



00078193: STRENGTHENING RULE OF LAW PROJECT

Annual Progress Report 2015



Kingdom of the Netherlands



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Swiss Agency for Development
and Cooperation SDC

PROJECT SNAPSHOT (SRLP)

Date:	21 January 2016			
Award ID:	00061652			
Project ID:	00078193			
Project Title:	Strengthening Rule of Law Project - SRLP			
Project Start Date:	October 2011			
Project End Date:	December 2017			
Implementing Partner:	UNDP Pakistan			
Responsible Parties:	UNDP, NGOs: LAPH, DADO, HUIRA, CERD, INP, PRDS, INP Government departments: PTC, KPJA, University of Malakand,			
Project Budget (2015):	US\$ 6,752,856.55			
Government contribution:	US\$ 1,425,425			
UNDP (TRAC)	US\$ 396.330			
EKoN	US\$ 279,596			
SDC	US\$ 1,224,073			
EU	US\$ 2,163,457			
Project Brief Description and Outputs: Strengthening Rule of Law Project (SRLP), was designed to address gaps in the justice sector; to this effect UNDP extended support to institutions responsible for ensuring rule of law so as to enable them to provide adequate security services, and ensure effective and speedy provision of justice services. The Project supported efforts to ensure that provision of Justice is accessible and cheap, fair and so that communities' confidence in justice system is established. In doing so, SRLP engaged all relevant actors in KP, particularly in Malakand Region, including the Judiciary, Police Department, Prosecution, existing alternative disputes resolution (ADR) mechanisms, bar associations, NGOs and all related institutions and local initiatives. The Project outputs (given as under) are focused on local population, particularly disadvantaged groups confronting problems in access to justice, provision of legal aid and formal and informal justice delivery and police services. Output 1: Access to justice, legal aid and representation mechanism for men, women and vulnerable groups in Malakand improved Output 2: Informal justice mechanisms provide fair and effective services, in accordance with the Pakistan constitution and human rights standards Output 3: The capacity of district courts to provide effective and timely justice services to the people in Malakand developed and strengthened Output 4: The police provide effective security and protection to the Malakand people, citizen's trust and confidence is enhanced, criminal investigation and prosecution are improved and civilian oversight mechanisms are in place				
Overall Project Quality Rating (4):				
Exemplary (5) *****	High (4) ****	Satisfactory (3) ***	Poor (2) **	Inadequate (1) *
All outputs are rated High or Exemplary	All outputs are rated Satisfactory or higher, and at least two criteria are rated High or Exemplary	One output may be rated Poor, and all other criteria are rated Satisfactory or higher	Two outputs are rated Poor, and all other criteria are rated Satisfactory or higher	One output is rated Inadequate, or more than two criteria are rated Poor
Budget 2015	US\$ 6,752,856.55			
Expenditure2015	US\$ 5,488,880.74			
Delivery %	81%			

ACRONYMS AND ABBREVIATION

ADR	Alternative Dispute Resolution
AGHS	Asma, Gul Rukh, Hania Jilani, and Shehla Zia
AJM	Alternative Justice Mechanisms
AWP	Annual Work Plan
CAP	Contract Asset Procurement Committee
CJCC	Criminal Justice Coordination Committees
CO	UNDP Pakistan Country Office
CLE	Clinical Legal Education
CPO	Central Police Office
CSO	Civil Society Organization
DADO	Dir Area Development Organization
DPO	District Police Officer
DPP	District Public Prosecutor
FATA	Federally Administrated Tribal Areas
FSL	Forensic Science Lab
INP	Insaf Network Pakistan
IC	Individual Consultant
KAP	Knowledge, Perception and Attitude Survey
KP	Khyber Pakhtunkhwa Province
KPJA	Khyber Pakhtunkhwa Judicial Academy
LAC	Legal Aid Clinic
LACs	Legal Aid Committees
LAD	Legal Aid Desk
LAPH	Legal Awareness Programme for Human Rights
LoA	Letter of Agreement
MCGA	Micro Capital Grant Assessment
NGO	Non - Governmental Organization
NoC	No Objection Certificate
QPR	Quarterly Progress Report
PBC	Pakistan Bar Council
PCNA	Post - Crisis Need Assessment
PFSA	Punjab Forensic Science Agency
PPSPCC	Provincial Public Safety and Police Complaint Commission
PTC	Police Training Centre
RCT	Randomized Control Trials
RTC	Regional Training Centre (Police)
SDPF	Strategic Development Partnership Framework
SRLM	Strengthening Rule of Law in Malakand
SRLP	Strengthening Rule of Law Project
TDPs	Temporarily Displaced Persons
ToR	Terms of Reference
UNDP	United Nations Development Programme
UoM	University of Malakand

Table of Contents

PROJECT SNAPSHOT (SRLP).....	2
ACRONYMS AND ABBREVIATION.....	3
1. INTRODUCTION.....	5
2. SITUATION ANALYSIS.....	6
3. PROJECT PERFORMANCE AND RESULTS	7
3.1 Contribution towards Country Programme Outcome	7
3.2 Progress towards Project Results/Outputs	9
MONITORING, EVALUATION AND RESEARCH INITIATIVES	20
4. LESSONS LEARNT	23
5. THE WAY FORWARD/ KEY PRIORITIES FOR 2016.....	24
Annex: Financial Summary (2015)	26

1. INTRODUCTION

Intense extremist activities in the Malakand Division of Khyber Pakhtunkhwa (KP) Province during 2005-08 adversely affected local governance institutions. Numerous attacks on law enforcement agencies resulted in further deterioration of the law and order situation with a number of state offices including those responsible for maintaining security and peace becoming dysfunctional. Following the army led offensive in 2009 a governance vacuum was generated necessitating immediate measures to restore writ of the state and rule of law. The Post Crisis Needs Assessment (PCNA) identified rule of law as a priority sector for intervention. Based on the realization that poor governance and lack of rule of law create an enabling environment for radicalization, the law and justice sector in Pakistan, has followed a number of reform efforts. These efforts have been led by higher judiciary in turn informed by the keen interest of media and civil society actors, public demand for justice and attention by international development partners for investing in the justice and security issues.

