



REF :17/051

March 22th, 2017

Dear Madam SRSG,

Pursuant to my earlier letter dated 31 January 2017 wherein I requested delivery of the second tranche (\$1,330,500) of Joint Interim Rule of Law Programme funds and, as per the Conditions stated in the UN-UNDP MOU dated 8 November 2016, I am pleased to present you the first narrative and financial reports outlining progress on objectives, expenditures, and commitments to date.

During our third and latest Senior Leadership Committee on 22 February 2017, I shared an earlier version of these reports to both DSRSGs and to members of the Joint Programme's Senior Leadership Committee, all of whom expressed satisfaction with the level of delivery and progress to date.

As such, notwithstanding the delay in launching the Joint Programme, political uncertainty and anxieties caused by the mission's transition, I remain cautiously optimistic and determined to realize full implementation of the Joint Programme's objectives by 30 June 2017. Thank you for your continued support.

Sincerely,

Po. Yvonne Helle
Senior Country Director



Cc: Mr. El-Mostafa Benlamlih, RR UNDP Haiti
Ms. Susan D. Page, DSRSG Rule of Law

Enclosures: Narrative and financial reports covering the period of November 29th 2016 to March 10th 2017

Mrs. Sandra Honoré
Special Representative of the Secretary General
of the United Nations in Haiti
MINUSTAH, Logbase, Port-au-Prince, Haiti

*First Narrative & Financial Report on the Services and Related Outputs and Achievements of the
UN Joint Interim Rule of Law Programme in Haiti*

Period covered: 29 November 2016 to 10 March 2017

I. Background & Context

In October 2015, the UN Stabilization Mission in Haiti (MINUSTAH), the United Nations Development Programme (UNDP) and other UN agencies embarked on a process to establish a joint rule of law programme in the field of police, justice and corrections. To support this endeavor, UNDP Headquarters and DPKO under the Global Focal Point arrangement facilitated a joint consultation process with MINUSTAH and the UNCT that resulted in the drafting of three key documents:

- A strategic vision document, outlining as the mission transitions, priority areas in which the mission and the UNCT should continue to focus their efforts;
- A joint programme document, describing how as the mission exits, MINUSTAH, UNDP, and the UNCT would work together, and how best to capitalize on the gains achieved by MINUSTAH in the field of rule of law assistance, and how best to position the UNCT to preserve, build upon and sustain joint activities and future work.
- An organigram and suggested integrated structure going forward.

As such, a Joint Interim Rule of Law project document was drafted which included programmatic participation from UNDP, UNICEF and UN Women. A request for \$4,435,500 in assessed contributions for programmatic activities was directed to DPKO and DFS, successfully defended before the ACABQ, and ultimately awarded to the mission for fiscal year, 1 July 2016 – 30 June 2017.

The transfer of funds from the UN Secretariat to UNDP to implement the joint programme was subject to a long consultative process that included amongst others, the Department of Management, the Office of Legal Affairs, the Controller and UNDP. The framework for programmatic cooperation was ultimately captured in a Memorandum of Understanding (MOU) between the UN and UNDP for the Implementation of Rule of Law Activities in support of MINUSTAH, and signed on 8 November 2016.

Article VI, Paragraph 23 of the MOU states that UNDP shall provide MINUSTAH with a first substantive and financial report for the period covering 1 October 2016 to 31 December 2016. However, since the first tranche representing 50% of funding (\$2,217,500) was only transferred by MINUSTAH to UNDP on 29 November 2016 and the majority of activities started in January 2017, this narrative report summarizes the outputs and achievements for the period covering 29 November 2016 to 10 March 2017. At present, 100% of the first tranche of funds have been spent or committed.

A Financial Report of expenditures or engagements via Priority Area and Cost Areas enumerated in the MOU is provided in Annex A.

II. Key Outputs & Achievements for the First Reporting Period per Priority Area/Outcome

A. Priority Area/Outcome 1 of the Joint Programme addresses improved safety and security throughout Haiti and focuses mainly on UNPOL's support to the PNH to improve the latter's operational, institutional, and administrative capacities. Moreover, the ability of the General Inspectorate of the PNH to provide oversight is to be enhanced. \$1,764,640 was earmarked for this Priority Outcome 1. To date, \$943,976 has been spent or committed and key achievements are highlighted below.

