undertaken by Implementing Partners to develop baseline data, however some of these were not undertaken and the baseline data was not made available. The evaluators counted 47 individual activity level indicators in the original Project document (ie, before the cancellation of two outputs). These indicators could be consolidated and simplified, reducing the management and reporting burden on Implementing Partners and UNDP. It would be preferable to identify a smaller number of indicators that could be accurately reported against, rather than have incomplete and unreliable data on a larger number of indicators. This is especially relevant in contexts where some Implementing Partners may have limited capacities to monitor and report on their activities.

In the absence of Output indicators and Activity targets and baselines, it is difficult to measure the Project's performance against the intended targets when the intended targets are unknown. This is perhaps further complicated by changes in Project priorities and funding reductions which led to the discontinuation or elimination of some activities.

While noting the challenges of Implementing Partner monitoring capacities, and the project management transitions in both Implementing Partners and UNDP, there may have been opportunities for the UNDP Country Office to identify logframe and monitoring issues, and provide support for the Implementing Partners and / or Project team to address these issues.

d. Effectiveness

How effective are the project strategies in delivering expected/planned outputs and outcomes?

Respondents overall regarded the project as effective, with the caveat that partner institutions had expectations of greater support than what they received under the project. The reduction in support was due to the lower than anticipated resources available to the project (as the project did not receive external donor contributions) and the reduction in available TRAC funds following changes in the country context (notably the impact of Cyclones Idai and Kenneth in March and April 2019 respectively, and the deteriorating security condition in Northern Mozambique).

Of particular concern to implementing partners was the withdrawal by UNDP on several occasions of unspent funds for agreed activities which were said to be already included in the institutions' approved annual workplans for the year.

It is difficult to assess the degree to which the project effectively achieved the planned outcomes and outputs. Perhaps due to the changes during project implementation, the project appears to have shifted away from the original results framework, which remained incomplete. Output level indicators, baselines and targets are missing from both the original results framework and the reports from the implementing partners refer to 'Goals' based on workplan activities, rather than indicators based on the project logframe. Some respondents from implementing partners expressed a desire to be more closely involved in the project design arrangements, and the co-design of the results framework in particular would appear to be an opportunity to ensure that the proposed indicators and targets are relevant to partners, and that partners are willing and able to report against them.

Are the project strategies effective in responding to the needs of the beneficiaries especially the vulnerable population including those with disabilities and albinism, what results are being observed?

As discussed above, the project strategies have some impact in reaching beneficiaries and vulnerable communities. The project strategy involved strengthening the capacities of the rule of law institutions to provide improved access to justice services to vulnerable people. From this perspective, the project supported:

- Itinerant court hearings of 265 cases in 2019, and a pilot mobile court which heard 29 cases in 2021.
- Training of 30 legal aid trainees, intended to join the IPAJ as public defenders (although the caseloads and impact of these trainees is currently unknown).
- Consultations and dialogues involving over 450 stakeholders on Community Courts, which are the most relevant court and the most preferred court for most people according to the UNDP commissioned baseline study.

- Community outreach and awareness campaigns, using TV, radio and community mobilisation approaches, to raise awareness of human rights and the role of the Ombudsman in receiving complaints.
- Collaboration with the Spotlight Initiative, to strengthen referral pathways and promote continuity of care between medical, psycho-social and legal assistance providers.
- Field research and investigation by the National Human Rights Commission on more than 20 occasions, to investigate complaints and undertake fact-finding on issues including extra-judicial killings, exploitation by extractive industries, displacement following emergencies, and land disputes.

In addition, the project has undertaken various initiatives at legislative, policy and organisational levels. These initiatives have potential to benefit vulnerable populations – for example UNDP’s work to promote alternatives to detention has a potentially high impact on people in detention. However, the impact of these activities is more remote compared with direct service provision, and the impacts are highly dependent on the extent to which the policies and resources are implemented. As discussed under sustainability, this also invites the question of the extent to which the Government can afford to implement the policies, plans and training curricula developed with the support of the project – at this point respondents advise that the Government remains heavily depending on ongoing financial support by the International Community.

As discussed in more detail in the following section, a further issue in determining the impact of the project relates to the project logframe. As the project logframe is incomplete, the implementing partner progress reports are based on their annual workplans rather than the project logframe. Due perhaps to UNDP’s project management approach involving three separate project managers, there are no unified annual project reports until the final project report (apart from UNDP’s dot point summary progress reporting in ATLAS, which again seems to document significant accomplishments rather than progress against project indicators). In summary, it is difficult to articulate and demonstrate quantitative impact against the project indicators due to these issues.

People with disabilities and albinism were not a specific focus of the project, and there is limited information available to demonstrate the project’s impacts in reaching these groups.

Is there a suitable Monitoring and Evaluation Framework? How often is the framework used to monitor expected project outcomes?

As discussed above, there are opportunities to improve the Monitoring and Evaluation Framework so it more effectively supports monitoring of progress towards project outputs and outcomes. The Monitoring framework as detailed in the project document lacks essential information including Output indicators, and activity indicator baseline and target data. There are many granular activity-level indicators, which could perhaps have been consolidated and simplified to give a better sense of how the activities are contributing to the project Outcomes and Outputs. This could have eased reporting for Implementing Partners, while providing a clearer link to the project’s theory of change.

UNDP’s ATLAS indicators and reporting do provide a more consolidated framework of targets. However, the connection between the approved monitoring and evaluation framework and the ATLAS targets are not clear. Many indicators in the project Monitoring and Evaluation Framework are not replicated in the ATLAS framework, and some indicators in the ATLAS framework are not found in the Monitoring and Evaluation framework. However, the ATLAS reporting does summarise key project achievements.

Notwithstanding the limitations of the monitoring and evaluation framework, the Project team did undertake regular monitoring visits. Monitoring was conducted jointly with partners, and also on an independent basis by UNDP and UNDP commissioned third party accounts to conduct spot checks in accordance with the Harmonised Approach to Cash Transfers (HACT) procedures. Joint monitoring was however constrained during the COVID lockdown period, particularly before UNDP had been able to procure IT equipment and establish some remote communications capacities in the partner institutions. The evaluation team has reviewed a sample of spot check and monitoring visit / back to office reports as part of the evaluation.

Government partners also noted issues resulting from the lack of clear indicators:

*'Normally we have defined indicators in our planning process. In this project the ProDOC (project document) contains a logical framework which brings in the monitoring system. We did not have clearly defined indicators.'*¹⁶

Finding: The project has conducted regular monitoring of project activities. These were conducted using several approaches - by UNDP independently, by UNDP's agents, and jointly with partners. Monitoring was conducted in person and also remotely during the COVID-19 lockdown period. Most monitoring has taken place at the activity level, with less emphasis on monitoring and reporting at output and outcome levels. However, the absence of clear indicators hampered project monitoring and reporting.

To what extent are human rights, gender and disability issues mainstreamed in the project strategies and implementation?

Human rights and gender are foundational issues which are the basis of the Access to Justice project. The project rationale is that by strengthening institutional capacities and coordination, justice institutions will be better able to uphold human rights and deliver access to justice outcomes, particularly for vulnerable people.

The project has specifically targeted capacity building of Government institutions tasks with human rights mandates - for example, the capacity of the Ombudsman and the National Human Rights Commission via the development of their strategic plans and communications plans, and the capacity of the Government of Mozambique to report as part of the Universal Periodic Review 2nd and 3rd cycles.

Personnel capacity to uphold human rights was strengthened through the development of training manuals on human rights, SGBV, HIV/AIDs and alternatives to detention, and the topics are now part of the core curricula for training of judicial personnel. In addition, over 200 justice actors were trained in these topics under the project.

Gender issues were addressed through the strengthening of the Investigative Police and National Police to appropriately investigate and respond to cases of gender-based violence. However, during implementation the UN Spotlight initiative became the primary vehicle for UNDP to implement GBV related activities, and the Access to Justice Project outputs relating to this support were discontinued.

Disability activities did not receive the same prominence as human rights and gender issues, and may have been crowded out by competing priorities during implementation.

¹⁶ Focus Group Discussion with Rule of law institution representatives, 16 August 2022

e. Efficiency

Are the processes of achieving results efficient? Do the actual results justify the costs incurred and were the resources effectively utilized?

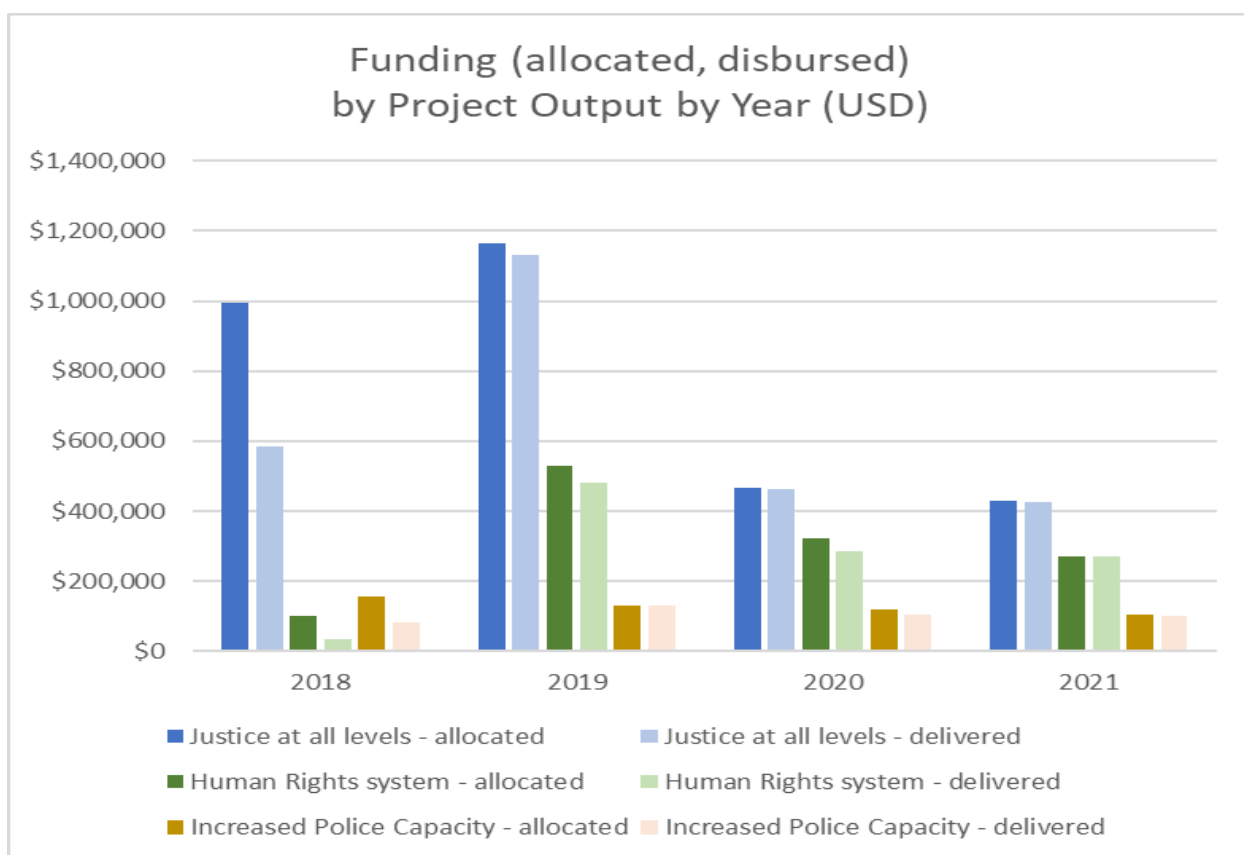
The project received \$4,789,691 in total allocated resources, of which a total of \$4,094,921 was delivered (ie an 85.5% delivery rate).

The project was almost entirely funded by UNDP, using predominantly core TRAC resources, complemented by a small UNDP vertical fund award (\$250,000 in 2021) and a Tripartite Partnership between UNDP, OHCHR and the Global Alliance of Human Rights Institutions (GANHRI) for support to Human Rights Institutions (\$150,000 for 2020-2021).

Delivery largely matched each annual allocation for years 2019-2021, ranging between 94% and 99%. Delivery in 2018 was significantly lower, at 56%, perhaps impacted by start up arrangements.

	2018	2019	2020	2021	Total
Allocated project funds	\$1,250,000	\$1,828,289	\$907,927	\$803,475	\$4,789,691
Delivered project funds	\$702,200	\$1,741,871	\$855,943	\$794,907	\$4,094,921
Percentage of delivery	56.2%	95.3%	94.3%	98.9%	85.5%

The following chart shows the allocation and disbursement of funds by Project Output by Year. Most funding was allocated to Output 1, which also included the largest number of institutions - coordinated by the Ministry of Justice, Output 1 also supported activities implemented by the Supreme Court, the Attorney General's Office, the Correctional Services, Legal and Judicial Training Centre, the Directorate for Human Rights, and IPAJ.