The confluence of these efforts has created strong momentum for collective action towards increased access to and enhanced administration of justice in Pakistan. In this connection and as part of its global mandate to strengthen rule of law, justice and security, the United Nations Development Programme (UNDP) partnered with the Government of Khyber Pakhtunkhwa to design and implement an integrated rule of law project for the Malakand division. The project called, Strengthening Rule of Law in Malakand (SRLM) aims to provide support for institutional capacity development across the justice chain, enabling effective and inclusive delivery of justice and security services and facilitating accessible and affordable dispute resolution at the local level.

The first phase of the project was initiated in seven districts of the Malakand Division including, Swat, Malakand, Dir Lower, Dir Upper, Buner, Shangla & Chitral. With a view to leverage the lessons learnt from the first phase, the project has now been extended to three district of southern KP namely Bannu, Dera Ismail Khan, and Kohat. As it is being phased out to the new districts of the southern KP, the project's name has changed from Strengthening Rule of Law in Malakand (SRLM) to Straiteming Rule of Law Project (SRLP) to indicate its widened scope and scale.

The Project strategy follows a combined approach with focus on both the demand and supply sides of the criminal justice system to create an enabling environment for promoting rule of law. The supply side is targeted at building capacities of state institutions, including the police, judiciary and prosecution. The demand side on the other hand include activities aimed at reaching out to the most vulnerable communities, especially women and children. On the top-down scale, the program seeks to formulate sustainable solutions through policy interventions and dialogue. On the bottom-up scale, communities' issues, concerns and needs related to access to justice are communicated to inform policy and strategy.

Pertinent activities are undertaken in close collaboration and partnership with relevant agencies at district level under the guidance and strategic direction of Peshawar High Court; Provincial Government departments including Home and Tribal Affairs; Planning and Development; Local Government; Law, Police and Prosecution, as well as with strong engagement with community based organizations. The Project also engages directly with communities to collect, articulate and channel demand for justice at the grassroots and create a linkage between the providers and recipients of justice.

2. SITUATION ANALYSIS

Since the launch of the SRLM project in 2011, the law-and-order situation in Swat and the rest of Malakand division has generally improved. The KP police has taken over responsibility for the law and order following a gradual transfer of duties to the local administration by the Army. As an illustration of its commitment to enhancing the sense of security of the public the police can be seen patrolling across the remote districts of the Malakand division. In addition, police and media reports show a declining trend in the crime ratio in the region. Economic activities including tourism and trade have been restored. Educational establishments for girls have been completely rehabilitated and no single incident of violence on schools has been reported. Sport galas and festivals are being successfully and peacefully organized and the famous tourist spot, *malam jabba* continues to attract local tourists.

Despite these positive anecdotes, certain parts of Malakand and southern districts of the province still show a gloomy picture. Reports have maintained that there have been incidents of violence including those targeted at security sector institutions and personnel. In addition, the relatively peaceful situation in the region does not necessarily indicate a positive change in the level of confidence and trust of the general population in the formal sector. A Knowledge Attitude and Practices (KAP) study conducted by UNDP in 2015 indicates that the level of trust in the police and the courts is low relative to the *Jirga*, ('assembly of elders') and other traditional dispute resolution mechanisms. Other findings of the KAP study indicate a general lack of responsiveness of the formal justice system, capacity constraints, public resentment on delays in court cases, inadequate legal literacy which can be a great push back on the development of rule of law institutions and the subsequent security of property and legal rights. These findings point towards the need for a continuing support which SRLP has been rendering for the institutional capacity building of the justice and security sector stakeholders.

The project continues to receive indispensable support from the KP judiciary, police, Home Department, prosecution and Planning & Development Department. The stated counterparts have also demonstrated a strong joint ownership of the Project through their involvement in planning and implementation of activities, decision making, networking and most importantly sharing financial costs. In addition, the bar association/s and local CSOs / NGOs continue to partner with the project to address pressing security and justice needs of the region.

3. Project Performance and results

3.1 Contribution towards Country Programme Outcome¹

CPAP Outcome: Rule of law and public security institutions strengthened to enhance public trust and social stability, and provide improved safety and security, including measures to address transnational crimes and trafficking.			
Indicator(s): Number of duty-bearers enabled with strengthened system and capacities (gender disaggregated)	Baseline: 2,297 (men=2,124; women=173) enabled duty bearers with moderately strengthened systems and capacities through KPJA, PTC Hungu, and RTC Swat	Target(s): 3,198 (men=2,852; women=346) enabled duty bearers (lawyers, prosecutors, judges, court staff, police) with strengthened systems and capacities through KPJA, PTC Hungu, and RTC Swat with addition of FSL Swat	Achievement(s): 1. 3,785 (men=3,344; women=441) enabled duty bearers including Lawyers (output 1); Police and Prosecutors (output 4); judges and court staff (output 3) 2. Strengthened systems and capacities through KPJA (output 3), PTC Hungu, and RTC Swat with addition of FSL Swat which was made fully functional (output 4)
Description of output level high/outcome level results achieved in 2015: An independent Midterm Evaluation ² reveals that the focus on pro-bono legal services has helped restore confidence of common citizens in the formal justice sector in Malakand. Efforts made through legal aid desks and clinics have brought back common citizens (especially the less advantaged) to the formal justice system for the restoration of rights and entitlements(E1) Collaboration with academic institutions for encouraging women to join the legal profession has also resulted in successful outcomes. Focus Group Discussions (FGDs) clearly point out that <i>appetite for improved legal awareness, demand for legal rights and desire for seeking justice through state edifice has been palpably enhanced in the Project areas</i> (E1). Women from Lower Dir and Buner districts maintained that police are performing better and the general security situation has improved since the military operation in 2009. FGDs also confirmed that there is an appreciation of improved facilities of courts and cooperative behavior of court officials (E1) Working with University of Malakand has enabled the University to incorporate legal themes in its academic activities including clinical legal education and boosting the knowledge base of female students in legal subjects.			

¹ Outcomes describe the intended changes in development conditions that result from the interventions of governments and other stakeholders, including international development agencies such as UNDP. They are medium-term development results created through the delivery of outputs and the contributions of various partners and non-partners. Outcomes provide a clear vision of what has changed or will change globally or in a particular region, country or community within a period of time. They normally relate to changes in institutional performance or behavior among individuals or groups. Outcomes cannot normally be achieved by only one agency and are not under the direct control of a project manager.