Priority Area/Outcome 1 corresponds with RBB 1.1 Improved security environment throughout Haiti; 1.2 Improved operational and institutional capacities of the HNP; 1.3 Improved administrative and management capacities of the HNP; and 1.4 Enhanced ability of the General Inspectorate of the HNP to provide oversight.

A key outcome concerns the renovation of 4 commissariats (\$241,000) and the equipping of 5 police (\$80,000) stations. Formal bids from 12 construction companies were received in January 2017 and UNDP Procurement is currently contracting with the three successful contractors to begin renovation of the four identified police stations in Bocozele, Desdunes, Gros Mornes and Marmelade. Moreover, the purchase and delivery of equipment (furniture, bedding, desks, fans) for five police stations is expected in April.

Plans for community violence reduction integrating women's safety priorities in 3 communes (Fort National, Cafeteria, and Portail St. Joseph) are underway with one training completed in early March and two others April 7, and May 5 respectively. Contracts with two theatre companies (Femme Capab and Anilus) to support the three workshops have been concluded.

Another key outcome involves support for the development of community policing strategies at the PNH department level. Of the three forums that are scheduled, one was completed in early March with the two additional forums scheduled to take place in April and May. Five separate training sessions to train 100 PNH officers in Port-au-Prince (March 13), Les Cayes/Jacmel (April 18), Cap Hatien (May 2), Hinche (May 23), and Gonaive (June 13) are also planned.

With an aim to strengthen PNH capabilities to collect and analyze data related to crime and violence prevention, three workshops for 180 PNH officers are scheduled for March 23, April 26 and May 12 covering Port-au-Prince and five regions.

An international and national instructor has been recruited for specialized training for the Strategic Planning Directorate of the PNH. Moreover, tenders for printing and reproducing the PNH Strategic Plan 2017-2021 are currently under evaluation.

An international consultant has been recruited to train the UDMO on crowd control techniques. Procurement of crowd control equipment (\$300,000 worth of riot gear, batons, helmets, and

vests) is currently underway. The equipment will be shipped from overseas and UNDP Procurement is currently waiting for receipt and verification of sample products and export licenses. Delivery of said equipment is expected in late April. Training of the UDMO is planned for early May once equipment is received.

A program to train and sensitize the General Inspectorate of the PNH in human rights standards is currently underway (See, below).

Tenders for crime scene management equipment have been revised and submitted to UNDP Procurement with expected delivery in April. Training in crime scene management and use of equipment is planned for May once equipment is delivered.

B. Priority Area/Outcome 2 of the Joint Programme centers on a more effective, efficient, transparent and inclusive justice system which respects human rights and gender equality. \$2,114,732 was earmarked for support to Corrections, Human Rights, and the Accountability & Support to Institutions and Legislative Reform Sections. Key Government of Haiti partners include the Directorate of Prisons (DAP), the Ministry of Justice and Public Security (MJSP), the Superior Council of Judicial Power (CSPJ), and the Superior Council of Accounting and Administrative Disputes (CSCCA). To date, \$1,131,254 has been spent or committed.

Priority Area Outcome 2 corresponds with RBB 3.1 ...establishment and functioning of key accountability mechanisms...; 3.2 Progress in the functioning of key justice institutions...; 3.3 Increase compliance and engagement by GoH with Human Rights instruments...; 3.4 ...completion, adoption and implementation of crucial law reform; 3.5 ...efficient judicial system in three model jurisdictions; 3.6 Improvement ...in the Haitian corrections system.

B.1. Corrections

Technical assistance and support to the DAP via the Office for the Protections of Citizens (OPC) for the elaboration of a national penitentiary law have been completed. A national conference to endorse the Penitentiary Law and a Social Reintegration policy is programmed for May/June. Moreover, an international consultant has been recruited to preside over two forums on the Penitentiary Law, Social Reintegration Policy, and the Strategic Development and Action Plan. These forums are planned for May/June.