The annual financial allocation and disbursement was as follows:

	2018	2019	2020	2021
Justice at all levels – allocated	\$994,500	\$1,166,289	\$467,902	\$428,300
Justice at all levels - delivered	\$585,432	\$1,130,696	\$463,669	\$423,968
Human Rights system - allocated	\$100,000	\$530,500	\$321,325	\$269,300
Human Rights system - delivered	\$33,989	\$481,567	\$286,988	\$269,274
Increased Police Capacity - allocated	\$155,500	\$131,500	\$118,700	\$105,875
Increased Police Capacity - delivered	\$82,779	\$129,608	\$105,286	\$101,665

The evaluators understand that data is not tracked at an institutional level, so it is not possible to report on the level of funds received by each institution.

The evaluators have requested further information from UNDP on the financial expenditure categorised by UN budget categories. This data has not yet been received.

Based on the available information, with the exception of the project initiation during 2018, the project largely met its financial delivery objectives. However, since the project was largely funded by TRAC funds and unused funds were reallocated each year, this table likely understates the initial funding allocation for each year. I.e, the table reports on the final allocation of funds, however used funds were reprogrammed by UNDP in 2019 (due to the cyclones), in 2020 (due to the

COVID-19 changes in priorities) and in 2021 (due to the changing priorities associated with the Cabo Delgado response).

What project strategies or factors are contributing to project implementation efficiency?

Respondents from both UNDP and the Government institutions noted issues with planning and implementation.

UNDP procedures and operational processes

In particular, the time required to process procurement; issues about the price and selection of vendors; and delays in disbursement of funds for activities were sources of concern for Government partners.

*'Despite joint planning, budget execution was at the sole control by UNDP, and we could hardly track how we expended our budget allocation. To complicate the process even more, UNDP procurement process was cumbersome, with expensive quotations for the supplies to our services and very slow. The project was run without convening meetings to take stock of the implementation and revision of activity plans and budgets.'*¹⁷

'The financial management has been prejudicial and even for our institution's image. We have training facilitators waiting for months to get their payments in activities delivered. We have reimbursements not met (for trainers, supervisors, e-time credits). The procurement organized by UNDP is not always concordant with the prerequisites we have for our programs.'

In response to these issues, UNDP notes several points:

- The provision of support (including payments, procurement, travel etc) relies on the interaction between the requesting institution, UNDP's project management team, and UNDP operations. Delays at any point in the process will affect the outcome of the process, including when requests are made late, or requests are made with incomplete information.
- Output 1 was designed as an assisted National Implementation Modality (NIM) project, which enables the implementing institutions to have greater responsibility for the implementation and management of the project activities. Two project administration and finance staff were recruited to support the work of the MOJ's project implementation unit, however when their contracts were not renewed this had impacts on the ability of the Ministry of Justice to coordinate activities and to coordinate with UNDP on requests, with subsequent implications for the support that could be provided by UNDP.
- UNDP notes that meetings were held, however the Ministry of Justice was responsible for the coordination of Output 1 partner institutions.

One organisation gave a positive example of partnerships with UNDP on procurement, with a joint approach seen as leading to better procurement outcomes than UNDP implementing procurement alone:

'When we celebrated the 10th anniversary of the Ombudsman Office the project was instrumental in investing all means to make that day a success. This is probably because, since some of the procurement processes needed to occur in a very short period, we

¹⁷ Interview with Rule of law institution representative, 9 August 2022

*worked jointly and managed to procure and pay for the materials and services needed. We even proved to UNDP that as far as procurement is concerned, we have supplies in the market who happen to be cheaper than what they have so far mobilized.*¹⁸

UNDP has conducted annual HACT assessments to assess the strengths of implementing partner's operational systems, and the extent to which the systems are sufficiently strong to enable partners to implement operational activities themselves. Given the perception of weak and corrupt Government systems, there is some value in using the operational systems of UNDP for procurement and payments. However, weighed against this are concerns about the bureaucracy associated with UNDP's systems, and concerns about the outcomes of some procurement processes. The project notably experienced some cases where the Government had identified their own preferred vendors, who were not selected by UNDP. This perhaps highlights the value of UNDP's independent processes, however at the same time it had potential to delay project implementation and leads to the possible rejection of the proposed vendors or the product they provide – whether a rejection of physical goods, or the refusal to collaborate with a consultant.

Government capacities

As highlighted above, partner institutions and UNDP noted the impact of staff turnover within the Government project units responsible to coordinate and implement project activities.

'It was a NIM project with regular assistance from UNDP. All the work, planning, implementation was done jointly with the national partners, so this was a very positive approach. As UNDP we have a responsibility to build their assistance. But the GOM has an issue with staff rotation, so we build their capacity and then they leave. It's not that the organization doesn't have the capacity but they need time to learn the UN rules and procedures. I didn't feel they could implement the project on their own ... the activities wouldn't be done in a timely way or there would be misuse of resources.

*With the Access to justice Project, we have a project management unit based in the MOJ. We had one coordinator with three to four assistants. When people are nominated to support the project, we orientate them on all the UNDP processes and how to achieve the results. But at some point their contracts were not renewed due to internal conflicts and this created a challenge for us.'*¹⁹

Government partners requested that UNDP invest more in capacity building and training of administrative staff. As it is likely that partner institutions face many similar issues when implementing across different UNDP projects, it may be feasible for the UNDP Country Office to develop packages of training resources on common topics, such as procurement, financial management, travel, workplanning, monitoring and evaluation, adaptive management / evidence-based decision making etc. Currently capacity building for partners appears to be done on a project basis or through ad-hoc mentoring, which places a high burden on the project when partner staff have a high turnover. UNDP advises that there is a project on Country Programme coordination implemented in conjunction with the Ministry of Foreign Affairs which previously delivered these types of general training programmes to staff of Government implementing partners, and this is a practice that could be revived.

¹⁸ Interview with Rule of law institution representative, 9 August 2022

¹⁹ Interview with UNDP staff, 8 August 2022

Findings:

- There is an element of mutual blame in relation to operational processes, compounded by bureaucracy in UNDP's procedures and partner staff turnover leading to a loss of institutional knowledge of how to work with UNDP's procedures.
- Partners requested a greater degree of financial transparency from UNDP on their budget allocation and delivery rate, to allow them to participate more effectively in budgeting and prioritising activities.

Recommendations:

- UNDP can explore the co-location of parts of the project team within a Government Project Implementation Unit (potentially the Project Manager and / or a Project Officer), to help improve coordination between the project and partners.
- UNDP Country Office could prepare standard packages of training materials to facilitate the orientation of new project partners, including training resources on procurement, financial management, service requests for travel and event management, monitoring and evaluation, etc.
- UNDP can explore how to provide improved financial information to partners, to allow them to participate effectively in budget and prioritisation discussions.

Do the project interventions duplicate existing similar interventions in the targeted areas and were there any collaborations with similar interventions?

As discussed under partnerships below, the project established strong partnerships with the Spotlight Initiative (in relation to GBV) and with OHCHR (particularly to coordinate support to the National Human Rights Commission. There was no information to suggest significant duplication of initiatives, and some respondents suggested that they relied heavily on UNDP's support because their previous donors had progressively reduced and then discontinued support to the justice sector.

How did the project financial management processes and procedures affect the performance of the project implementation?

There was a degree of mutual blame between Government partners and UNDP for operational delays associated with procurement and payments. Government partners saw UNDP's systems as slow, bureaucratic and delivering outcomes which may not match Government priorities - for example, where the Government partners did not accept the proposed vendors or consultants identified by UNDP's procurement processes, or the Government regarded the cost of items purchased as above market rates. Similarly, UNDP noted that the Government focal points had a high turnover, resulting in loss of institutional knowledge. Accordingly, they did not fully understand UNDP's procedures, meaning that UNDP received late or incomplete requests for assistance which UNDP then struggled to process. It appears there is some merit to each of these viewpoints.

Project partners called for greater investment in developing systems and procedures, to improve their capacities to implement activities themselves. Some stakeholders noted that the capacity building activities of the project focused too much on the technical staff, rather than the capacities of administration, management and support staff (including clerks, IT officers, statisticians etc). As an access to justice project, it is natural that the project would place a higher emphasis on activities which are likely to deliver improved justice outcomes for justice seekers. While not detracting from the valid needs of rule of law institutions for support, some of the expectations

and requested support would seem more appropriate for a general rule of law institutional capacity building project, rather than a project which is explicitly intended to promote access to justice.

Are there more efficient ways and means of delivering results?

As discussed under Implementation (below) respondents compared the project management arrangements favourably when compared to the project structure of the Spotlight Initiative. However, they compared the project unfavourably compared to the project management arrangements of UNICEF, which reportedly makes more use of Government systems for project implementation, financial management and procurement. The scale of funding channelled through Government systems by UNICEF may be lower than UNDP's support – this would be an issue for further exploration.

The project did support the Ministry of Justice to operate a Project Implementation Unit within the Ministry, particularly for the coordination and oversight of Output 1 activities. There were some issues with turnover of the staff within the Project Implementation Unit, and ultimately the contracts of the staff were not renewed by the Ministry of Justice. This had significant impacts on the ability of the Ministry to implement and oversee activities, with consequential impacts upon UNDP and the project team who relied on the Ministry of Justice to carry out this role.

To assist in promoting joint responsibility for project operational issues (planning, procurement, payments), the evaluators discussed the potential for the UNDP project team to be embedded within a Ministry, to assist with skills transfer and to improve coordination between the Implementing partners and UNDP's operational processes. Some respondents thought this approach had potential, while some UNDP respondents thought that co-location in a Ministry would have limited impact, pointing to other UNDP projects regarded as successful which do not use a co-location approach.

f. Implementation

How did project management arrangements and procedures affect the performance of project implementation? What partnerships were built or strengthened to improve performance of project implementation?

Partnerships and coordination were the most mentioned issues across the evaluation interviews. Respondents spoke about several types of partnerships and coordination:

- UNDP and Government of Mozambique partnerships
- Government to Government partnerships
- Civil Society partnerships
- Regional (South-South) cooperation
- General coordination issues

These are discussed in turn.

- a. UNDP and Government of Mozambique partnerships

UNDP has had a sustained, long-term engagement with the justice sector of Mozambique, continuing since the 1990s. UNDP maintained this engagement during the 'hidden debt' scandal, when some other international donors reduced their level of support to the Government of Mozambique. Furthermore, UNDP maintained this commitment using core UNDP resources, which are ordinarily reserved for strategic projects, testing new pilot approaches, and catalytic initiatives which have the potential to mobilise additional donor resources.

For UNDP to make a significant TRAC investment in the justice sector illustrates the strategic importance of rule of law and access to justice. Government partners emphasised the value of UNDP's long-term engagement in the sector, while also noting that the level of support had been variable due to external shocks.

Government partners also praised the strength of relationships with the UNDP project managers, and the willingness of UNDP's project managers to collaborate with them on project initiatives.

From UNDP's perspective, the project was initially designed to be headed by a Chief Technical Adviser. The Chief Technical Adviser was intended to oversee three Project Managers who were responsible for different outputs - one international UNV and two national officers.

The Chief Technical Adviser position was not recruited at the request of the Government partners, due to the limited funds available, and remained unfilled for the entire duration of the project. UNDP proceeded with the three project managers who reportedly collaborated well, however it is possible that the project's coherence across outputs was hindered by the lack of an overall unifying role within the project management structure.

During implementation the project structure changed with the transfer of Outputs 3 and 4 to the Spotlight Initiative, the resignation of one project manager, and the appointment of the international UNV project manager to a rule of law programme analyst position with the Country Office. By the time of project closure, the remaining project Outputs were managed by the international rule of law programme analyst as the project manager, which provided some coherence on project closure and the planning for the successor project.

Due perhaps to the project management structure and staff turnover, knowledge management has been impacted. Some key project documentation was not located (such as some project board meetings), and there was not a single point of focus to consolidate project reports, or to advocate for a project revision or amendment to the project's results framework in the face of a series of external shocks.