² Independent Midterm Evaluation, Strengthening Rule of Law Project, UNDP, 2015

On the supply side, Project's strategy to pursue a parallel course of action in terms of reform and institutionalization has been found to be successful. Institutional capacity of the Khyber Pakhtunkhwa Judicial Academy (KPJA) has been boosted on a long-term basis. The academy is well poised to take forward a capacity building agenda in support of the district judiciary. The academy is also capacitated to assess needs and deliver independently designed quality trainings, which have been made possible through the project's support (E1).

The police is fully behind the reforms both at the policy as well as at operational level. In addition, there is strong willingness of the provincial government to strengthen forensic services which has the potential to improve investigation and a subsequent improvement in conviction rate. Moreover, the police has been capacitated in evidence based investigation, community policing and operations (E1)

Courts, police and prosecution are better resourced in terms of infrastructure including enhanced citizen information desks and facilities for litigants which has improved the visibility of state institutions and hence confidence of general public. Strengthening of prosecution services has been done through measures aimed at capacity building of field level staff in addition to development of critical skills in modern forensic investigations.(E1)

Means of Verification:

E1: Independent Midterm Evaluation, 2015

3.2 Progress towards Project Results/Outputs³

Project Output I:			
Access to justice, legal aid and representation mechanism for men, women and other vulnerable groups (returnees& children) in Malakand improved.			
Indicator(s):	Baseline:	Target(s):	Achievement(s):
1.1. Extent to which bar rules are amended for pro bono services provision to vulnerable groups and made functional	1.1. Scale 1=Inadequate rules requiring pro bono work	1.1. Scale: 3 amended rules are operationalized	1.1. Scale:2 Amended rules ratified
1.2. No. of vulnerable litigants provided legal aid in target areas (disaggregated by gender)	1.2. 6,503 (male=53%; female=47%) citizens provided free legal aid in target areas	1.2. 7,813 (male=53%; female=47%) citizens provided free legal aid in target areas	1.2. 9,572 (male=52%; female=48%) citizens provided free legal aid in target areas
1.3. No. of community members made aware of their legal rights and duties, with special focus on increased percentage of women	1.3. 52,222 community members made aware of their legal duties and rights	1.3. 80,038 members made aware of their legal duties and rights	1.3. 79,693 community members made aware of their legal rights and duties
1.4. No. of women law practitioners taking part in mainstream legal practice	1.4. 34 women law practitioners added to the mainstream legal practice through provision of internships and licences	1.4. 48 women law practitioners added to the mainstream legal practice through provision of internships and licences	1.4. 48 women law practitioners added to the mainstream legal practice through provision of internships and licences
Description of output level results achieved in 2015:			
A study conducted by UNDP ⁴ indicates that the people of Khyber Pakhtunkhwa province face considerable hurdles in accessing the formal justice system which, <i>inter alia</i> , includes a lack of knowledge on legal rights,			

³ Outputs are short-term development results produced by project and non-project activities. They must be achieved with the resources provided and within the time-frame specified (usually less than five years).

⁴ *Voices of the Unheard* (2012) UNDP, Pakistan

civic duties and remedial forums, lack of practicing female lawyers, expensive and prolonged litigation and inadequate legal aid services for poor and marginalized community members. To address the gaps, different interventions were initiated including legal awareness sessions at the community level, establishment of legal aid desks and provision of legal aid services to the indigent and marginalized at tehsil and district level. In order to strengthen the system on a long-term basis, policy dialogues are underway with the Law & Justice Commission and Pakistan Bar Council to amend the legal aid framework. Close and consistent coordination is being maintained with the justice sector stakeholders particularly the bar councils, bar associations and judiciary at district level to ensure that interventions are sustainable. (E3; E4)

With the aim to bring back common citizens (especially the disadvantaged ones) to the formal justice system and restore their rights and entitlements Strengthening Rule of Law Project (SRLP) supported the reconstitution and reactivation of 22 Legal Aid Committees (LACs) comprised of five to seven members from the local bar association at the district, tehsil and sub-divisional levels. A total of 27,471 people (13,146 men and 14,325 women) benefited from 521 legal aid clinics and legal awareness sessions (240 for men, 258 for women, and 23 combined sessions). 1,934 (937 men and 997 women) community members benefited from legal advice and consultations provided by men and women lawyers. 891 cases (484 men and 407 women) were referred to 22 legal aid desks in six project districts. 244 cases (136 involving men and 108 women litigants) were instituted in courts for disadvantaged people (IRRF 3.4.1.A.3.1). A training manual for Clinical Legal Education (CLE) at the University of Malakand was completed in partnership with the KP Law Department (E3;E4)

During the period, a training manual on Clinical Legal Education (CLE) was developed for the law students and a test training conducted for 29 law students (17 male and 12 female) from 22-24 December in Malakand University. The training manual was tested and reviewed during the training. Teaching faculty and heads of four law schools including Quaid-e-Azam University, Malakand University, Shaheed Benazir Bhutto University at Sheringal Dir Upper, Hazara University and representative from Open Society Foundation were involved in the manual review. The manual will be used for the students training in 2016. (E3)

Encouragement of female lawyers is one of the key priority area for the Project. In 2015, 24 female law students and law graduates supported in their studies, apprenticeship and obtaining license. The beneficiaries include 10 female law students, 10 female law graduates and 4 female law graduates who have completed their apprenticeship and applied for obtaining license. (E3)

To build female lawyers skills, a training was organized in partnership with the Asma Jehangir, Gul Rukh, Hania Jilani and Shehla Zia (AGHS) Lahore and Malakand University at AGHS Lahore. In this 6 days training, 8 female lawyers from Malakand division received training.

