

IDLO PROGRAM RESULTS

HIGHLIGHTS REPORT 2013-2016

31 July 2017



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1 INTRODUCTION

Using a combination of independent evaluations and internal analysis, this report looks at the strategic alignment of IDLO's projects to its substantive goals and assesses, where possible, programmatic results achieved during the 2013-2016 strategic cycle. The data collection and analysis took place under the umbrella of 2013-2016 IDLO Strategic Plan¹, focusing on three substantive goals, namely:

- Goal 1: IDLO will help to build confidence in the justice sector by supporting legal and institutional reforms and promoting good governance.
- Goal 2: IDLO will enhance access to justice by enabling governments to uphold human rights and empowering people to claim them.
- Goal 3: IDLO will facilitate innovative legal approaches to support sustainable development and economic opportunity.

The report is structured as follows:

- **How we work – Strategic Mapping:** an overview of IDLO's programs and their alignment to the substantive goals.
- **How we work in focus – Gender Programming Overview:** a consolidated overview of IDLO's gender strategy and gender-focused programs.
- **What we achieved – Cross-Project Evaluation:** a cluster evaluation of IDLO projects, selected on a convenience sample², focusing on in-depth results based on evaluations.
- **Conclusion:** reflections on IDLO's "added value" and the way forward.

In terms of methodology, based on IDLO's steady and tangible progress in generating results-oriented information, the report provides highlights of IDLO's achievements and failures. As such, it is a valuable snapshot demonstrating how and to what extent IDLO's vision is being implemented. It does not aim to deliver an overarching assessment of IDLO results *vis-à-vis* its 2013-2016 Strategic Plan Results Framework.

Within this framework, the **Strategic Mapping** provides a glimpse of how a fully-fledged review of the IDLO's Strategic Plan might look. The **Gender Programming Overview** focuses on examining IDLO's gender work. The in-depth **Cross-Project (Cluster) Evaluation** brings rich and robust evidence on results of selected IDLO projects. Such evaluations serve as a "data reservoir" for high-level strategic evaluations in the future. Finally, the **Conclusion** highlights elements identified in the cluster evaluation as IDLO's added value to rule of law programming.

¹ IDLO, 'IDLO: Creating a Culture of Justice: Strategic Plan 2013-2016', available at: <http://www.idlo.int/about-idlo/strategic-plan-2013-2016>.

² The cluster evaluation was performed by an independent evaluator. The projects for evaluation were selected as a result of contractual arrangements with IDLO donors, not selected by IDLO in relation to its Strategic Plan priorities (convenience sampling).

2 HOW WE WORK | Strategic Mapping and Project Alignment

2.1 Methodology

The three Substantive Goals of IDLO's Strategic Plan 2013 – 2016 were the expected long-term changes that IDLO sought to achieve by aggregating the results of its projects and global engagement in the field of rule of law. To allow for more streamlined and focused institutional activities, the three broad goals were stratified into clusters of specific sub-goals. In turn, these were transposed into expected outcomes within IDLO's Results Framework.

To assess the alignment of IDLO's programmatic interventions with these outcomes, and to set the basis for its next Strategic Plan (2017 – 2020), IDLO carried out an internal *Strategic Mapping* in late 2015 to early 2016. At the core of this exercise were Strategic Mapping Questions (SMQs), outlined in **Table 1**, mirroring the expected strategic outcomes detailed in IDLO's Theory of Change and Results Framework (please refer to **Annex I**).

Strategic Substantive Goal 1: Trust and Confidence in the Justice Sector Enhanced	56% of projects
<i>Qualitative SMQ 1:</i> Within this cluster, in what way do these projects address strengthening of capacity of justice sector institutions to perform their core functions?	
<i>Qualitative SMQ 2:</i> Within this cluster, in what way do these projects support constitutional and legal reform?	
<i>Qualitative SMQ 3:</i> Within this cluster, in what way do these projects contribute to enhancing the integrity of justice sector institutions?	
Strategic Substantive Goal 2: Human Rights and Access to Justice Advanced	46% of projects
<i>Qualitative SMQ 1:</i> Within this cluster, in what way do these projects address strengthening access to justice and the rights of women and girls?	
<i>Qualitative SMQ 2:</i> Within this cluster, in what way do these projects address the provision of legal services for poor and marginalized communities?	
<i>Qualitative SMQ 3:</i> Within this cluster, in what way do these projects address the right to health of marginalized and vulnerable-groups?	
Strategic Substantive Goal 3: Sustainable Development and Economic Opportunity Strengthened	22% of projects
<i>Qualitative SMQ 1:</i> Within this cluster, in what way do these projects address embedding rule of law in international policies and strategies for sustainable development?	
<i>Qualitative SMQ 2:</i> Within this cluster, in what way do these projects address sustainable management of natural resources and combating the impact of climate change?	
<i>Qualitative SMQ 3:</i> Within this cluster, in what way do these projects address strengthening of legal and judicial capacity and knowledge for economic transition, entrepreneurship and economic opportunity?	

Table 1 - Substantive Goals with proportion of projects and Strategic Mapping Questions (SMQs)

The *Strategic Mapping* focused on systematic identification of key thematic elements defined by the SMQs through standardized data collection from existing project documents.³ A total of 46 IDLO projects were reviewed, representing almost the entire portfolio of IDLO programs and projects at the date of the mapping (please refer to **Annex II** for the list of reviewed projects). **Table 1** also displays the proportion of projects per Goal, in percentages. Projects relating to each Goal were counted using a multiple response scale, as many projects addressed more than one Substantive Goal and more than one SMQ.