40 DAP officers have been trained in prison intelligence and security while 50 other DAP officers have been trained in the management of prison records.

The AFIS System Project on prison records management is closely tied with the UNDP CVR-funded work to re-animate the AFIS system. Four new servers are currently being purchased to complement the training of prison clerks and staff in the proper use, care and management of the AFIS system. Training in the proper use of AFIS will commence once the servers are received,

which is expected at the end of March. An extension of the AFIS system from the National Penitentiary to Les Cayes and Cap Haitien is programmed for May/June with the latter two sites undergoing rehabilitation to accommodate servers.

B.2 Human Rights

A program to train, sensitize, and strengthen the abilities of the General Inspectorate of the PNH to provide oversight via a case management system is underway with the recruitment of a consultant. This consultant will put in place a case management system providing transparency and order, to provide clarity and to enable the General Inspectorate to prioritize cases. Moreover, a list of IT equipment has been finalized and submitted to UNDP Procurement for purchase. A training and validation workshop will be programmed once the equipment is received in May.

25 staff of the OPC have been trained in prison-related human rights investigative techniques and a national dialogue on the independence of the judiciary was completed in January 2017. Four national consultants are presently under recruitment to support the creation of digital archive for criminal case files at TPI Port-au-Prince. A list of IT equipment has been submitted to UNDP Procurement for purchase.

Preparatory work to organize a conference promoting dialogue and inter-action amongst judges is underway. The conference is presently planned for June. The development of a National Action Plan on Human Rights has been placed on hold pending the appointment of a new Government so that national buy-in can be insured from the outset.

The recruitment of a consultant to support the NGO *Collectif Contre l'Impunité* develop a historical archive to address transitional justice issues is underway. A consultant for the NGO *Devoir de Memoire* has been hired to address issues of impunity and to organize an experts' meeting on truth and reconciliation and ways to combat impunity in Haiti.

Tenders have been published to support to the OPC in the construction and equipping of 3 departmental offices in Cap Haitien, Jeremie and St. Marc for an amount of \$206,000. The deadline for the receipt of offers is April 1.

Peer to peer consultations of national human rights institutions through the ICC mechanism are planned for May/June.

B.3. Accountability & Support to Institutions and Legislative Reform

Support to the CSPJ and MJSP has been delayed by the latter two institutions' lack of political engagement during the electoral period despite our repeated attempts to engage. Only recently

have both the CSPJ and the MJSP responded affirmatively to the Joint Programme's previously agreed upon priorities. All efforts are being made to catch up.

The recruitment of an international consultant is presently under way to support the development of the CSPJ's Strategic and Annual Plan. Two workshops are scheduled for April. Four additional workshops are scheduled for April – June to strengthen the institutional mechanisms that provide oversight and control over courts and tribunals via the Direction de l'Inspection Judiciaire. Advanced planning for the development and adoption of a system for evaluating judges and mechanism for appeals is presently underway. Finally, the creation and dissemination of induction packages for judges including the reproduction of texts and needed equipment is currently being identified. The procurement process will be launched imminently.

Support to the Prosecutor's Office within the MJSP consists of developing and putting in place an evaluation plan for Prosecutors and the reproduction of legal texts. Details of the latter texts are currently under discussion. Similarly, support to the Direction des Affaires Judiciaires via the reproduction of inspection guides, equipment, and training is presently underway. Finally, support to the Evaluation Commission on Criminal Law and Criminal Procedure Code is on-going via the recruitment of two consultants.

Support to the CSCCA consists of the recruitment of 3 international consultants to develop a new draft framework law and organizational structure, internal domestic regulations, and the development of a communication strategy. Consultants have been identified and are under recruitment with contracts to be issued imminently. Additional training of CSCCA court clerks and the provision of work-related equipment is currently under discussion.

C. Priority Area Outcome 3 of the Joint Programme addresses improved access to justice through service provision and legal awareness. \$265,955 was earmarked for this Priority Outcome. To date, \$142,270 has been spent or committed.

Priority Area Outcome 3 corresponds with RBB: 3.2 Progress in the functioning of key justice institutions...; 3.4 ...completion, adoption and implementation of crucial law reform; 3.5 ...efficient judicial system in three model jurisdictions.