A total of 47 lawyers (40 male and 7 female lawyers) were trained in two training events which focused on skills enhancement and sensitizing legal practitioners to provide services needed by the poor and vulnerable segment of the society. The training areas also covered both theoretical and practical aspects including understanding of rule of law, access to justice, legal aid, and code of conduct for lawyers, human rights, United Nations Guidelines on legal aid, client interview, legal research, legal drafting, and presentation of cases in courts (E2)

A two-day conference, "Legal Aid in Pakistan: the Next Steps" was organized in partnership with the Pakistan Bar Council (PBC) from 11-12 September 2015 in Lahore. The conference was continuation of past consultations held by bar councils and bar associations in which over 150 delegates participated. During the conference the proposed legal aid rules prepared by PBC in collaboration with SRLP were discussed. In light of the recommendations, the proposed rules were revised and submitted to PBC for further review and approval. At the close of the conference, a resolution was passed which asserted: a) the PBC will review

and approve the proposed Legal Aid Rules, b) the state has the responsibility to take concrete steps to establish a legal aid authority in the country, c) PBC will operationalize its legal aid committees and will develop a proper monitoring, reporting and accountability mechanism to ensure provision of quality legal aid services to the people, and d) the PBC; justice stakeholders and UNDP will work in collaboration to reform the legal aid system in Pakistan.(E2)

In light of the recommendations from the conference, the proposed legal aid rules were revised and submitted to PBC for review and approval. The proposed rules has received approval of Central Legal Aid Committee and the Executive Committee of PBC and a final approval and notification by the General Body of PBC. Once the proposed rules are approved and notified, the project will provide support to PBC to constitute legal aid committees in the project districts and take custody of the legal aid desks in the project districts. (E4;E5)

Overall Output Status: (4)

Exemplary (5) *****	High (4) ****	Satisfactory (3) ***	Poor (2) **	Inadequate (1) *
The project is expected to over-achieve targeted outputs and/or expected levels of quality, and there is evidence that outputs are contributing to targeted outcomes	The project is expected to over-achieve targeted outputs and/or expected levels of quality	The project is expected to achieve targeted outputs with expected levels of quality	The project is expected to partially achieve targeted outputs, with less than expected levels of quality	Project outputs will likely not be achieved and/or are not likely to be effective in supporting the achievement of targeted outcomes

Means of Verification:

- E2: Training and progress reports
- E3: Legal Aid Desks, Legal Aid Clinics case registers and attendance sheets
- E4: Record of bar associations
- E5: Partner Reports

Project Output II: Informal justice mechanisms provide fair and effective services, in accordance with the Pakistan Constitution and human rights standards			
Indicator(s): 2.1 Extent to which the panel of conciliators effectively function under Rules of Business and are capacitated to provide quality ADR services 2.2 Extent to which paralegals are systematically trained to provide community based services.	Baseline: 2.1 Scale 1=No Rules of Business in place 2.2 Scale 1= No certificate training course for paralegals	Target(s): 2.1 Scale: 2=Rules of Business developed and endorsed by relevant authority 2.2 Scale 2= A certificate training course developed and offered to public	Achievement(s): 2.1 Scale=1 No Rules of Business in Place 2.3 Scale 2= A certificate training course developed and offered to public
Description of output level <u>results achieved</u> in 2015: <p>The Project aims to strengthen and reform alternative dispute resolution (ADR) mechanisms in Khyber Pakhtunkhwa. Traditional dispute resolution systems are considered easy to access, inexpensive and a reliable means to accessing justice. However, local communities as well as alternative justice practitioners lack basic knowledge of the legal system which result in settlements violating human rights as well as national laws. Reforms as well as capacity building of ADR practitioners are vital to ensure compliance with human rights principles.</p> <p>In order to reform and strengthen alternative dispute resolution (ADR) mechanism for provision of fair and effective services the Project is focusing on three components under the ADR output i.e. panels of conciliators, community based paralegals and court-annexed ADR.</p> <p>The Project is working in close collaboration with the Local Government, Elections and Rural Development (LGERD) department of the Khyber Pakhtunkhwa (KP) government for developing rules for the ADR forums to be based within the elected local governments. Under the local government act of 2013 local bodies have been established at village and neighbourhood level and it is anticipated that the ADR forums if established will cater to a large number of disputants in the province. The Project has also developed an ADR training manual for the elected members of local government which will be improved and utilized in 2016. The Project will support the LGERD Department in delivering ADR trainings for the ADR forums based within the local governments (E9)</p> <p>Community paralegals play an important role in resolving disputes at the community level and bridge the gap between community and service providers. Paralegals play an important role in legal empowerment and development of their communities. The Project supported the University of Malakand in establishing a certificate course for paralegals. For this purpose, an international consultant was hired to develop the course. In order to collaborate with the paralegal efforts at national level it was decided</p>			

that the national paralegal curriculum will be reviewed and tailored according to the needs of the region. The revised curriculum has been endorsed by the University authorities and first course has been planned for January 2016. The Project will support community members in taking the university-based paralegal course. Towards this end, 22 representatives from prominent law schools, civil society organizations and community-based paralegals attended a two-day consultative workshop. The workshop served the following broad objectives:

- Setting the agenda and concept for national conference on community based paralegals;
- Paralegal certificate course at the University of Malakand;
- Devising a strategy for paralegals to benefit from Law School based clinics; and
- Enhanced cooperation and dialogue between the ADR – Justice Sector actors i.e. civil society, law schools, bar and community based paralegals.

A divisional workshop for community-based paralegals of Malakand Division was held in Swat on December 15th with participation of 38 paralegals. Around 38 paralegals participated in the first divisional workshop for the community based paralegal in Malakand Division. The workshop included presentation by SRLP and University of Malakand, general discussion, working groups and training needs assessment exercise (E6)

During the first half the participants were divided into 4 working groups and each working group was assigned a topic. The working groups were diverse and included representatives from different districts in order to encourage dialogue and networking between the paralegals. The working groups explored the following topics:

- 1) Challenges, difficulties, best practices and lessons learnt;
- 2) Do's and don'ts for the community paralegals;
- 3) Networking of community paralegals, need for a voice (regional/provincial/national representatives to represent on common matters of interest) training, referrals, coordination with other project activities, referrals; and
- 4) What works and what doesn't, the role of community paralegals in their communities.

The paralegals also participated in a training needs assessment exercise. The TNA tool was developed by UNDP's international consultant for development of paralegal curriculum. The TNA results helped the consultant in identifying the needs of the paralegals and designing the course (E6).