Without detracting anything from the expertise of the project managers, the decision not to appoint a Chief Technical Adviser left a gap in senior level technical expertise within the project management team. UNDP had the aspiration to be 'more than just a donor', and was able to mobilise valuable South-South cooperation as highlighted below. However UNDP faced difficulties in drawing upon some aspects of UNDP's own global expertise in rule of law and access to justice, including on mobile courts,²⁰ pre-trial detention initiatives and PCVE. While noting the desire of Government counterparts to maximise the budget available for activities, the absence of the Chief Technical Adviser position could have been partly mitigated through the use of short-term detailed assignments at key project stages (such as negotiation of annual workplans), use of thematic consultant experts to help define innovative activities such as the mobile courts, and greater use of UNDP's communities of practice. The project management team

²⁰ For example, UNDP's multi-country study on the use of mobile courts - <https://www.undp.org/publications/evaluation-undps-support-mobile-courts-drc-sierra-leone-and-somalia>

may also have required greater support from the Country Office in negotiating annual workplans which followed the project document (or revising the project document, if the activities were no longer relevant); in ensuring that implementing partner reporting was provided against project indicators (including capacity building of implementing partners, to the extent that this was required) and in renegotiating workplan activities following the reduction of available funds in 2019 (due to the cyclones), in 2020 (due to the COVID-19 changes in priorities) and in 2021 (due to the changing priorities associated with the Cabo Delgado response).

The reallocation of funds previously committed by UNDP was mentioned by many institutional respondents as a disappointment in both outcome and process, which could have been communicated better.

*'I would say we should improve our communication in both directions – us to UNDP and vice-versa. UNDP did make unilateral decisions, some justifiable and others questionable, but with very erratic communication.'*²¹

*'Under this project we suffered from cuts in our budgets with no previous information provided. We learnt that the resources had to be used to purchase connectivity equipment to keep the project up and running during the restrictive measured under COVID 19 period. The project money or investment as we also learnt was equally used to support the victims of cyclones and terrorism in Cabo Delgado Province. While this is understandable, what is always a concern is the lack of communication and therefore you see your plans compromised and you do not have a "B" plan to close that abrupt gap. State budget is not sufficient even for our normal operations and will never be.'*²²

Other stakeholders praised the coordination with UNDP:

*'Coordination with UNDP is good - they are our major partner They are the ones opening us doors to connect with other partners. They have taken the visibility of our image and mission to a higher level.'*²³

*'Coordination and communication with UNDP are very good. There are important persons there – Dra. Habiba and Dr. Rolando – who are very responsive and flexible in responding to any issue taken to them. I am just mentioning these two, but I want to reiterate that institutionally we have seen fluid coordination. What needs to be improved is the coordination between the justice system institutions.'*²⁴

Particularly given the absence of the Chief Technical Adviser position, and the dramatically changing external environment, the implementation of a mid-term evaluation would have helped redefine the project's approach and ensured that the project document, monitoring tools and supported activities remained aligned with each other and met the changing environment.

b. Government to Government partnerships

²¹ Interview with rule of law institution, 12 August 2022

²² Focus Group discussion with rule of law institution representatives, 11 August 2022

²³ Interview with rule of law institution representative, 9 August 2022.

²⁴ Focus Group discussion with Civil Society Organisations, 10 August 2022

The project sought to adopt a sectoral approach, with a large number of Government institutions participating in the Project Board / Technical Committee.

The Government previously convened joint development coordination meetings, involving the institutions, civil society and donors. These meetings were convened at a technical level. However, the project implementation took place under the leadership of senior officials at Permanent Secretary and General secretary level. While this created opportunities for closer political ownership, the senior officials were often very busy, were not familiar with UNDP's implementation policies and procedures and were subject to reappointment during the project period. The turnover of key focal points, and the time required for their replacements to be orientated and effectively facilitate activities placed some constraints on the project.

Under Output 1 of the project, the Ministry of Justice, Constitutional and Religious Affairs coordinated the work of the sector, with activities implemented by the Supreme Court, Attorney General's Office, SERNAP, IPAJ, CFJJ and DNDHC.

Output 2 was implemented by the CNDH and GPJ, and Output 5 activities were implemented by the Ministry of Interior and Ministry of Justice.

Some institutions expressed strong dissatisfaction with the project coordination structure which placed them 'under' the coordination of the Ministry of Justice. They perceived that this structure marginalised their role, and their priorities and projects would have been better supported if they could engage with UNDP directly, rather than via the Ministry of Justice.

*'What needs to be improved is the coordination within the justice system. As you know, we have the National Directorate for Justice Administration representing us in the direct coordination with UNDP. We have the feeling that not all our needs and concerns are brought to the table when meetings are held. We would like to see a direct contact and relationship between us and UNDP with no intermediary in this project.'*²⁵

Similarly:

*'We cannot hide that in some way we felt that should the project have adopted a different management system, we could have done even more. The project was highly centralized and very much inflexible and insensible to critical needs we had as an organization.'*²⁶

And:

*'At the project design and conceptualisation level the coordination was clearly fluid and good. At operational and managerial level, it had many obstacles and should be improved. We have so many layers and it is difficult to keep the same messages and commands flowing at every layer. In our case, as part of the Justice System, we are represented by the National Directorate for Justice Administration representing in the direct coordination with UNDP. We would expect in future a model of coordination that brings every part or implementing partner on the table and with no intermediaries. We felt that communication was bad, and the treatment given to our concerns was very marginal.'*²⁷

²⁵ Interview with rule of law institution representative, 11 August 2022

²⁶ Interview with rule of law institution representative, 9 August 2022

²⁷ Focus Group discussion with rule of law institution representatives, 16 August 2022

These concerns were heightened when reallocation of UNDP's funds meant there were no longer sufficient funds to implement activities which had been previously approved in the Annual Workplan.

*'UNDP decided to reallocate what they called "idle funds" and those of us with lower burn rate were severely punished with funds being invested in activities to respond to COVID pandemic. This left us with unmet needs in our organizational system strengthening which was initially planned under this project – computers, tablets, modems, servers, equipment for webinars, and an electronic system that can allow channelling of petitions and complaints by the citizens.'*²⁸

Respondents perceived that a revised coordination mechanism would allow them to express their priorities more clearly to UNDP, and result in more funding allocated to them.

*'We must reshape the coordination mechanism making sure that there is a forum in which all parties participate as equals. We can then continue with sector meetings to better coordinate our components and see synergies but with the funding partner I believe we could all benefit the most if such an arrangement is introduced. Our own organization has unmet needs that had been planned for the lifespan of this project. So, if we could get back to that together with UNDP, we can re-examine how institutional capacity strengthen could be reinforced at all levels.'*²⁹

Given the constraints on UNDP's available funding, it is by no means certain that broader representation in the coordination mechanism would have led to different funding outcomes. However, it appeared that at least some respondents felt marginalised in relation to funding decisions, due to dissatisfaction with the process and particularly the defunding of agreed activities.

At a strategic level, some respondents appreciated the support of the project in helping to practically coordinate initiatives in the sector.

*'We have learnt with this project how wide, and how complex is the justice system and together, the ministries – justice and interior -, the autonomous entities – the Ombudsman and the National Human Rights Commission. All segments that play a part in making sure that we address justice systematically were stimulated by this project to contribute in some way.'*³⁰

c. Civil Society partnerships

The project has benefited from the Civil Society networks established under both the UPR Project and the Spotlight Initiative. In particular, the UPR Project has established a civil society forum of approximately 140 organisations, which provide feedback and recommendations including on SDG 5 and SDG 16.

The project has less direct engagement with civil society, given that most activities are implemented directly through Government institutions. Consequently, UNDP's work on this project seems less well known by civil society organisations interviewed during this evaluation. It would appear that there are opportunities for additional civil society engagement in the future,

²⁸ Interview with rule of law institution representative, 9 August 2022

²⁹ Focus group discussion with Civil Society Organisations, 10 August 2022

³⁰ Interview with rule of law institution representative, 12 August 2022

particularly as part of UNDP's shift towards area-based programming and people-centred justice approaches.

In a focus group discussion on improving access to justice for vulnerable and marginalised people, respondents recommended increased engagement with organisations affiliated with vulnerable people:

*'Projects of this nature should have partnerships with civil society representing certain fragments of populations. We are not saying that there are not civil society engaged in these projects, but we doubt whether some organizations involved really represent the most vulnerable groups we have been talking about. We always recommend that projects go and listen to the victims directly and then work with organizations with which the victims are affiliated.'*³¹

d. Regional (South-South) cooperation

Respondents highlighted the value of South-South cooperation, and gave several examples where the project had supported technical engagement at a South-South level. Two significant examples include:

- The exchange visit to Kenya to observe mobile courts / remote justice models. This exchange has created opportunities to develop e-justice and remote hearing pilots, with potential benefits in isolation situations such as COVID, but also in improving access in rural areas via virtual hearings.

*'We have also seen another interesting experience from East Africa through which screens are assembled in different cabinets including in penitentiary facilities and every individual or process subject can access it through a zoom system. It operates with least costs, and it is quick.'*³²

- The capacity assessment of the Human Rights Commission by former Commissioners of Regional Human Rights Institutions provided recommendations on strengthening the Human Rights Commission, including legal reforms, case management good practices, the development of training manuals and the communications plan. This capacity assessment was used by the Human Rights Commission and UNDP to mobilise additional support - some of which is delivered through UNDP (from the European Union) and other funding which is provided directly to the Human Rights Commission (eg from IOM and USAID).

Respondents advised the potential for future South-South coordination around topics including anti-corruption, PCVE, complex investigations such as organised crimes and financial crimes. English language may be a barrier for Mozambicans to participate in some South-South exchanges, although requests have been received to support some technical level English language programmes such as on anti-corruption. Rule of law personnel may also benefit from exchanges with Spanish speaking countries. However, it was suggested that exchanges are most effective when they involve middle-income earning countries with similar contexts to Mozambique; rather than engaging with countries that have very sophisticated systems which cannot realistically be implemented in Mozambique.

³¹ Focus Group Discussion with rule of law institution, 11 August 2022

³² Interview with Rule of law representative, 9 August 2022

e. General coordination issues

Stakeholders compared the overall project coordination as positive in comparison to the Spotlight Initiative, which they regarded as being more unwieldy, perhaps due to a larger number of institutional partners across the justice, health and gender sectors.

However, they compared project coordination as negative in comparison to the approach adopted by UNICEF, which reportedly makes greater use of Government systems for project implementation, including use of Government financial and procurement systems. This was seen by implementing partners as encouraging greater Government control, ownership and flexibility. However, UNDP respondents noted that these Government systems are relatively weak, with consequential risks of activities not being implemented as planned, and misuse of resources.

*'Building trust and decentralizing project administration and management could increase motivation and self-esteem, as well as organizational capacity development and consolidation of operational systems internally. More openness from UNDP side to engage at all project cycle levels with us can be rewarding for both sides.'*³³

Mozambique was a pilot country in the 'UN Delivering as One' initiative, and this experience may also have encouraged cooperation and collaboration between the UN agencies, according to their expertise and mandates.

How effective was the delivery of inputs specified in the project documents, including selection of responsible institutions, institutional arrangements, identification of beneficiaries, scheduling of activities and actual implementation;

Many of these issues have been discussed. The delivery of inputs was occasionally challenging from a procedural sense, due to the bureaucracy and procedures of UNDP interacting with urgent or incomplete requests from the partners.

The institution arrangements involved a broad range of rule of law institutions, primarily (under Output 1) coordinated by the Ministry of Justice. The intention of a lead institution was to facilitate coordination, however due to staff turnover within the Ministry of Justice and the non-renewal of the contracts of the technical unit staff, it is not clear that the Ministry of Justice was staffed to take on this role. The political arrangements between institutions were also challenging, with some respondents saying that they did not wish to be coordinated by a Ministry of Justice staff member who was more junior than them. However, the adoption of the formal coordination role by the Ministry of Justice a political level was not a complete solution, as the senior personnel did not have time to do detailed implementation work. At least some of the institutions coordinated by the Ministry of Justice expressed a preference for a direct relationship with UNDP, to assist in advocating for their needs and priorities.

The identification of ultimate beneficiaries has been incomplete.

- The project made some efforts to directly target people in detention. Two pilot modalities of itinerant justice initiatives heard a total of 284 cases. A significant investment in time,

³³ Interview with Rule of law representative, 9 August 2022

organisation and stipends / allowances is required for the functioning of the itinerant hearings as piloted. The cost and organisational demands suggest that a less weighty model could be more appropriate. The South-South exchange to Kenya provided an e-justice model which may be simpler and more affordable.

- The project collaborated with the Spotlight Initiative, on continuity of care.
- The project developed training resources to develop IPAJ capacities to respond to vulnerable people including people living with HIV / AIDS and SGBV. The impact of these training materials is unknown, and would benefit from a training impact assessment to learn about how the training materials have helped to improve services for vulnerable people.