UN Women is currently engaged in a series of trainings of both Government officials and service providers on SGBV and access to justice for women and girls. UNICEF has similarly planned activities regarding juvenile justice; however, their advancement has been stalled due to a dispute over GMS percentages (See below).

Adoption of Legal Aid legislation has been stalled in Parliament. As such, there has been no progress in the creation of a Government-led working group on legal aid and planned-for workshops. Political and legislative impediments such as these will be addressed at the next Senior Leadership Committee meeting to assess alternative options for activities which have not been able to advance due to political or legislative impediments.

III. Observations on Implementation Progress

While the Joint Rule of Law Programme incurred a 5-month initial delay, since the funds were transferred, steady progress has been made towards the achievement of the objectives and outputs. The Senior Leadership Committee has met on a monthly basis to closely monitor progress, address concerns, and propose solutions.

The chronogramme of activities planned with MINUSTAH sections including UNPOL, Corrections, and Human Rights is moving forward progressively and positively. With regard to activities programmed with the CSPJ and MJSP -- apart from very recent engagement, less definitive progress was achieved during this first reporting period due to the latter institutions political uncertainty and engagement. Nevertheless, recent meetings with both institutions suggest an improvement and re-engagement for the second reporting period. Moreover, the Senior Leadership Committee has been seized of potential obstacles and a discussion of possible alternatives to potentially re-orient funds will be discussed at its next meeting.

Of note, \$181,980 was transferred to UN Women and the latter is duly moving forward with its activities and is on target. On the other hand, while UNICEF received their \$180,000 in January, their headquarters are objecting to the 7% GMS mandated by the MOU. UNICEF Haiti is consulting with New York regarding next steps and UNDP is monitoring the situation closely.

Since the first tranche of funds has been fully spent or committed, it is recommended that the second tranche (\$1,330,500) be delivered at the receipt of this report.

Programme des Nations Unies pour le développement
Programme conjoint de l'état de droit en Haïti

Rapport financier intérimaire pour la période allant du 29 novembre 2016 au 10 mars 2017 couvrant la première tranche de la contribution (\$2,217,500)

<i>Bailleur:</i>	MINUSTAH					
Contribution	Montants	Pro rata				
<i>Tranche 1</i>	\$ 2,217,500	50%				
<i>Tranche 2</i>	\$ 1,330,500	30%				
<i>Tranche 3</i>	\$ 887,500	20%				
Montant total de la contribution	\$ 4,435,500	100%				
Outcome1	Montants	Montants	Dépenses	Prévision de	Commentaires	
	budgetisés sur la	budgetisés sur la	réalisées du 29	dépenses pour le		
	totalité de l'accord	première tranche	nov 2016 au 28	mois de mars		
		reçue	fév 2017	2017		
Cost areas						
Staff & personnel	517,600	258,771	186,328	72,501	La balance disponible sera utilisée pour payer les salaires du mois de mars 2017	
Travel	41,000	20,498	678	19,820	La balance disponible sur la 1e tranche sera dépensée aux mois de mars et avril 2017	
Contractual services	675,200	337,562	1,849	335,713	Différents contrats d'achat de biens et de service sont en préparation auprès de l'unité des achats du PNUD. Ces contrats doivent être finalisés avant la fin du mois de mars 2017.	
Implementing Partner Supplies Commodity	61,000	30,497	393	30,104	La balance disponible sur la 1e tranche sera dépensée aux mois de mars et avril 2017	
General Operating Expenses	20,390	10,194	2,984	7,210	La balance disponible sur la 1e tranche sera dépensée aux mois de mars et avril 2017	
Equipments, Vehicles & Facilities	449,450	224,700	1,405	223,239	La balance disponible sur la 1e tranche sera dépensée aux mois de mars et avril 2017	
<i>Sous total 1</i>	<i>1,764,640</i>	<i>882,221</i>	<i>193,637</i>	<i>688,587</i>		
GMS (7%)	123,525	61,755	13,555	48,200		
<i>Sous total 2</i>	<i>1,888,165</i>	<i>943,976</i>	<i>207,191</i>	<i>736,788</i>		
Foreign exchange currency gain & loss	-	0	(3)	-		
Total Outcome 1	\$ 1,888,165	\$ 943,976	\$ 207,189	\$ 736,788		
Outcome2	Montants	Montants	Dépenses	Prévision de	Commentaires	
	budgetisés	budgetisés sur la	réalisées du 29	dépenses pour le		
		première tranche	nov 2016 au 28	mois de mars		
		reçue	fév 2017	2017		
Cost areas						