The judiciary was supported in developing Judicial guidelines on ADR. The Project supported The Khyber Pakhtunkhwa Judicial Academy (KPJA) in organizing workshops for developing judicial guidelines on ADR. The judicial guidelines developed are being printed, disseminated and will be submitted to the High Court for further actions. Besides an ADR mediation training manual for judges and lawyers was also developed in 2015 through an international consultant. The skill-based mediation training was incorporated in the training regimen of Judges at the KPJA and around 50 judges attended the mediation training (E8)

Overall Output: (3)

Exemplary (5) *****	High (4) ****	Satisfactory (3) ***	Poor (2) **	Inadequate (1) *
The project is expected to over-achieve targeted outputs and/or expected levels of	The project is expected to over-achieve targeted outputs and/or	The project is expected to achieve targeted outputs with expected levels of quality	The project is expected to partially achieve targeted outputs, with less than	Project outputs will likely not be achieved and/or are not likely to be effective in supporting the

quality, and there is evidence that outputs are contributing to targeted outcomes	expected levels of quality		expected levels of quality	achievement of targeted outcomes
Means of Verification: <ul style="list-style-type: none">• E6: Workshop reports• E7: Copy of certificate course for paralegal• E8: Copy of judicial guidelines on ADR				

Project Output III:			
Improved capacity of courts to provide effective and timely justice services to the people of KP			
Indicator(s):	Baseline:	Target(s):	Achievement(s):
3.1. The extent to which the capacity of the judges and the court staff is enhanced in terms of evidence based decision making and in reducing case backlogs	3.1. scale=1 No specialized trainings available for judges and court staff at KPJA	2.1 Scale=2 Specialized trainings for judges and court staff based on a needs assessment	3.1 Scale =2 Specialized trainings conducted and evaluated (1103 judges and court staff trained)
3.2 Increased capacity of KPJA to conduct publishable research on Rule of Law	3.2 Scale=1 No capacity to conduct publishable research on Rule of Law	3.2 Scale=2 Limited capacity (one or two staff working on ad hoc basis on research, research studies produced and published)	3.2 Scale=2 Limited capacity (one or two staff working on ad hoc basis on research, at least two research studies produced and published)
3.3 Extent to which case management and court administration is improved for speedy case disposals with particular focus on cases affecting women	3.3 Scale=1 Weak case management and court administration with unknown gaps (no assessment of the current management and court administration system done)	2.2 Scale=2 Limited case management and court administration with identified gaps	2.3 Scale=2 Limited case management and court administration with identified gaps
Description of output level <u>results achieved</u> in 2015:			
Judicial system of Pakistan in general and of KP in particular is faced with numerous challenges characterizing it lethargic and slow with a huge backlog. People's trust in the system has been low over time due to delays in case disposals and cumbersome processes accompanied by low capacity of both court staff and judges especially at the lower courts. The judicial output since the inception of the project continued to support the strengthening and capacity building of courts and court officials at district level of Malakand Division and Southern parts of KP's Bannu, Kohat and D.I. Khan districts.			

The Project in partnership with KPJA supported the capacity building of judges and court staff for better service delivery to the public. During the reporting time period the Project supported capacity development of 100 judicial officers through a series of four trainings on two different curriculums. Two training sessions on substantive and procedural laws for 50 judicial officers including 09 female judges were conducted. Similarly two training sessions on court and case management targeting 50 number of judicial officers including 11 female judges were conducted (E2)

The pre and post evaluation assessment showed 19% improvement in the skills and knowledge of judges in substantive and procedural laws trainings; and 24% improvement in court and case management skills training for speedy disposal rate (E2).

Working of the courts cannot be completed without the support of court staff. To develop the capacity of court staff in their daily routine work two training sessions on office and case management module for fifty court staff was conducted. Pre and post evaluation assessment reveals 34.5 % improvement in skills and knowledge of court staff (E2).

Besides capacity building the project also supported the up-gradation of existing three training manuals for judges and court staff to bring it in line with present day developments and to accommodate new amendments in the existing laws (E10).

The project supported KPJA to develop an effective performance evaluation system consisting of a data base and an automated data analysis software with ability to evaluate training outcomes in real time (E10).

To evaluate the functioning of Criminal Justice Coordination Committees (CJCCs) the project supported a research study which focused on performance and gaps. Institutional support was also provided to the Planning and Development (P&D) cell of Peshawar High Court with a view to enhance their capacity to deliver timely services (E12)

Overall Output Status: **(3)**

Exemplary (5) *****	High (4) ****	Satisfactory (3) ***	Poor (2) **	Inadequate (1) *
The project is expected to over-achieve targeted outputs and/or expected levels of quality, and there is evidence that outputs are contributing to targeted outcomes	The project is expected to over-achieve targeted outputs and/or expected levels of quality	The project is expected to achieve targeted outputs with expected levels of quality	The project is expected to partially achieve targeted outputs, with less than expected levels of quality	Project outputs will likely not be achieved and/or are not likely to be effective in supporting the achievement of targeted outcomes

Means of Verification:

- E10: Reports from KPJA
- E11: District judiciary records
- E12: Research report on Criminal Justice Coordination Committee

Project Output IV: The police provide effective security and protection to the Malakand people, citizen's trust and confidence is enhanced, criminal investigation and prosecution are improved and civilian oversight mechanisms are in place			
Indicator(s):	Baseline:	Target(s):	Achievement(s):
4.1 Extent to which the police is capacitated to develop and implement district police plans	4.1 Scale=1 No capacity to develop and implement district police plans (no consultations held with the community and no plans in place)	4.1 Scale=2 Limited capacity (public consultations held, objectives for the plans identified)	4.1 Scale=3 Improved capacity (6 district police plans developed)
4.2 No of female police personnel increased along the mainstream policing chain within police stations	4.2 TBD	4.2 TBD	4.2 TBD
4.3 Extent to which trust and accountability established between police and the community	4.3 Scale=1 Limited engagement of the police with community (no formalized platforms for interactions of community with the police)	4.2 Scale=2 Moderate engagement of the police with community (community policing forums established by the police with communities)	4.3 Scale=2 Moderate engagement of the police with community (community policing forums established by the police with communities; 350 Police officers trained in community policing and CPF initiated in 7 districts)
4.6 Extent to which the police is capacitated through institutional support and training for better policing services	6.6 Scale=1 Limited capacity (training curriculum not reviewed, no M&E system and strategy for training in place, limited training and	6.6 Scale=1 Limited capacity (training curriculum not reviewed, no M&E system and strategy for training in place, limited training and	6.6 Scale=1 Limited capacity (training curriculum not reviewed, no M&E system and strategy for training in place, limited training and skills and

	skills and limited resources)	skills and limited resources)	limited resources; 1,556 police, prosecution and forensic science lab officials developed
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Description of output level results achieved in 2015:

With the fluid law and order context of KP, it is becoming increasingly clear that the capacity of the police has to be responsive to community needs and focused on fostering public confidence and trust. The Project is supporting the KP Police in enhancing its training and forensic infrastructure as well as building capacity of its personnel. The Project is involved in policy level reforms including piloting of community policing initiatives.