There have been some delays in the scheduling of activities. Two notable delays were:

- Although the project commenced in 2018, the baseline assessment was not completed until mid-2021. It was not possible to use the baseline assessment as a baseline for this project, although it will form part of the evidence basis for the successor project.
- The procurement of the mobile court truck conversion was a lengthy process, compounded by lockdowns in South Africa which closed workshops and delayed the conversion of the truck. By the time the truck was procured, converted and delivered, there was only 2 months remaining for the pilot mobile court hearings. The delays led to shortened pilot implementation, which also meant that fewer cases could be heard during the pilot.

The fulfillment of the success criteria as outlined in the project document;

It is difficult for the evaluators to provide an opinion on this, as the success criteria were not clearly defined in the project document. It was intended that the baseline study inform the indicator baselines and then targets would be set. However, due to the delays in the baseline study, the survey data was not received in time.

Other sources of data could perhaps have been used in the interim. However it appears that the partner institutions based their activities and reporting more on progress towards the achievement of the tasks in their annual workplans than based on the project document. For example, under Output 1 of Project document, activity level indicators include:

- The number of women and men who turn to the Palaces of Justice annually
- Percentage of cases resolved by the Palaces of Justice
- Number of people assisted by the IPAJ,
- Number of people receiving legal assistance from justice caravans.

However, the reporting under Output 1 covers:

- The training of public defenders
- Validation workshop of the IPAJ capacity assessment
- Provision of vehicles and motorbikes to the Palaces of Justice
- Hiring a consultant on the legislation for alternatives to detention
- Completion of the training programme on Human Rights, SGBV and People living with HIV / AIDS.

The evaluators do not wish to suggest that the activities reported on do not have merit. However, there appears to be a fundamental disconnect between the level of reporting anticipated in the project document and the level of reporting received from the Implementing Partners.

The responsiveness of the project management to significant changes in the environment in which the project functions (both facilitating or impeding project implementation);

The project was implemented during a tumultuous period in Mozambique, including two cyclones, COVID 19 and worsening insecurity leading to displacement. The combined events shifted Mozambique from a development context to a humanitarian / recovery context, with corresponding demands on UNDP's TRAC resources which had been pledged for this project. The project adapted to each of these circumstances by refining the supported activities, and reprioritising based on the new priorities and the available budget. While there were some criticisms by partners about the way in which this was approached and the outcomes of the prioritisation, it does not appear that UNDP had another option, except for seeking to attract replacement / additional donor funding.

In relation to COVID-19, UNDP significantly changed approach to emphasise remote communication capacities. This may form the basis of future initiatives on digitalisation and e-justice, so there is a potential future benefit in addition to the immediate necessity.

While noting the concerns raised by some stakeholders about the funding reallocation process, it appears that UNDP generally acted positively and decisively in response to these significant changes in the external environment associated with the cyclones and COVID-19.

As discussed above, UNDP could perhaps have acted earlier in relation to the insecurity situation in Cabo Delgado, and may have been able to attract donor support for small-scale pilot rule of law / stabilisation and PCVE initiatives (ie pilot activities prior to the launch of the stabilisation programme in 2021, which could have then helped to inform the design and implementation of the stabilisation programme). Perhaps the outcomes of the NHRC field monitoring visits that UNDP supported could have been used to develop a small and technical offer of interest for some donors, and helped provide additional support for the rule of law institutions, while also providing early learning opportunities to inform UNDP's adaptive management approach. However, the evaluators take note of UNDP's response that the UNCT was waiting for the Government to lead on this, and the Government's Cabo Delgado Reconstruction Plan was only released in 2021.

Determine whether or not lessons learnt from other relevant programmes/projects were incorporated into the project.

The project builds upon lessons learned from earlier projects. The project document notes that the project design was informed by:

- (i) Joint engagement with OHCHR, national and international partners on access to justice and human rights, including the needs of detainees, survivors of SGBV, and people living with HIV/AIDS.
- (ii) Lessons learned in the establishment of the National Human Rights Commission, and the importance of operationalising the Commission so it can receive accreditation under the Paris Principles.
- (iii) Lessons learned in relation to UNDP's earlier engagement on promoting alternatives to detention, and the need for a strengthened legal framework to support this policy work.

Similarly, the project reporting highlights lessons learned which can inform future programming, including: ³⁴

- (i) The need for more substantive joint mobilization of resources and strategic mobilization of potential donors and partners with national authorities
- (ii) The need to enhance the capacity of the justice sector to operate in sector-wide interventions and to build RBM and results oriented skills and techniques to ensure program/project-oriented approaches are fastened in the planning and execution of the project
- (iii) The need to explore as appropriate a more targeted approach to partnership and institution beneficiaries to cope with challenges to resource mobilization and manage resources strategically
- (iv) The capacity of the sector to adjust to compelling circumstances, such as COVID-19 was essential to explore possible areas of future development and institutional capacity building, such as digitalization
- (v) Project synergies, such as with the Spotlight Initiative and the UNDP Project “Improving the Implementation of the Universal Periodic Review Recommendations in Mozambique through Strengthening the Monitoring Role of Civil Society” were important added values for the delivery of impactful coherent program outputs.

Were the monitoring and backstopping of the projects as expected by the key implementing partners?

Implementing partners were generally satisfied with the support provided by the Project team. There was a desire for UNDP to fund monitoring visits more frequently, as some institutions said they were only able to undertake monitoring visits with UNDP’s financial support, due to their financial situation.

Some respondents referred to a ‘gap’ in project management. Upon review, it is not clear if this gap refers to the changes in the project management unit at the Ministry of Justice following the non-renewal of the staff contracts. Or alternatively, if it refers to the period after the resignation of the former UNDP project manager, before all the project outputs were united under the international rule of law analyst. This may be clarified if further information becomes available.

The role of UNDP CO and its impact (positive and negative) on project delivery.

In general, the UNDP Country office was seen as supportive, notwithstanding some operational challenges and issues around the reallocation of TRAC resources.

There may be future opportunities for projects to make better use of Country Office expertise. The Mozambique Country Office has a dedicated international Monitoring and Evaluation Officer, and a dedicated A dedicated international Data and Analytics and Management Specialist leading the country office’s knowledge management work streams. r. These staff members are intended to assist the Country Office generally, rather than individual projects – for example, the main focus of the Monitoring and Evaluation Officer would be the reporting of results by UNDP at the Country Programme Document / ROAR levels, rather than project activity level. Having said this, given the Country Office has this expertise available, it would seem helpful to look for ways that projects may be able to benefit more from this expertise. For example, a review of the project logframe and reporting by the UNDP Country Office Monitoring and Evaluation officer would have helped

³⁴ Final Report, Strengthen Access to Justice and the Protection and Promotion of Human Rights 2018-2021 page 21

to highlight issues with the project logframe and reporting in time to advocate for course corrections. Similarly, from a Knowledge Management perspective the Data Analytics and Management Specialist may be able to offer training sessions in collaboration with project managers to implementing partners in Adaptive Management, to help to build their interest and capacities in evidence-based approaches to development projects.

g. Sustainability

How are the capacities strengthened at individual and organisational level to ensure sustainability of project results? To what extent are the project positive results likely to be sustained after the completion of the project?

The project has invested in sustainable approaches at the policy, organisational and individual levels.

At the policy level, the project has supported:

- The revision of the draft law on Community Courts. The Community Courts are the lowest level of Courts which are most accessible to justice seekers, and may be the only type of Court available in many rural areas of Mozambique. The revised legislation is intended to strengthen the legal basis and procedure of the Community Courts.
- The revision of draft legislation on alternatives to detention (ie, the Criminal law, Criminal Procedure Code, and the Code of Execution of Sentences). This work was accompanied by a South-South peer exchange between prison authorities in Brazil and Mozambique, along with a community sensitisation campaign.
- The development of the Community Policing Strategic Plan and a consultation framework for police - community consultations, identifying the lack of a legislative framework for Community Policing Councils.
- Piloting of the mobile court, to test approaches to delivering justice in areas without judicial infrastructure.
- Development of an Action Plan on the implementation of the UPR 2nd cycle recommendations; the mid-term and final submissions of the UPR 2nd cycle.

Policy initiatives are a long-term process, and often require support across successor projects. Noting for example the progress made on alternatives to detention, one respondent stated:

'Theoretically it is settled. We have agreed in legal reform to come up with it and have given responsibility to the Penitentiary Sector to accommodate and managed this complex I area. While the legal framework is there, it has not yet been regulated yet and that will be an important step to sort out all grey zones people have.'

At an organisational level, the project has supported:

- The deployment of IT capacities including website development, cash management dashboards and video conferencing, to help reduce interruptions to operations particularly during the COVID-19 period. This has helped to strengthen the use of IT within rule of law institutions, and provides a basis for digitalisation efforts in the future.
- Curricula review, including curricula on alternatives to detention, human rights, gender based violence, HIV / AIDS.
- The Strategic Plan and Communications Plan of the NHRC.
- Capacity assessment of the NHRC and compliance with the Paris Principles.

- The Strategic Plan and Communications Plan of the Ombudsman.
- The IPAJ needs assessment, exploring the capacities of the IPAJ to provide legal assistance to victims, vulnerable groups to GBV and people living with HIV/AIDS.
- Procurement of vehicles, motorbikes, computers, copies and IT equipment for six Palaces of Justice, PGR and IPAJ

One respondent noted the impact of this support on the NHRC:

*'UNDP has invested in the training of our personnel (Technicians and commissioners), has provided us with materials – sound system, zoom system for connectivity and this means we can operate online which we did even during the mobility restrictions imposed by COVID 19, but it also save us money. We have our Commissioners in the province, and I can meet them on a weekly basis without any of us leaving his location. We received a vehicle, computers, modems, printers, TV, and tablets.'*³⁵

At an individual level, the project has supported:

- The training of over 200 justice personnel at the Legal and Judicial Training Centre, using the new training manuals developed by the project on human rights, gender-based violence, and alternatives to detention (including a training of trainers component).
- Training 30 legal aid trainees (8 women, 22 men) in the first six months of a public defenders training course, also held at the Legal and Judicial Training Centre.
- Participation in a national forum on alternatives to detention (37 women, 87 men).
- Joint training by UNDP-OHCHR on humanitarian law and human rights in armed conflict.
- Training of police in the administration of the case management system.

One Judicial respondent noted:

*'We have embarked in what we could call continuous training and capacity development through this project... It is a training of trainers through which we ensure the trickle down of knowledges, practices, and attitudes to the colleagues at the implementation level to have a strong and comfortable domain of the instruments such as the penal code, the electoral litigation, etc. It has proved to be very functional. Of course, in numbers (of people remaining to be trained) we are far behind.'*³⁶

Another respondent noted that the training courses funded by UNDP focused mainly on technical staff - ie, judges, magistrates, prosecutors, lawyers; and that administrative staff, clerks, finance staff, planning and statistics staff, IT staff were omitted or received less attention:

*'It is unfortunate that you demand sustainability, but you do not look at the organization as a system, you are just investing in silos. We did not have allocation of budget in this project to design and run training sessions for these categories of professionals.'*³⁷

The largest question mark relating to the continuation of project activities is funding. The Government of Mozambique has limited funds available, and other sectors such as health are perhaps treated with a higher priority than justice. Based on the evaluation interviews, it appears that most project activities are supported by the Government. However, it appears that the Government cannot yet independently fund the type of activities implemented by the project. This raises potential issues for the maintenance and operational costs of assets including vehicles and

³⁵ Rule of law stakeholder interview, 15 August 2022.

³⁶ Rule of law institution interview, 9 August 2022

³⁷ Rule of law institution interview, 11 August 2022

IT equipment. Project staff said that after the equipment was provided, the Government continued to ask for the payment of fuel, insurance, renewal of zoom licenses, etc - the funds were not available to meet these ongoing costs.³⁸

One respondent from the Legal and Judicial Training Centre developed this idea further:

*'Since the establishment of this Centre – more than 20 years ago – we have been relying on cooperating partners who have supported us to run our courses and research. Over the last 5 years, with the hidden debt crisis and the world financial crisis, donors have left, and we have been running the Centre with only contributions from the state budget. It is a minimal contribution that covers only salaries and some fixed costs. This project therefore came in a very crucial moment and has helped us to resume our mission.'*³⁹

Ultimately, the long-term dependence of a state institution on external donor funding is undesirable. Ideally the project would identify this as part of the sustainability plan, and seek options for progressively reducing this external dependence - for example, by advocating for additional Government funds, or introducing some courses on a fee-for-service basis to cover (or partially cover) course costs.

While noting the value of piloting the concept, the mobile court was identified by some respondents as being too expensive for the Government to afford to operate. The respondents compared the 'truck model' of the mobile court supported by UNDP with the lower cost mobile court model observed during the South-South study tour to Kenya, which World Vision is reportedly currently piloting in three districts of Nampula Province – Nacaroa, Monapo and Murrupula.⁴⁰

Finding: The project has developed and implemented a range of activities at the policy, organisational and individual level which collectively provide a basis for future benefits. Some of these initiatives will need to be built on further to obtain proper benefits - it is important that strategic plans are implemented, that IT initiatives take place within an overall ICT / e-governance / digitalisation framework, and that the policy initiatives developed with the support of the project receive Government support and are implemented. The lack of ongoing funding undermines the capacity of the Government to take over project activities.