Staff & personnel	319,400	159,682	23,155	136,527	La balance disponible sera utilisée pour payer les salaires du mois de mars 2017
Travel	155,000	77,491	4,000	73,491	La balance disponible sur la 1e tranche sera dépensée aux mois de mars et avril 2017
Contractual services	1,121,395	560,634	350,688	208,746	Différents contrats d'achat de biens et de service sont en préparation auprès de l'unité des achats du PNUD. Ces contrats doivent être finalisés avant la fin du mois de mars 2017. Par ailleurs, cette rubrique a été utilisée pour payer les accords signés avec Unicef, ONU Femmes et OPC.
Implementing Partner Supplies Commodity	167,937	83,959	762	83,197	La balance disponible sur la 1e tranche sera dépensée aux mois de mars et avril 2017
General Operating Expenses	-	-	-	-	La balance disponible sur la 1e tranche sera dépensée aux mois de mars et avril 2017
Equipments, Vehicules & Facilities	351,000	175,480	4,692	170,788	La balance disponible sur la 1e tranche sera dépensée aux mois de mars et avril 2017
<i>Sous total 1</i>	<i>2,114,732</i>	<i>1,057,247</i>	<i>383,297</i>	<i>672,749</i>	
GMS (7%)	148,031	74,007	26,831	47,176	
<i>Sous total 2</i>	<i>2,262,763</i>	<i>1,131,254</i>	<i>410,128</i>	<i>719,925</i>	
Foreign exchange currency gain & loss	-	-	1,201	-	
Total Outcome 2	2,262,763	1,131,254	411,329	719,925	
Outcome3					
Cost areas	Montants budgétisés	Montants budgétisés sur la première tranche reçue	Dépenses réalisées du 29 nov 2016 au 28 fev 2017	Prévision de dépenses pour le mois de mars 2017	Commentaires
Staff & personnel	91,000	45,495	-	45,495	La balance disponible sera utilisée pour payer les salaires du mois de mars 2017
Travel	14,000	6,999	-	6,999	La balance disponible sur la 1e tranche sera dépensée aux mois de mars et avril 2017
Contractual services	141,155	70,570	38,580	31,990	Différents contrats d'achat de biens et de service sont en préparation auprès de l'unité des achats du PNUD. Ces contrats doivent être finalisés avant la fin du mois de mars 2017. Par ailleurs, cette rubrique a été utilisée pour payer une partie de l'accord signé avec ONU Femmes.
Implementing Partner Supplies Commodity	19,800	9,899	-	9,899	La balance disponible sur la 1e tranche sera dépensée aux mois de mars et avril 2017
General Operating Expenses	-	-	-	-	La balance disponible sur la 1e tranche sera dépensée aux mois de mars et avril 2017
Equipments, Vehicules & Facilities	-	-	-	-	La balance disponible sur la 1e tranche sera dépensée aux mois de mars et avril 2017

<i>Sous total 1</i>		265,955	132,963	38,580	94,383
GMS (7%)		18,617	9,307	2,701	6,606
<i>Sous total 2</i>		284,572	142,270	41,281	100,989
Foreign exchange currency gain & loss		-	-	-	-
Total Outcome 3		284,572	142,270	41,281	100,989
TOTAL		4,435,500	2,217,500	659,798 \$	1,557,702
Remarques:					
1- Des accords ont été signés avec UNICEF, UN Women et OPC pour un montant total de \$385,881. Ces montants sont présentes en Atlas comme des avances mais ont été pris en compte dans ce rapport.					
2- Les dépenses de GMS ne sont pas encore comptabilisées dans notre système Atlas mais elles ont été prises en compte dans ce rapport conformément au MoU.					