Based on needs assessment, the capacity of 40 women police officers was built in terms of criminal investigation and crime scene management, community policing, gender-responsive policing, and communication and supervisory skills. 50 police officers (including 10 women officers) capacity was improved in gender-responsive policing with mentoring structure set-up linked to performance appraisal at district level. Similarly a training was conducted for 50 police officials, including 10 women police officers, for application of district level monitoring. The pre and post evaluation of the trainings revealed 15%, 37.65%, and 25.07% improvement in the skills and knowledge of the trainees respectively (E2).

At Police Regional Training Center Swat, a dormitory for women police officers lodging as well as a day-care center was refurbished. The dormitory and day-care center were also provided furniture and equipment. To facilitate the engagement of community, community policing forum, gender-responsive desk, record rooms, and investigation and interview rooms were refurbished in 18 police stations of Malakand division. Furniture and equipment was provided to district police to undertake data management/analysis of crime statistics, encompassing all crimes which is to be shared with divisional level. The Data Analysis Centre will increase the CPO's capacity to assess information collected from different districts and allow for the development of evidence-based policies and district plans (E2; E5).

Furniture and equipment was provided to female reception desks/spaces. Furniture and equipment for the implementation/roll-out of SMS (and telephonic) complaints system for public and follow-up mechanism within district police with link to Central Police Office (E 13)

The Project also provided equipment and furniture for implementation of an automated First Information Report (FIR) tracking system at district police stations, which will be accessible to senior police (divisional and above) as well as for public with files. The Project is also engaged with the Provincial Public Safety and Police Complaint Commission (PPSPCC) to discuss support for a 3 to 5 year strategy plan, annual plans and capacity development initiatives. Furniture and equipment (e.g. IT equipment, office furniture as needed) support was provided to PPSPCC to establish a secretariat (E13)

The Project engaged with key stakeholders to amend KP Police training policy so that it support women's promotion within districts police stations after they receive the mandatory trainings. Public representatives at provincial and federal level, senior and junior cadre of police, members of the civil society, and distinguished academicians participated in the workshop. The participants were divided into four syndicate to prepare a comprehensive proposal on the stated subject. At the close of the workshop, the police constituted a committee to review the proposal and submit final consolidated recommendations for the police training policy (E5)

350 police officers (including 30 women officers) were trained on the concept of community policing interventions. Subsequently, launching ceremonies were held at community level and 23 Community policing forums were established in 7 districts of Malakand division. The objective of the intervention is to bridge down gap between the police and community. Through CPF the community and the police will be engaged to resolve local issues at community level in order to reduce case log on police and judiciary (E5)

Regional Forensic Science Laboratory (RFSL) in Swat was established and inaugurated. To operationalize the Lab, state-of-the-art-machinery was provided. Further, 17 staff members, including 3 supervisors' capacity was built in various disciplines of forensic investigation. The lab will help speed up the disposal of cases, improve service delivery and build the people's trust in the police and the justice system. An LoA with the Director General of the Punjab Forensic Science Agency (PFSA) and Director Forensic Science Lab (FSL), Peshawar was signed under which the PFSA will provide training in forensic photography to two staff members of the FSL, Swat. Training will complete in March 2016 (E2)

The Project is supporting the formulation of District Police Plans (DPPs). In consultation with KP Police and public, 6 Police Plans have been completed and will be published and implemented at the start of 2016 (E14)

Based on the findings of assessment of District Public Prosecutors Offices, they were provided with 11 access points for online law journals which will help them in their capacity building. In addition, furniture, equipment and solar panels were provided to three District Public Prosecution Offices (E2)

Under capacity development initiatives for District Public Prosecutors, a ten-day training on case management techniques for prosecutors was undertaken whereby 21 officials, including 2 women, attended the training. The prosecutors' capacity was enhanced in criminal prosecution and counter terrorism. 24 senior prosecutors' skills regarding service matters was enhanced through a five-day training on management. Additionally, the training also gave insight in Civil Servant Acts and rules of appointment, recruitment, leaves, fundamental rules and rules of business, etc. The training was highly appreciated by the participants and Director General Prosecution Department who was present at the closing ceremony of the training. Moreover, a manual for the joint training of police, levies and prosecution on selected topics, including joint investigation and coordination was developed. Two five-day trainings were held wherein 53 (including 4 women) personnel from police, levies and prosecution departments were trained in joint investigation management and forensics. The purpose of the training was to bring the law enforcement agencies of KP together to enhance their professional capacity in terms of investigation, crime scene management and most importantly the collection, preservation and use of forensic evidence in criminal cases. The forensic evidence, if its collected, preserved, analyzed in a systematic way can bring the culprits to justice and can exonerate the innocents (E2)

A one-day workshop was undertaken on identifying grey areas in the monitoring and evaluation system of Prosecution Department. 24 participants including senior officials from Directorate of Prosecution attended the workshop to discuss the gaps and issues of the monitoring procedures. Existing procedures of monitoring were discussed in detail and recommendations were formulated to enhance the capacity of monitoring cell of the Prosecution Department. For further action the recommendations will be submitted to the Secretary of Home Department (E6)

The Project is helping to address the protection issues of female litigants. The land for establishing a shelter (*Dar ul Aman*) for women in Chitral district has been allocated. Feasibility study was conducted, and having received the report, request to Secretary Social Welfare was sent to further discuss the findings of the feasibility report for the establishment of the women shelter (E2)