The project has not developed a sustainability plan. The project envisaged that the activities would transfer to the Government in the last six months of project implementation. This assumption appears unrealistic, as many activities require ongoing support.

The project has procured a range of assets, including vehicles, motorbikes and IT equipment. These assets are at risk unless properly maintained and secured. In contexts with budget constraints, it is common to find that maintenance has been deferred. The project undertakes some verification and spot-checks, as highlighted above.

³⁸ UNDP project staff interview, 8 August 2022

³⁹ Rule of law institution interview, 11 August 2022

⁴⁰ Rule of law institution interview, 9 August 2022

Recommendations:

In general, each project should develop a sustainability plan, led by the Project manager in consultation with partners and reviewed by the Country Office and the Technical Committee. Sustainability discussions should include partner contributions (potentially in kind), diversification of donor funding sources, and the inclusion of project activities in Government sectoral plans for planning and future budgeting purposes.

Care should also be taken that the Government has the capacity to effectively continue the activities commenced with donor support – ie that the level of support provided matches the absorptive capacity of the institutions. This may also involve more explicit discussions with Government about multi-year priorities – since agreeing to support some activities may commit UNDP and the Government to continue to support that same workstream in the future so the gains can be embedded, at the expense of funding potential new initiatives. Programming decisions should be made on a life-cycle basis – ie, taking into account the whole of life costs, including acquisition, maintenance, operating costs etc. This involves upfront consideration of the operating costs of the mobile court, future licensing costs for zoom and case management software, etc.

In general, project investment in assets, including vehicles and IT equipment is regarded as higher risk to the nature of the assets and their deployment across institutions and locations. UNDP has already undertaken spot-checks and asset verification which is positive. These should continue to be accompanied by periodic monitoring and reporting by UNDP and the partner institutions to confirm the status of the assets and ensure they are being used and maintained for their intended purposes.

What strategies does the project have to ensure continuation and sustainability of the project outcomes after completion of the project? What are recommendations for similar intervention in future to ensure sustainability?

The project was designed in support of the Government's priorities and implemented in part through the National Implementation Modality to encourage ownership and sustainability.

The project document notes that:

*'A sustainability plan and exit strategies based on clear timelines and milestones will be agreed on and integrated into programme outputs and activities in the mid-term review phase. This process will involve consultations with donors and other development actors working in the sector to further inform the details of the exit strategy. Finally, the last 6 months of the Project will focus on consolidating sustainability measures to ensure national ownership and capacities to carry forward project achievements and develop relevant sustainability-related knowledge products.'*⁴¹

Unfortunately, the project did not convene the mid-term review process, or develop a sustainability plan.

⁴¹ Project document, 'Strengthen access to justice and the Protection and Promotion of Human Rights 2018-2021' page 38

It should further be noted that consolidating sustainability is a lengthy process, and should ideally not be left to the final six months of the project.

Noting that UNDP did not mobilise funds from external donors during the project period, respondents suggested that there may have been opportunities for UNDP to approach donors in partnership with justice institutions. This may also have strengthened relationships with partners by engaging with them in co-design and joint resource mobilisation.

A useful transitional step towards advocating for Government contributions towards the cost of activities (or sustaining the activities after the project has ended) is to include the project's activities in the Government's planning processes. One respondent recommended this as follows:

*'We have no choices; we know that one day the support we get from our partners which we very much appreciate will vanish. It is time now to begin bringing these issues into our planning cycle in our Sectoral Social and Economic Plans (PES) slowly.'*⁴²

g. Future programming considerations

The evaluators have had the opportunity to briefly review the project document for the successor programme, 'Strengthen the Rule of Law and protection of human rights particularly in areas affected by conflict and displacement, thus contributing to bolstering the social contract in Mozambique'. This project was developed and approved by the Local Project Appraisal Committee during the period of the evaluation.

The evaluators note that some of the issues raised in this evaluation have already been taken into consideration in the design of the new project. At the request of the Country Office, the evaluators would like to provide the following observations for consideration.⁴³

- The successor project document sets out a much stronger evidence basis for the action, building on the current project and additional evidence sources. This includes data on court case flow, conviction rates, confidence in justice institutions, pre-trial detention rates, and an analysis of underlying development challenges relevant to the project.
- The project document takes a more geographically defined (area-based approach), focusing particularly on Northern Mozambique. This area is experiencing insecurity related to non-state armed groups and natural resources exploitation, which undermines the operational capacity of the rule of law institutions. There are accordingly PVCE dimensions to the new project approach.
- The project will link with UNDP's Stabilisation programme and UNDP's Peacebuilding and Social Cohesion programme. There may be opportunities for strengthened collaboration on grass-roots access to justice via dispute resolution mechanisms in conjunction with UNDP's Peacebuilding programming, given the challenges facing the formal justice institutions in Northern Mozambique.
- Given the explicit focus on displacement in the project document, there may be opportunities to benefit from the UNDP – UNHCR partnership on Forced Displacement which includes rule of law as a thematic area.⁴⁴

⁴² Rule of law institution interview, 9 August 2022

⁴³ Note that these comments are the preliminary observations of the evaluators, and are not the subject of a detailed review or triangulation with other stakeholders.

⁴⁴ <https://www.undp.org/publications/undp-unhcr-partnership-forced-displacement>

- The new project has already successfully attracted external donor support, which has been a major constraint under the current project. The European Union has agreed to contribute approximately \$850,000, and the Norwegian Embassy has agreed to contribute approximately \$675,000. In addition, UNDP global vertical funds of approximately \$275,000 have been contributed.
- However, the project is still approximately 75% unfunded, with the major funding source being UNDP Country Office TRAC resources (\$4,000,000). There is a risk that external shocks may require the reallocation of TRAC funding, as experienced during this project. Additionally, the amount of the unfunded budget may raise expectations of support from partners which may realistically not be met.
- The project logframe is substantially complete (with several baselines remaining to be determined during inception). It will be important to ensure that the activities funded under the project and the reporting of partners remain aligned with the logframe, rather than partners simply reporting on the activities that they have completed – particularly since many indicators are again reliant upon data reported by the implementing partners. Should the partners not have the capacity to work with this structure, UNDP may be required to provide some capacity building initiatives or support to analyse and collate the data in the required format. Selected indicators may also be reviewed and adjusted if it continues to not be feasible for partners to report against them.

7. Overall conclusions and strategic recommendations

The evaluators draw the following conclusions, and present the accompanying findings and recommendations for consideration:

General findings:

1. The project has overall delivered well, during an exceptionally difficult period of significant external turmoil. These external events included Tropical Cyclones Idai and Kenneth in 2019, the impact of COVID-19 and the progressive deterioration of security in parts of Mozambique, notably Cabo Delgado. The UNCT shifted from a development context to humanitarian and recovery within the project period. Each event required the reprioritisation of project activities and project funding, with consequential impacts for some planned activities that could no longer be funded.
2. The project marks a sustained long-term engagement by UNDP in the justice sector of Mozambique, commencing since the 1990s. The use of UNDP's core TRAC funding to ensure that this partnership continued in the absence of other international donors is likewise notable and commendable.
3. There was a strong commitment by implementing partners to the project activities. Notably the Ministry of Justice exercised the primary coordination role under Output 1, however other institutions were very willing to be involved and to have increased participation in the project.
4. The project scope remained very ambitious. The initial project design was broad thematically and financially. The coordination mechanism and number of institutions involved were established based on the expectation that the project would be fully funded. Although activities were reprioritised to match the available funds, the number of institutions involved in the project remained the same, and the coordination mechanism was not made more streamlined.
5. The project benefited from coordination with UNCT members under the Spotlight Initiative and with OHCHR under the UPR project - "Improving the Implementation of the Universal Periodic Review Recommendations in Mozambique through Strengthening the Monitoring Role of Civil Society". The project also collaborated with UNDP projects, such as linking civil and political rights to UNDP's election project.
6. The project implementation partners and project management team should be commended for their efforts to implement the project, during a difficult period and with significant funding constraints.

Specific findings and recommendations:

Findings	Recommendations
Relevance	
<p>7. The project is highly relevant to the Government's goals as outlined in both Five-Year Plans which span the project implementation period; and highly relevant to the UN / UNDP's institutional architecture and associated goals as enumerated in the SDGs, UNDAF and Country Programme Document.</p>	<p>a. The project would benefit from clearer articulation of the Theory of Change in relation to reaching vulnerable people and improving access to justice. The project assumption is that stronger institutions will be better able to provide access to justice. This is an assumption that the project could have tested, through increased emphasis on evidence generation and evidence-based decision making (which is a principle of people-centred justice approaches).</p> <p>b. Adopting a people-centred approach to justice, the project would have benefited from more clearly articulating the justice needs of justice users from their perspective, rather than the perspectives of rule of law institutions to deliver justice services. This may have led to a greater engagement with justice mechanisms which are closest to people, in particular the Community Courts.</p>
<p>8. The project articulates a strong focus on various forms of vulnerability, including women (particularly in relation to SGBV), people in detention, people leaving in rural areas and people living with HIV / AIDS. While noting positive project results in policy development, capacity development and service delivery relevant to vulnerable people, during implementation these activities were implemented in a more limited way than originally planned, due to changes in strategy (discontinuing Outputs), limited funding and competing priorities.</p>	
<p>9. While consideration of the needs of some vulnerable groups was clear, the needs of other groups such as people living with disabilities, people with albinism etc were not clearly articulated or targeted.</p>	
<p>10. With the potential exception of the workstream on Community Courts, the project strategy primarily targeted the formal rule of law institutions. However based on information including the project baseline study, these institutions are not the most relevant means of seeking justice for many people, especially those living outside of cities.</p>	
<p>11. While noting the relevance of the project activities to Government and UN priorities, the nexus between some of the project activities and improved access to justice outcomes is remote – there may be some benefits, but the success of many activities appears dependent on ongoing donor funds to support further refinement and implementation.</p>	

Findings	Recommendations
12. The lack of precision in the project logframe (including missing indicators, targets and baselines) coupled with reporting aligned to activities rather than indicators, makes it difficult to determine the impact of the project against the indicators on a quantitative basis.	
Effectiveness	
13. The project has conducted regular monitoring of project activities. These were conducted using several approaches - by UNDP independently, by UNDP's agents, and jointly with partners. Monitoring was conducted in person and also remotely during the COVID-19 lockdown period. Most monitoring has taken place at the activity level, with less emphasis on monitoring and reporting at output and outcome levels.	c. Greater attention was required by UNDP to ensure that the project logframe was a useful and relevant tool to guide project implementation. It is difficult for the project to articulate results when the indicators, baselines and targets are not set, and are not reported against by UNDP nor by implementing partners. d. The Country Office programme team and Monitoring and Evaluation officer could play a stronger role in ensuring that the project logframes are complete and that reporting is aligned with logframes. The Country Office could also support training on results-based management and adaptive management for implementing partners, to promote the importance of making evidence-based decisions.
14. The Project's logframe is weak, and is missing key information including Output indicators, Activity baselines and targets.	
15. Project reporting by partners and UNDP is not aligned with the project logframe, but is rather aligned with progress against activities in the approved annual workplan.	
16. Although the project commenced in 2018, the baseline study was not completed until mid-2021. While the baseline can be used to inform the development of the successor project, it was too late to aid the current project.	
17. The Chief Technical Adviser position was not filled during the project period. This was reportedly at the request of the Implementing partners, who wished to maximise the available budget to support activities. The absence of the CTA role meant the project lacked some coherence (as a result of the outputs implemented by 3 different project managers) and lacked some senior level technical expertise. It is not clear what steps were taken by UNDP to mitigate this absence, if any.	
	e. Where the external environment changes so significantly that the project logframe and activities are no longer relevant, a formal project revision process can be used to revise the document to the new circumstances. There is some evidence of project adaptation, including the discontinuation of Outputs 3 and 4, however in the absence of the Project Board meeting minutes it is not clear what process was followed to reach this decision. f. UNDP could have mitigated (or partially mitigated) the absence of the CTA role by

Findings	Recommendations
18. Although there were significant external shocks, changes in the level of available funding, indications of a weighty coordination mechanism and the planned CTA position was not filled, the project did not conduct a mid-term evaluation to consider progress to date and course corrections that may be required.	requesting a detailed assignment to support difficult periods (including renegotiating workplans with partners), engaging a senior consultant on a part-time periodic basis to provide support making more use of UNDP's communities of practice and UNDP's global technical expertise.
19. The use of pilot initiatives has been beneficial to test new approaches, including in relation to mobile courts. This innovative approach should be encouraged, and accompanied by a formal review process to document the lessons learned and adaptations required. However, innovative approaches should also be founded on UNDP's pre-existing knowledge base of good practices, which can help to ensure pilot activities are well-founded.	g. A mid-term review could have provided an opportunity for UNDP and partners to take stock of the new environment and identify course corrections.
20. The use South-South exchanges has been valuable on this project, notably in relation to the capacity assessment of the INHRC which has been catalytic in mobilising new funds for the NHRC; and in relation to the mobile court study tour to Kenya which has provided an entry-point for a revised approach to mobile courts and future e-justice / digitalisation initiatives.	
Efficiency	
21. Apart from Year 1 (2018), the project had a high rate of delivery (between 94 and 99%). The overall rate of project delivery was 85.5%	h. The project Coordination structure involves a large number of institutions. Given the changing environment and reduced resources available, there was a risk that the project tried to do too much, with too many different actors, with too little budget, and inadvertently compromised on some of the initial project objectives in order to meet priorities in the institutions' annual workplans. Following the reduced funds available, a reduction in the membership of the Technical Committee structure may have helped manage expectations and budget demands (although the evaluators acknowledge that this may not have been politically easy). Purely as an example, the
22. Some detailed financial data is not available, including financial disbursements by implementing partner and financial disbursements by UN budget code. This limits financial findings that can be made by the evaluation.	
23. There is an element of mutual blame in relation to operational processes, compounded by bureaucracy in UNDP's procedures and partner staff turnover leading to a loss of institutional knowledge of how to work with UNDP's procedures.	