With a view to increase the capacity of the Home Department to independently hold events, conferences, meetings and policy dialogues, the project provided institutional support to the Home Department which included refurbishment of a conference hall and provision of furniture. Finally, the Project provided IT, electric equipment, and furniture to three District Public Prosecutors Offices, namely Kohat, Bannu and D.I. Khan to enhance working environment at the district level (E2)				
Overall Output Status: (4)				
Exemplary (5) *****	High (4) ****	Satisfactory (3) ***	Poor (2) **	Inadequate (1) *
The project is expected to over-achieve targeted outputs and/or expected levels of quality, and there is evidence that outputs are contributing to targeted outcomes	The project is expected to over-achieve targeted outputs and/or expected levels of quality	The project is expected to achieve targeted outputs with expected levels of quality	The project is expected to partially achieve targeted outputs, with less than expected levels of quality	Project outputs will likely not be achieved and/or are not likely to be effective in supporting the achievement of targeted outcomes
Means of Verification: <ul style="list-style-type: none"> E13: Police record E14: District Police Plans 				

Monitoring, Evaluation and Research Initiatives

During 2015, The Project completed a number of evaluations and research initiatives which are in line with UNDP's long-term objective to document lessons learnt and thus create a body of knowledge to be used for the effectiveness of current as well as future programming. The Project is currently undertaking the following initiatives:

- **Independent Midterm Evaluation:** An independent midterm evaluation of the Project was completed in 2015. The findings of the evaluation will help assess the efficiency, effectiveness, relevance, impact and sustainability of the Project's design and implementation strategy. Based

on the findings of the evaluation, necessary changes were made and recommendations were included in the 2016 Annual Work plan.

- **KAP Study:** The study focus was on understanding the level of knowledge of the target population in terms of: 1) their legal rights and laws pertaining to these rights; 2) the existing mechanisms of the informal justice sector; 3) their perceptions of and attitudes towards police and courts; and 4) to study the current practices in place. The Knowledge, Attitude and Practices (KAP) study was conducted in four districts of Malakand and completed in September. The report has been finalized and requires CO review for publication/sharing. Followings are the key findings of the study:
 - Citizens articulating a broad-based call for justice sector reforms including strengthening of legal aid system, improved evidence collection, reforming police, legislation for speedy justice, better coordination among justice providers, training in law and legal rights, improving prosecution and introducing community policing in the area.
 - Citizens exhibiting a positive attitude towards formal justice system for serious cases like disputes on money, land and water irrigations. But when it comes to family disputes involving marriage and divorce, petty disputes involving children, employee-employer relations, religious and sectarian disputes, the level of confidence on formal court and police decreases
 - The formal justice system needs to be strengthened over traditional *Jirga*
 - The capacity constraints of formal justice system hindering access to justice due to its slow police investigation procedures, unfair and costly systems, delays and backlogs of courts in adjudicating cases.
 - The community members including both male and female, agree on the need for more awareness about laws and legal rights. Findings present a mixed picture on the level of public knowledge about legal rights and entitlements. A positive trend is seen towards the right to protection of law, freedom of religion, registration of FIR, production of accused within 24 hours to court, right to private property, education and marital rights.
- **Citizens' Perception and Satisfaction Study in southern KP:** The study was conducted in the three southern districts of KP, namely Bannu, D.I Khan and Kohat with the objective of creating a baseline on the current state of the rule of law and to recommend targeted interventions. The final report has been completed and is under internal review for publication/sharing. The report situates the baseline survey in a comprehensive review and analysis of the relevant literature on rule of law development in Pakistan as well as in comparative contexts. Several key trends and issues emerged from a survey of the literature which may be relevant to the development of a good rule of law program in KP. These include the need for structural change in the civil and criminal justice systems; accommodating legal pluralism and facilitating informal justice mechanisms to further the horizontal (mainly civil justice) dimension of the rule of law; vernacularizing restorative justice as the foundation for the reform of the criminal justice system; conceptualizing access to justice (especially administrative justice) as substantive justice more broadly defined than access to formal legal process; and ultimately enabling a meaningful Legal Empowerment of the Poor (LEP) agenda to emerge by having due regard to the interests and priorities of the lowest socio-economic strata of society.
- **KAP Study and Randomized Control Trials (RCT):** In order to study the impacts of the ADR component of the Project, a KAP Study and Randomized Control Trials (RCT) was conducted and has been completed and is being reviewed for sharing/publication. Followings are the key findings of the study:

- Informal alternate dispute resolution institutions have much higher level of dispute resolution rate, higher satisfaction level, and higher trust than the formal state justice dispensing institutions.
- Since for some types of cases or disputes, such as violent crimes, property disputes, and theft, people turn to state institutions such as police and local courts in a much higher proportion, mandate and capacity to provide dispute resolution to ADR institutions should enhanced and advocated as ADR institutions can provide, speedy and cost effective justice with much higher dispute resolution rate than the state institutions.
- Where awareness about *Musalihati Jirgas* and community based paralegals was present, people enjoyed very cost effective, speedy and highly rated justice seeking. Since a large substantial proportion in the treatment area was not aware of these institutions.
- Beside awareness campaign, it is important to have continued interventions aimed at improving friendliness, effectiveness, timeliness, access, interest, and comfortability in filing complains process for *Musalihati Jirgas/panel of conciliators* in other areas as we have some likely empirical evidence of impact of SRLM interventions on most of the above mentioned identified outcomes.
- Since people turn to state institutions such as police and local courts in a high proportion for cases or disputes regarding violent crimes, property disputes, and theft, interventions should be aimed at these institutions in order to make justice seeking process easier, friendlier, and cost effective, free of corruption and delays.
- The data collected for this study is quite rich for further advance analysis in order to learn what specific areas need more attention in order to improve overall satisfaction with the justice delivery process and dispute resolution. Hence further advance analysis should be conducted in order to identify priority areas or aspects in order to improve overall satisfaction with the justice delivery process and dispute resolution in the target areas. Further impact evaluation and tracking studies to monitor the progress of SRLP interventions should also be taken frequently for evidence based policy decision making.