Findings	Recommendations
<p>24. Partners requested a greater degree of financial transparency from UNDP on their budget allocation and delivery rate, to allow them to participate more effectively in budgeting and prioritising activities. Underlying this is a preference for UNDP to channel funds through the partners' own systems for procurement, payments and project implementation. The Country Office already undertakes regular HACT assessments and spotchecks to assess implementing partners' financial capacity.</p>	<p>police may have been willing to step back from this project if they had the opportunity to participate in a PCVE or stabilisation project in Cabo Delgado.</p> <p>i. Given some of the identified communication and capacity issues, more efforts could have been made to support the technical capacities of the MOJ coordination unit, including structured training supported by the Country Office and exploring co-location options for project staff to embed within the Project implementation unit.</p>
<p>25. The Project Coordination structure involved many institutions, some of whom were unsatisfied with a limited role, and with the limited support available. However, the participation of all the institutions in the Technical Committees may have hampered the ability of the project to adapt quickly to the changing environment.</p>	
Implementation	
<p>26. Due to the turnover of staff within UNDP and the implementing partners, information, some project information was reportedly not available. It is likely that other projects face similar issues with their partners.</p>	<p>j. While noting the reduction in donor interest in the justice sector, is it possible that UNDP could have done more to reduce the project's reliance on TRAC funding from the outset? Options raised during the evaluation included joint UNDP / Ministry approaches to potential donors, re-engaging donors through the sectoral Ministry / Civil society / donor coordination process, and developing pilot concepts that may interest donors who may have limited funds.</p> <p>k. The project may have been able to respond more nimbly to develop pilot initiatives around Cabo Delgado, including pilot area-based justice and security approaches, combining access to justice, stabilisation and PCVE elements (prior to the launch of the main stabilisation programme in 2021).</p> <p>l. The Project team can play a stronger role in ensuring that key documents from UNDP and partners are archived in</p>
<p>27. Relationships were viewed as positive between UNDP and partners, notwithstanding challenges such as renegotiating funded activities on project workplans.</p>	
<p>28. TRAC funding is intended for catalytic and strategic purposes, rather than sustained project implementation. While the size of the TRAC funding contribution highlights the importance to UNDP of continued engagement in the justice sector, it also leaves the project vulnerable to emergency demands that may also require TRAC funding.</p>	
<p>29. Two major delays which impacted the project were the delay in completion of the baseline assessment, which jeopardised the project's evidence base, and the delay in procurement and delivery of the converted truck for the mobile court, which compressed the time available for the pilot testing.</p>	

Findings	Recommendations
<p>30. There is a disconnect between the project document and preliminary (incomplete) logframe, and the project's reporting during implementation. The partner reports are based on approved annual workplan activities, but the alignment between the project document, logframe, annual workplan and reports is not longer clear.</p>	<p>accordance with UNDP's knowledge management procedures. The UNDP Country Office could play a role in overseeing this, and in developing training materials for implementing partners so approaches can be standardised across projects and partners.</p>
<p>31. The triple project manager structure potentially created ambiguity as to who was responsible for core project management tasks – for example, the preparation of a project sustainability plan, project records management, project revisions, project resource mobilisation, the preparation of consolidated project reports. Each project manager undertook tasks in relation to their own output, but some cross-cutting tasks remained incomplete.</p>	<p>m. Annual workplans and reports should relate to the project document and project indicators. Where these indicators are no longer relevant, they should be revised.</p>
Sustainability	
<p>32. The project has developed and implemented a range of activities at the policy, organisational and individual level which collectively provide a basis for future benefits. Some of these initiatives will need to be built on further to obtain proper benefits - it is important that strategic plans are implemented, that IT initiatives take place within an overall ICT / e-governance / digitalisation framework, and that the policy initiatives developed with the support of the project receive Government support and are implemented. The lack of ongoing funding undermines the capacity of the Government to take over project activities.</p>	<p>n. In general, each project should develop a sustainability plan, led by the Project manager in consultation with partners and reviewed by the Country Office and the Technical Committee. Sustainability discussions should include partner contributions (potentially in kind), diversification of donor funding sources, and the inclusion of project activities in Government sectoral plans for planning and future budgeting purposes.</p>
<p>The project has not developed a sustainability plan. The project envisaged that the activities would transfer to the Government in the last six months of project implementation. This assumption appears unrealistic, as many activities require ongoing support.</p>	<p>o. Care should also be taken that the Government has the capacity to effectively continue the activities commenced with donor support – ie that the level of support provided matches the absorptive capacity of the institutions. This may also involve more explicit discussions with Government about multi-year priorities – since agreeing to support some activities may commit</p>

Findings	Recommendations
<p>The project has procured a range of assets, including vehicles, motorbikes and IT equipment. These assets are at risk unless properly maintained and secured. In contexts with budget constraints, it is common to find that maintenance has been deferred. The project undertakes some verification and spot-checks, as highlighted above.</p>	<p>UNDP and the Government to continue to support that same workstream in the future so the gains can be embedded, at the expense of funding potential new initiatives. Programming decisions should be made on a life-cycle basis – ie, taking into account the whole of life costs, including acquisition, maintenance, operating costs etc. This involves upfront consideration of the operating costs of the mobile court, future licensing costs for zoom and case management software, etc.</p> <p>p. In general, project investment in assets, including vehicles and IT equipment is regarded as higher risk to the nature of the assets and their deployment across institutions and locations. UNDP has already undertaken spot-checks and asset verification which is positive. This should continue to be accompanied by periodic monitoring and reporting by UNDP and the partner institutions to confirm the status of the assets and ensure they are being used and maintained for their intended purposes..</p>

8. Annexes

- a. Assignment Terms of Reference
- b. Meeting schedule / List of stakeholders consulted
- c. Evaluation matrix
- d. Output 1 – Ministry of Justice progress self-assessment
- e. List of sources reviewed
- f. Evaluators biographies
- g. Evaluators pledge of ethical conduct in evaluation

Annex A. Terms of reference

Final Evaluation of the Project Access to Justice and Human Rights 2018-2021 - International Consultant

Location :	Maputo, MOZAMBIQUE
Application Deadline :	15-Apr-22 (Midnight New York, USA)
Time left :	0d 18h 43m
Additional Category :	Sustainable Development and Poverty Reduction
Type of Contract :	Individual Contract
Post Level :	International Consultant
Languages Required :	English Portuguese
Starting Date :	22-Apr-2022
(date when the selected candidate is expected to start)	
Duration of Initial Contract :	35 days
Expected Duration of Assignment :	35 days

Background

The UNDP and the Rule of Law Sector of Mozambique have partnered in support to the Justice sector and Human Rights since the late 1990s. Projects implemented in the last decade have produced visible results and have supported the introduction of a new philosophy leading to improved service delivery in the justice context. Such philosophy includes in a few districts the one-stop-shop approach to service delivery embodied in the “houses of Justice”, commonly called “Palaces of Justice”, where all the Criminal Justice institutions are in the same building. This has been gradually allowing for pursuing the goal of simplifying a criminal justice process that so far has been too complicated to the general citizen as it has been generally offered in different geographical areas and distant buildings and therefore inaccessible to citizens in decentralized areas. By constructing and equipping “Palaces of Justice” at the district level, focus was being given to supporting disadvantaged groups and work with beneficiaries often marginalized by those aid-programs that work only at national level. Within the UNDAF period 2012-2016, where UNDP provided support to the Ministry of Justice, Constitutional and Religious Affairs, through a comprehensive intervention addressing the capacities of the Supreme Court, the Attorney General’s Office, the Correctional Services, the Free Legal Aid Institute, and the National Human Rights Commission. The project Access to Justice and Human Rights 2018-2021 builds on the lessons learned from decades of progressive intervention and expansive support to justice, human rights and policing institutions and is guided by the United Nations Development Assistance Framework 2017-2020 (UNDAF), and now renamed United Nations Sustainable Development Cooperation Framework (UNSDCF). The Project aims to strengthen access to justice and the promotion and protection of human rights, as well as strengthen the capacity of law enforcement agents and law enforcement agents to prevent and combat gender-based violence and deal with situations arising from stigma and discrimination associated with HIV and AIDS in Mozambique, women, and other vulnerable groups. It aims to develop the capacity of rights holders and duty bearers, promote the collection and processing of data, evidence-based rights and policies, prioritization and provision of services, accountability structures, coordination and partnerships between the justice sector and human rights institutions, as well as civil society, with a commitment to improve the implementation of commitments under the Sustainable Development Goals Agenda of the United Nations 2030. The project directly supports to:

1. Ministry of Justice (Supreme Court, the Attorney General’s Office, the Correctional Services, Legla and Judicial Training Centre, the Directorate for Human Rights, the Free Legal Aid Institute)
2. National Human Rights Institutions (the Ombudsman and the National Human Rights Commission)
3. Ministry of Interior (Police of the Republic of Mozambique, SERNIC).

Duties and Responsibilities

- Design the detailed scope and methodology (including the methods for data collection and analysis) for the report.
- Review documents.
- Data collection.
- Actively engage the project stakeholders and leads consultations and presentations of findings.
- Conduct an analysis of the outcome, outputs and partnership strategy (as per the scope of the review described above) for the report.

Competencies

Corporate Competencies:

- Demonstrates integrity by modeling the UN's values and ethical standards (human rights, tolerance, integrity, respect, and impartiality);
- Promotes the vision, mission, and strategic goals of UNDP;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.

Functional Competencies:

- Consistently approaches work with energy and a positive, constructive attitude;
- Strong interpersonal and written and oral communication skills;
- Has ability to work both independently and in a team, and ability to deliver high quality work on tight timelines.

Required Skills and Experience

Academic Qualifications:

- Master's degree in Law, Human Rights or any other relevant field

Relevance of experience:

- Minimum of 15 years of work experience in the area of Justice and preferably also on human rights
- Minimum of 7 years of experience in Evaluation of international development projects and programmes.
- Strong analytical skills and strong ability to communicate and summarize this analysis in writing.
- Previous experience of evaluation of Justice and/or Human Rights projects in sub-Saharan Africa is strongly desired.

Language proficiency:

- Fluency in English is essential.
- Knowledge of Portuguese will be an asset.

SELECTION PROCESS

- Letter of application with duly accomplished Letter of Confirmation of Interest and Statement of Availability for the entire duration of the assignment.
- Personal CV and P11 Form, indicating all past relevant experience, as well as the contact details (email and telephone number) and three (3) professional references.
- Brief letter of presentation describing: .1. why the individual considers him/herself as the most suitable. This should include a brief description of how the candidate meets all the mandatory requirements and how her/his experience meet the requirements for assignment. .2. how the individual consultant will approach and complete the assignment.
- Financial Proposal that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided by UNDP.

The selection process will be based on the evaluation of both the Technical Criteria (70%)(CV; P_11; Letter of Presentation) and the Financial Proposal (30%).

Annex B. Meeting schedule / List of stakeholders consulted

Respondent	Gender	Entity	Responsibility	Duty Station/location
Key informant interviews held				
Dr. Jeremias Alfredo Manjate	Male	Supreme Court	General Secretary	Maputo
Dr. Agostinho Roruto	Male	Attorney General Office	General Secretary	Maputo
Dr. Luis Bitone Nahe	Male	National Human Rights Commission	President	Maputo
Dra Aissa Aiuba	Female	Ministry of Justice Constitution and Religion Affairs	National Director of Justice	Maputo
Dr. Dionisio Macule	Male	Ministry of Justice Constitution and Religion Affairs	National Director for Human Rights	Maputo
Dr. Leandro Marcelino Dra Graca Nhate	Male	Attorney General Office	Head of Central Department	Maputo

Respondent	Gender	Entity	Responsibility	Duty Station/location
Dr. Manafa Pildes	Male	Ministry of Justice Constitution and Religion Affairs	Focal point at IPAJ	Maputo
Dra Paula Muchine	Female	Ministry of Justice Constitution and Religion Affairs	National Director of SERNAP/SPAP	Maputo
Dra Herminia Pedro	Female	Supreme Court	Head of Department	Maputo
Dra Justina Cumbe	Female	The Police General Command	National Director – Studies and Planning Department	Maputo
Joao Roberto Sumburane	Male	The Police General Command	Head of Administration and Project Management Subunit	Maputo
Flora Quembo	Female	National Human Rights Commission	Advisor and Focal Point	Maputo
Dr. Lalita Balate	Female	Ombudsman Office	Focal Point for Partnership	Maputo

Respondent	Gender	Entity	Responsibility	Duty Station/location
Dr. Geremias Maloa	Male	Ombudsman Office	Head of Studies and Cooperation Division	Maputo
Dr. Luis Comichane	Male	Ministry of Justice Constitution and Religion Affairs - SERNAP	Focal Point	Maputo
Dr. Zulficar Rama	Male	Ministry of Justice Constitution and Religion Affairs - CFJJ	Head of the Pedagogical Department	Matola
Dr. Margarida Flavia Chaisse	Female	Ministry of Justice Constitution and Religion Affairs - CFJJ	Head of the Statistics, Planning and Cooperation Department	Matola
Stelio Guambe	Male	Ministry of Justice Constitution and Religion Affairs – CFJJ	Head of the Finance subunit	Matola
Adelina Placida Novela	Female	Ministry of Justice Constitution and Religion Affairs - CFJJ	Head of the Academic Registration Subunit	Matola
Daniel de Sousa	Male	Ministry of Justice Constitution and Religion Affairs - CFJJ	Software Technician	Matola

Respondent	Gender	Entity	Responsibility	Duty Station/location
Dra Nazarete Reginaldo	Female	Provincial Directorate of Justice and Labour	Provincial Director	Sofala – Beira
Matateu Armando Salvador	Male	Provincial Directorate of Justice and Labour	Head of Internal Control Unit	Sofala – Beira
Marcos Fernando Moiane	Male	Central Penitentiary Establishment of Beira	Acting Director in the absence of Penitentiary Establishment Director	Sofala – Beira
Eder Domingos Cumbula	Male	Central Penitentiary Establishment of Beira	Head of Inspection Department in Sofala Province	Sofala – Beira
	Male	Judicial Tribunal of Sofala Province	Provincial Judge	Sofala – Beira
	Male	Judicial Tribunal of Sofala Province		
	Male	Judicial Tribunal of Sofala Province		

Respondent	Gender	Entity	Responsibility	Duty Station/location
Leitão Renato Brispo	Male	Community Tribunal of Macute (neighborhood in Beira City)	Elected Community Judge and President of the Community Tribunal	Beira
Narjess Saidane	Female	UNDP	Resident Representative	Maputo
Francisco Roquette	Male	UNDP	Deputy Resident Representative	Maputo
Habiba Rodolfo	Female	UNDP	Head of Governance and Social Cohesion Unit – Team Leader	Maputo
Rolando Baratta	Male	UNDP	Project Manager	Maputo
Rosa Langa	Female	UNDP	Former Project Manager	Maputo
Miriam Tembe	Female	UNDP	Project Manager Spotlight	Maputo
Eduardo Fugikawa	Male	UNDP	Program Analyst	Maputo

Respondent	Gender	Entity	Responsibility	Duty Station/location
Teresa Matavele	Female	UNDP	Program Associate	Maputo
Focus Group Discussions held				
Egidio Muchanga	Male	Pathfinder International	Human Rights Junior Officer	Focus group discussion held in Maputo. Both Platforms are national
Julia Vilanculos	Female	Female Sex Workers Platform	Platform Coordinator	
Lassanta Rajabo	Transgender	MSM and Transgender Platform	MSM and Transgender Platform Coordinator	
Dr. Delfino Raimundo	Male	The Police General Command	Gender-based violence Victims Care Subunit	Focus group discussion held at the Police General Command in Maputo
Dra. Acima Candido	Female	The Police General Command	Police Ethics, Planning and Management Subunit	
Dra Josina	Female	The Police General Command		

Respondent	Gender	Entity	Responsibility	Duty Station/location
Dra Alzira Jofrisse	Female	The Police General Command	Community Policing Subunit	
Jacinto Belane Paunde	Male	Community Tribunal of Matacuane	Elected Community Judge	Focus group discussion with the Matacuane community Tribunal in Beira City
Armando Rogisse Chale	Male	Community Tribunal of Matacuane	Elected Community Judge	
Jose Fernando	Male	Community Tribunal of Manga	Elected Community Judge	Focus group discussion with the Manga community Tribunal in Beira City
Manuel Socanhe	Male	Community Tribunal of Manga	Elected Community Judge	
Joao Antonio Manganhe	Male	Community Tribunal of Manga	Elected Community Judge	
Dorca Simao Joao Fernando	Female	Community Tribunal of Manga	Elected Community Judge	
Suzar Manuel	Male	Community Tribunal of Manga	Elected Community Judge	

Respondent	Gender	Entity	Responsibility	Duty Station/location
Lencastre Andrassone	Male	Community Tribunal of Esturro	Elected Community Judge	Focus group discussion with the Esturro community Tribunal in Beira City
Domingos Maria Muchanga	Male	Community Tribunal of Esturro	Elected Community Judge	
Francelino Caetano	Male	Community Tribunal of Esturro	Elected Community Judge	
Francisco Trabuco	Male	Community Tribunal of Chipangara	Elected Community Judge	Focus group discussion with the Xipangara community Tribunal in Beira City
Zacarias Mabota Marceta	Male	Community Tribunal of Chipangara	Elected Community Judge	
Arminda Mandava	Female	Community Tribunal of Chipangara	Elected Community Judge	

Annex C. Evaluation Matrix

Issue		Means of Verification	Data collection method
Results and Achievements			
1	What has been the progress made towards achievement of the intended results? What are the reasons for this achievement or non-achievement?	Project progress reports Monitoring framework Stakeholder feedback	Document review Key informant interviews
2	What are the implications for achievement or non-achievement of the project activities?	Stakeholder feedback	Document review Key informant interviews
Relevance			
3	How relevant is the project to the global, regional and national development goals?	Evidence of project development based on Government and UN policy framework documents, international obligations and needs assessments	Document review Key informant interviews
4	How relevant is the project to the development needs of the people/beneficiaries, in particular women and vulnerable groups including persons with disability and albinism?	Stakeholder feedback	Key informant interviews
5	What opportunities are there to better align the support to the changed context and the needs of the beneficiaries? Are there risks associated with some work areas, from a do no harm perspective?	Needs assessments Stakeholder feedback	Document review Key informant interviews
6	Whether the outcome and outputs of the projects were stated explicitly and precisely in verifiable terms with SMART indicators disaggregated by sex, age and location;	Project document and Annual workplan review	Document review Key informant interviews

	Issue	Means of Verification	Data collection method
7	Whether the relationship between outcome, outputs, activities and inputs of the projects are logically articulated.	Annual workplan review Stakeholder feedback	Document review Key informant interviews
Effectiveness			
8	How effective are the project strategies in delivering expected/planned outputs and outcomes?	Progress report review Project risks and issues logs Monitoring matrix Stakeholder feedback	Document review Key informant interviews
9	Are the project strategies effective in responding to the needs of the beneficiaries especially the vulnerable population including those with disabilities and albinism, what results are being observed?	Project document review Stakeholder feedback	Document review Key informant interviews
10	Is there a suitable Monitoring and Evaluation Framework? How often is the framework used to monitor expected project outcomes?	Monitoring matrix Back to office monitoring reports Stakeholder feedback	Document review Key informant interviews
11	To what extent are human rights, gender and disability issues mainstreamed in the project strategies and implementation?	Project document review Progress report review Stakeholder feedback	Document review Key informant interviews
12	To what extent are human rights, gender and disability issues mainstreamed in the project strategies and implementation?	Capacity assessments / training feedback forms Stakeholder feedback	Document review Key informant interviews
Efficiency			

	Issue	Means of Verification	Data collection method
13	Are the processes of achieving results efficient? Do the actual results justify the costs incurred and were the resources effectively utilized?	Stakeholder feedback Monitoring results analysis	Key informant interviews Document analysis
14	What project strategies or factors are contributing to project implementation efficiency?	Stakeholder feedback	Key informant interviews
15	Do the project interventions duplicate existing similar interventions in the targeted areas and were there any collaborations with similar interventions?	Stakeholder feedback	Key informant interviews
16	How did the project financial management processes and procedures affect the performance of the project implementation?	Stakeholder feedback	Key informant interviews
17	Are there more efficient ways and means of delivering results?	Stakeholder feedback	Key informant interviews
Implementation			
18	How did project management arrangements and procedures affect the performance of project implementation? What partnerships were built or strengthened to improve performance of project implementation?	Stakeholder feedback	Key informant interviews
19	How effective was the delivery of inputs specified in the project documents, including selection of responsible institutions, institutional arrangements, identification of beneficiaries, scheduling of activities and actual implementation;	Progress reports Results framework Stakeholder feedback	Document analysis Key informant interviews

	Issue	Means of Verification	Data collection method
20	The fulfilment of the success criteria as outlined in the project document;	Progress reports Results framework Stakeholder feedback	Document analysis Key informant interviews
21	The responsiveness of the project management to significant changes in the environment in which the project functions (both facilitating or impeding project implementation);	Stakeholder feedback Risks and issues log	Document analysis Key informant interviews
22	Determine whether or not lessons learnt from other relevant programmes/projects were incorporated into the project.	Lessons learned log Stakeholder feedback	Document analysis Key informant interviews
23	Were the monitoring and backstopping of the projects as expected by the key implementing partners?	Stakeholder feedback	Key informant interviews
24	The role of UNDP CO and its impact (positive and negative) on project delivery.	Stakeholder feedback	Key informant interviews
Sustainability			
25	To what extent are the project positive results likely to be sustained after the completion of the project	Evidence of succession planning of project activities and analysis based upon evidence.	Key informant interviews
26	What strategies does the project have to ensure continuation and sustainability of the project outcomes after completion of the project?	Evidence of project succession planning, and programmatic approaches to promote sustainability	Key informant interviews Document reviews
27	What are the key factors that will require attention to improve prospects of sustainability of project outcome?	Analysis based on succession planning and project progress to date	Key informant interviews Document review

	Issue	Means of Verification	Data collection method
28	How are the capacities strengthened at individual and organisational level to ensure sustainability of project results?	Capacity assessments, training needs assessments and training feedback	Document review Key informant interviews
29	What are recommendations for similar intervention in future to ensure sustainability?	Analysis based on evidence collected through the evaluation and feedback from stakeholders.	Document review Key informant interviews