4. LESSONS LEARNT

A few key lessons learnt during the roll out of the project include:

- Capitalizing on its past experience, the Project should offer more opportunities for cross fertilization within the broader context of rule of law (in areas such as democratic legitimacy, law making etc.) A Parliamentary Caucus on Rule of Law in Senate has recently been formed which can be coopted by the Project for synergizing mutual pursuit of rule of law reform (CCPAP 4.2; Project Outputs 1;2;3;4)
- The Project should enter into an understanding with Home Department for devising and implementing a time-bound plan for Strengthening Correctional Services at the district level which would cover the following areas:
 - Strengthened Probation Services for rehabilitation of ex-militants
 - Streamlining Juvenile Justice services for delinquent and young accused
 - Prison reforms especially for streamlining provision of legal and rehabilitative services for female and juvenile offenders (CCPAP 4.2; Project output 3;4)
- Office of MIT (Member Inspection Team) needs to be strengthened for assessing the post – training performance of judicial officers in case disposal and case-flow management, starting with new induction trainings for civil judges and additional session judges (CCPAP 4.2, Project output 3)
- The Project can further strengthen the capacity of Khyber Pakhtunkhwa Judicial Academy (KPJA) by putting in place a system of tracking case disposal output of judicial officers through MIT cell of PHC for empirical evidence of training outcomes. This can be done by instituting impact assessment regime at the academy (CCPAP 4.2, Project output 3)
- There is need of putting in place an effective procurement forecasting system to ensure a predictable procurement roadmap (including bidding and LoAs) with clear timelines, once work plans have been approved; this is critical for ensuring optimal utilization and timely delivery of output targets

5. THE WAY FORWARD/ KEY PRIORITIES FOR 2016

The Project will continue to facilitate the amendment and approval of bar rules from Pakistan Bar Council for increased pro bono justice. Legal awareness sessions will be conducted to make public aware of their legal rights and duties. Operational support will be provided to legal aid desks for their effective functioning. Media campaigns will be launched and materials on legal rights and laws will be disseminated to educate communities with special focus on women's, children, students and displaced persons' rights. Moreover, scholarships and internships will be provided to law students and graduates to encourage women to take up legal profession as a career. Law students will be indoctrinated into a culture of community service. The purpose is to increase the number of law students providing legal aid awareness at community level (CPAP 4.2, Project output 1).

The Government of KP will be supported in terms of reviewing and finalizing the draft "Forum for Amicable Settlement of Disputes" Rules 2015. Once the rules are finalized the Project will facilitate the local government department in developing training plan and delivering training for the forum members. In order to strengthen community paralegal development for effective ADR services the endorsed paralegal curriculum will be designed and printed. Financial support will be provided to local community members to undertake university-based paralegal training. A network of community paralegals as an official entity will be established. The court-annexed ADR guidelines will be disseminated. Trainings on ADR will be conducted for lawyers in order to promote the court-annexed ADR mechanisms (CPAP 4.2, Project output 2).

The Project will continue supporting the capacity development of KP district judiciaries by developing courses as well as developing special courses of juvenile justice system, forensics and gender justice and shall support capacity of judges through trainings on specially developed courses. The Project will continue its support to the research wing of KPJA as well as support its accounts system through institutional and personnel support. To support speedy case disposal, the Project will be conducting a study for the mapping of the current case management and court administration system including monitoring and supervisory role of the High Court and process serving mechanism. The project will also assess process simplification options and simplified version of court automation for timely court services. The district judiciary will also be supported in piloting online cause list with SMS notifications. Moreover, information centers at district judiciary will be strengthened for better services (CPAP 4.2, Project output 3).

With an objective to improve performance of police with full participation of public and make police more accountable to the community annual district police plans will be developed and implemented. The project will also be undertaking gender-responsive policing initiatives to facilitate better services to the community particularly women victims/complainants (CPAP 4.2, Project output 4).

To help bridge gaps between police and public, community policing intervention will continue. To help police accountable and prevent human rights violations, an internal accountability system at central and district police stations will be supported. The project will also be supporting Provincial Public Safety and Police Complaint Commission to ensure public consultation and awareness to provide better services and curtail police excesses. Efforts will continue to train police in the field of investigation, supervisory/communication skills and community policing. Moreover, institutional and capacity building support will be provided to the prosecution department. The Project will also be extending support to increase the performance of prison staff in line with international standard as well as enhancing inmate care to improve human rights conditions. The inmates will also be given vocational trainings so they become better citizens after release. Support for further enhancing the capacity of the Forensic Science Lab (FSL) at Swat will continue. A feasibility study will be completed for the

establishment of the Forensic Science Lab in Peshawar which will cater to the needs of the entire province (CPAP 4.2, Project output 4).

The Project will be undertaking a number of studies to further enhance informed decision making. To this end, an Independent mid-term evaluation of the project will be conducted which will be focused on result level impact measurement. Research study will be conducted to explore new areas of interventions in terms of Legal Aid, ADR and Judiciary. The Project will also be conducting study on the use and effectiveness of Legal Aid Desks and Clinics and trainings. A study is planned to gauge the use and effectiveness of trainings under Judiciary and Panel of Conciliators. One KAP and Services User Survey will be conducted in the intervention areas of selected model police stations in Malakand. A research study on the implications of land settlement causing civil litigation and female right to inheritance in Malakand Division will also be conducted (Project output 5).

Annex: Financial Summary (2015)

Note: The figures are not final as the financial year has not been closed yet.

PLANNED OUTPUTS	Total Expenditure		
	Budget (US\$)	(US\$)	% Delivery
Output 1: Access to justice, legal aid and representation mechanism for men, women and vulnerable groups in Malakand improved	761,306	687,619	90.32
Output 2: Alternative justice mechanisms provide fair and effective services in accordance with the Pakistan Constitution and human rights standards	565,328	441,242	78.05
Output 3: Improved capacity of courts to provide effective and timely justice services to the people of Malakand	269,208	204,439	75.94
Output 4: The police provides effective security and protection to the Malakand people, citizen's trust and confidence is enhanced, criminal investigation and prosecution are improved and civilian oversight mechanisms are in place	2,976,013	2,181,130	73.29
Output 5: PMU	2,181,001	1,974,450	90.53
Total	6,752,856	5,488,880	81.3
Donor Wise Expenditure (31-12-2015)			
UNDP (TRAC)		396,330	
Embassy of the Kingdom of Netherland (EkoN)		279,596	
Swiss Development Corporation (SDC)		1,224,073	
Government of Khyber Pakhtunkhwa		1,425,425	
European Union (EU)		2,163,457	

Note: The given figures are not final as the financial year is not closed yet.