Annex D. Output 1 – Ministry of Justice self-assessment

<p>Outcome 1. <i>Supported the Free Legal Assistance mechanism, with a view to improving the provision of justice services</i></p> <p>Goal 1: Assessment of IPAJ's capabilities to provide you assistance services _ legal and sponsorship citizen's judiciary to the assistance services _ legal especially you groups vulnerable and victims of violence gender - based and people with HIV/AIDS ;</p> <p>Goal 2: Carry out a visit to exchange IPAJ's experience in Brazil;</p> <p>Goal 3: Training starting 30 defenders public of the IPAJ for the exercise of the mandate forensic us courts , and training specific in litigation matters _ administrative, social protection, production of pieces procedural and others to show themselves needed ;</p> <p>Goal 4: Acquisition of computer equipment: 10 desktop computers, 5 laptops, 10 printers and 1 industrial photocopier within the scope of IPAJ's institutional support.</p>	<p>Grade of Fulfillment:</p> <p>Goal 1: fulfilled</p> <p>Goal 2: accomplished</p> <p>Goal 3: accomplished</p> <p>Goal 4: accomplished</p>
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<p>Outcome 2. <i>The delivery of justice services at the local level is strengthened</i></p> <p>Goal 1 : Elaboration of a Baseline Study on citizen's access to justice services 2015 – 2019 within the scope of the assessment of access to justice;</p> <p>Goal 2: Conduct campaign trials in Sofala, Nampula and Maputo Provinces Maputo Provinces ;</p> <p>Goal 3: Accomplish campaigns to publicize the services provided at the Palaces of Justice (PJ) in the communities through radio and television <i>spots and leaflets</i>;</p> <p>Goal 4: Carry out 2 ordinary judicial inspections in the Provinces of Manica and Niassa;</p> <p>Goal 5: Acquire a mobile Court for the Supreme Court within the scope of institutional support with a view to carrying out campaign trials in remote areas;</p> <p>Goal 6: Hold a training seminar for public prosecutors on financial responsibility in the procedural component, inspection of administrative legality, and sanctioning of public managers, contributing to the improvement of the mechanism for action by the Public Prosecutor's Office and the Administrative Court in the actions of oversight;</p> <p>Goal 7: Acquire rolling stock, IT equipment, within the scope of institutional support for 6 Palaces of Justice (3 Vehicles, 30 motorcycles and 30 complete desktop computers, 6 multifunctional copiers), PGR and DNAJ (1 vehicle, 6 complete desktop computers and 6 <i>Laptop's</i>) with a view to ensuring a better provision of services.</p>	<p>Grade of Fulfillment:</p> <p>Goal 1: Not met. however, the final study report has been prepared and awaits its validation;</p> <p>Goal 2: Accomplished</p> <p>Goal 3: Accomplished,</p> <p>Goal 4: Accomplished</p> <p>Goal 5: Accomplished.</p> <p>Goal 6: Accomplished</p> <p>Goal 7: Accomplished.</p>
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<p>Outcome 3. <i>Operationalized the framework of alternative sentences</i></p> <p>Goal 1: Integrate alternative sentences to prison sentences into the CFJJ curricula;</p> <p>Goal 2 : To participate in the initial training of 114 candidates for entry into the public careers of judicial magistrates and the Public Ministry;</p> <p>Goal 3: Carry out a visit to exchange experiences in the implementation and monitoring of PAPPs and the provision of socially useful work in the CPLP;</p> <p>Goal 4: Produce and publicize <i>PAPP</i> advertisements on radio and television;</p> <p>Goal 5 : Carry out the regional forum for articulation between SERNAP and the Judiciary and Public Prosecutor's Offices within the scope of the implementation of PAPP legislation, which aimed to present the legal framework for non-custodial sentences;</p> <p>Goal 6: Edit and launch the book “A Voz do Cárcere”;</p> <p>Goal 7: Carry out two (2) monitoring visits to penitentiary establishments in the Provinces of Nampula and Zambézia to provide technical and methodological assistance, inspection of legality and terms of preventive detention;</p> <p>Goal 8: Acquire computer equipment from circulating means, within the scope of institutional support to SERNAP with a view to guaranteeing a better provision of services .</p>	<p>Grade of Fulfillment:</p> <p>Goal 1: Accomplished</p> <p>Goal 2: Accomplished</p> <p>Goal 3 : Accomplished</p> <p>Goal 4: Accomplished</p> <p>Goal 5: Accomplished</p> <p>Goal 6: Accomplished</p> <p>Goal 7: Accomplished</p> <p>Goal 8: Accomplished</p>
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<p>Outcome 4. <i>Capacity of justice sector actors strengthened in national, regional and international and international human rights legislation and standards: UNDP and OHCHR</i></p> <p>Goal 1: Review the CFJJ Curriculum to integrate human rights in the training of magistrates;</p> <p>Goal 2 : Prepare the Interim Report of the Universal Periodic Review Mechanism (MRPU) of the II Cycle;</p> <p>Goal 3 : Prepare, edit and translate the action plan of the Universal Periodic Review Mechanism (MRPU) of the II Cycle;</p> <p>Goal 4: Hold seminars and lectures to disseminate the MRPU II Cycle action plan;</p> <p>Goal 5: Hold 3 regional consultation seminars to prepare the report of the III MRPU Cycle, in the Provinces of Gaza, Zambézia, Nampula;</p> <p>Goal 6: Hold the seminar to validate the reports for the III Cycle of the Universal Periodic Review Mechanism (MRPU);</p> <p>Goal 7: Carry out actions to sensitize the population about their rights and duties in the field of human rights;</p> <p>Goal 8: Exchange experience with Portugal in matters of MRPU and human rights, nationally and internationally;</p>	<p>Grade of Fulfillment:</p> <p>Goal 1. Accomplished</p> <p>Goal 2: Accomplished</p> <p>Goal 3 : Accomplished</p> <p>Goal 4 : Accomplished</p> <p>Goal 5 : Accomplished</p> <p>Goal 6: accomplished</p> <p>Goal 7: Accomplished</p> <p>Goal 8: Accomplished</p>
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<p>Goal 9: Carry out the seminar on participation in virtual format by the government of Mozambique in the 38th session of the Human Rights Council, with the country's objective, to present the status of recommendations within the scope of the III Cycle of the Universal Periodic Review Mechanism (MRPU) ;</p>	<p>Goal 9: Accomplished</p>
<p>Goal 10: Hold the symposium to commemorate the fortnight of human rights with the motto : “ <i>Mozambican society made aware of rebuilding again</i> ” with the aim of obtaining greater visibility and understanding of Human Rights in Mozambique;</p>	<p>Goal 10: Accomplished</p>
<p>Goal 11: Launch the work: “ <i>Comments on the African Charter on Human and Peoples' Rights and Additional Protocols</i> ” , within the framework of the commemorations of the International Day of Human Rights;</p>	<p>Goal 11: Accomplished</p>
<p>Goal 12: Reflection Seminar on Human Rights in Mozambique (3rd edition), under the theme “Human Rights and Fundamental Freedoms in Mozambique: Contemporary Advances and Challenges with the aim of discussing the human rights situation in Mozambique;</p>	<p>Goal 12: Accomplished</p>
<p>Goal 13: Carry out commemorative activities within the framework of the international day of human rights.</p>	<p>Goal 13: Accomplished</p>

<p>Other actions taken</p> <p><i>general management support</i></p> <p>Goal 1: Rehabilitate the facilities of the National Directorate of Justice Administration organic unit where the project is located;</p> <p>Goal 2: Acquire office supplies food products food and hygiene products and intra-institutional communication (pbx).</p>	<p>Degree of compliance:</p> <p>Goal 1: Accomplished</p> <p>Goal 2: Accomplished</p>
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Spotlight Initiative	degree of compliance
<p><i>Result 3 and 4</i></p> <p>Goal 1: Form PGR-style focal points in the northern, central, southern and central regions;</p> <p>Goal 2: Hold a national seminar on gender-based violence with about 70 participants, being from the gender and HIV/AIDS focal points of the organic units of the MJCR, DO SERNAP, CFJJ, IPAJ, TS, PGR, PROVIDER, MINT, National Commission of Human and Civil Society Rights;</p> <p>Goal 3: To train, through the CFJJ, 58 members of community courts in the city and province of Maputo, in terms of gender and gender-based violence (GBV);</p> <p>Goal 4: Participate in the local launch of the spotlight initiative <i>in</i> Nampula and Gaza Province and in the latter also the launch of the 16 days of human rights activism in Chongoene;</p> <p>Goal 5: Visit the Palaces of Justice of the City of Nampula and the District of Moma and works on the Palace of Justice of Chongoene.</p>	<p>Goal 1: Accomplished</p> <p>Goal 2: Accomplished</p> <p>Goal 3: Accomplished</p> <p>Goal 4: Accomplished</p> <p>Goal 5: Accomplished</p>

In the context of COVID 19

Goal 1: Install virtual rooms in the CFJJ with the equipping of computer equipment and distance learning programs for the equipping of the virtual rooms;

Goal 1: Completed

Goal 2: Acquire and distribute computer equipment ;

Goal 2: Completed

Goal 3: Produce and distribute informative material within the scope of strengthening and massifying the knowledge of citizens about their rights and duties in the context of COVID-19;

Goal 3: Accomplished

Goal 4 : Conduct lectures in schools in the City of Maputo and disseminate the main instruments approved in the context of the covid-19 pandemic.

Goal 4: Accomplished

Annex E. List of sources reviewed

- Project document
- Project reports
- Minutes of meetings
 - Project board meetings
- Data verification reports
- Monitoring visit reports
 - Back to office reports
 - HACT assessment / spotcheck reports
- IPAJ legal assistance study
- Project knowledge products
 - Manual on alternatives to detention
 - Training manual on human rights, HIV/AIDS and SGBV
 - MOJ Strategic Plan 2020 - 2024
 - MOJ Communications strategy
 - CNDH Strategic Plan 2021-2025
- Project communications and visibility products.

Annex F. Evaluator's Biography

Mark Aiken is a lawyer by background, with over 25 years' professional experience. For almost twenty years he has worked on international justice and human rights assignments in Africa, the Middle East, and Asia-Pacific regions. He has worked on projects for the United Nations, European Union, DFID and international NGOs.

He specialises in access to justice and human rights, and he has managed evaluations on legal rights projects in Afghanistan, Jordan, Laos PDR, Liberia, Malawi, Nepal, Sierra Leone, South Sudan and Thailand.

Mark holds a Masters of Law and degrees in Economics and Law.

Diogo Milagre holds a JD Honours in Law, a Masters in Business Administration, a Masters of Science (in Development Economics and Agriculture), and an Honours degree in Educational Psychology.

He has over 25 years' professional experience, specialising in public health. He has held senior level roles in combatting HIV/AIDS, including as Deputy Chief Executive of the Mozambique Aids Council and Project Director of Pathfinders International HIV area.

He has extensive experience in training, project design, strategic planning and evaluation, with international and national organisations.



ETHICAL GUIDELINES FOR EVALUATION

PLEDGE OF ETHICAL CONDUCT IN EVALUATION


UNEG
United Nations Evaluation Group

By signing this pledge, I hereby commit to discussing and applying the UNEG Ethical Guidelines for Evaluation and to adopting the associated ethical behaviours.

**INTEGRITY**

I will actively adhere to the moral values and professional standards of evaluation practice as outlined in the UNEG Ethical Guidelines for Evaluation and following the values of the United Nations. Specifically, I will be:

- **Honest and truthful** in my communication and actions.
- **Professional**, engaging in credible and trustworthy behaviour, alongside competence, commitment and ongoing reflective practice.
- **Independent, impartial and incorruptible**.

**ACCOUNTABILITY**

I will be answerable for all decisions made and actions taken and responsible for honouring commitments, without qualification or exception; I will report potential or actual harms observed. Specifically, I will be:

- **Transparent** regarding evaluation purpose and actions taken, establishing trust and increasing accountability for performance to the public, particularly those populations affected by the evaluation.
- **Responsive** as questions or events arise, adapting plans as required and referring to appropriate channels where corruption, fraud, sexual exploitation or abuse or other misconduct or waste of resources is identified.
- **Responsible** for meeting the evaluation purpose and for actions taken and for ensuring redress and recognition as needed.

**RESPECT**

I will engage with all stakeholders of an evaluation in a way that honours their dignity, well-being, personal agency and characteristics. Specifically, I will ensure:

- **Access** to the evaluation process and products by all relevant stakeholders – whether powerless or powerful – with due attention to factors that could impede access such as sex, gender, race, language, country of origin, LGBTQ status, age, background, religion, ethnicity and ability.
- **Meaningful participation and equitable treatment** of all relevant stakeholders in the evaluation processes, from design to dissemination. This includes engaging various stakeholders, particularly affected people, so they can actively inform the evaluation approach and products rather than being solely a subject of data collection.
- **Fair representation** of different voices and perspectives in evaluation products (reports, webinars, etc.).

**BENEFICENCE**

I will strive to do good for people and planet while minimizing harm arising from evaluation as an intervention. Specifically, I will ensure:

- **Explicit and ongoing consideration of risks and benefits** from evaluation processes.
- **Maximum benefits** at systemic (including environmental), organizational and programmatic levels.
- **No harm**. I will not proceed where harm cannot be mitigated.
- **Evaluation makes an overall positive contribution** to human and natural systems and the mission of the United Nations.

I commit to playing my part in ensuring that evaluations are conducted according to the Charter of the United Nations and the ethical requirements laid down above and contained within the UNEG Ethical Guidelines for Evaluation. When this is not possible, I will report the situation to my supervisor, designated focal points or channels and will actively seek an appropriate response.

DocuSigned by:

Mark Aiken

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20-Jul-2022

(Signature and Date)



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20-jul-2022

(Signature and Date)