In the absence of a fully-fledged strategic review, which was not feasible due to limited time and resources, the *Strategic Mapping* provided a useful rapid analysis contributing to the development of IDLO's 2017-2020 strategic cycle. It also helped to explain the way in which IDLO pursued its vision. Given the limited scope of the mapping, it did not assess impact or the materialization of intended outcomes. To some extent, that kind of assessment is provided by the focused and independently conducted Cross-Project Evaluation which looks at IDLO's performance and impact in ten project evaluations using OECD-DAC criteria.

2.2 Overview of activities, approaches, and methodologies

The *Strategic Mapping* provided an overview of the key themes, activities, approaches, and methodologies most commonly used in IDLO's interventions, in line with substantive goals and expected outcomes of the Strategic Plan.

Thematically, the review showed that IDLO's technical assistance and capacity development support covered a broad range of legal and related subjects. For instance, in Afghanistan, IDLO focused on the criminal justice sector, gender and legal aid services, while in Kenya it provided technical legal assistance on matters ranging from devolution and gender equality to natural resource management and electoral dispute resolution. IDLO's main competency or strength, as confirmed in the Cross-Project Evaluation in Chapter 4, is its ability to access rapidly and manage a broad range of legal expertise from international, regional and national sources for the benefit of its partners.

While IDLO projects consistently included individual training, they also went further, to encompass, *inter alia*, change management, organizational strengthening, resource mobilization, networking and partnership among the relevant organizations and institutions, for sectorial coordination and to improve the quality of performance of justice institutions. In this context, it is also important to note IDLO's approach to capacity development, which was assessed by an external consultant and elaborated with supporting tools during the 2013-2016 strategic cycle. **Figure 1** defines the multiple levels: individual, organizational, sectorial, and institutional – at which capacity development occurs, while **Figure 2** provides a snapshot of the capacity development activities and focus areas from which IDLO draws its programming.⁴

³ Reviewed documents included: project proposals, logframes, project summaries and progress reports. One limitation in synthesizing the acquired information was that the number and types of documents scrutinized under each project differed depending on, *inter alia*, the stage of implementation (i.e. projects in the later phases contained more documents such as progress reports) and different reporting requirements.

⁴ See: IDLO, 'IDLO glossary of capacity development focus areas and activities' (March 2016).

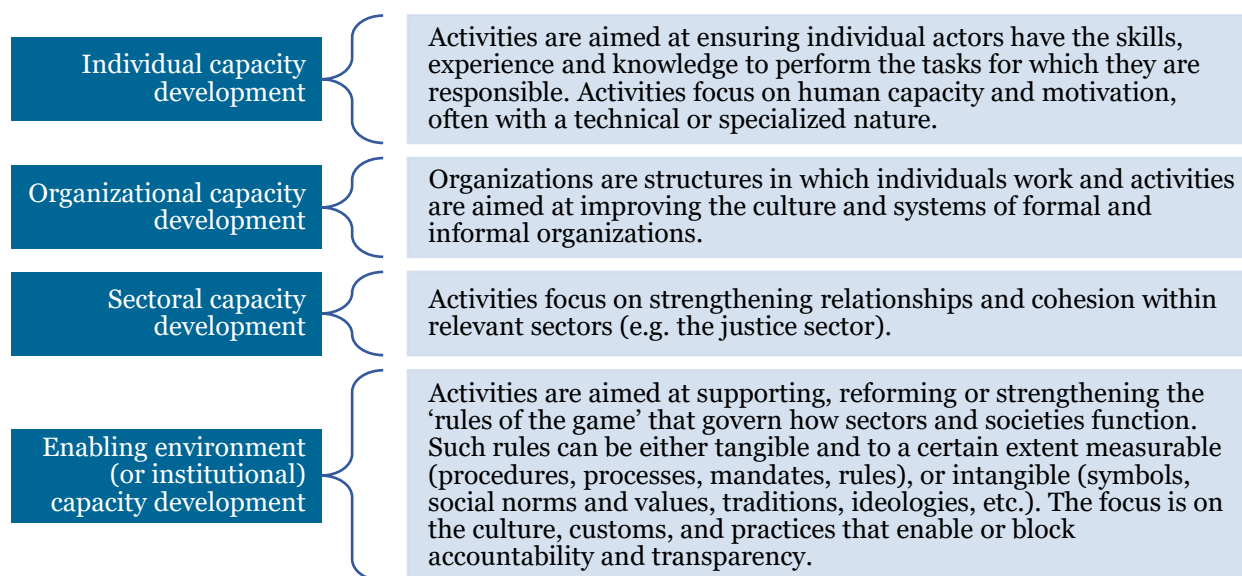


Figure 1: Levels of capacity development

ACTIVITIES	FOCUS AREAS							Types of Capacity		Levels of Application			
	Advocacy	Awareness raising	Leadership Development	Organizational strengthening	Partnership and network development	Sector strengthening	Transparency	Soft capacity	Hard capacity	Individuals	Organizations	Sectors	Enabling environment
ALS - Action learning sets	•	•	•					•		•			
ARL - Action, reflection, learning cycle	•	•	•	•	•		•	•	•	•			
Action research			•	•			•	•	•	•			
Coaching (group coaching, peer learning groups)	•	•	•					•	•	•			
COP - Community of practice	•	•	•				•	•	•	•			
Conference (colloquium, forum, symposium)	•	•					•	•	•	•		•	•
Dialogue (convened conversation)	•	•	•	•	•		•	•	•	•		•	•
E-learning		•	•					•	•	•			
Expert placement (embedded experts)	•	•	•	•	•		•	•	•	•			
Exposure visit (study visit)	•	•	•	•	•		•	•	•	•			
Job shadowing			•	•				•	•	•			
Media communication (radio, television, theatre, social media)	•	•					•	•	•	•			
Mentoring			•					•	•	•			
On the job training			•	•				•	•	•			
Participatory needs assessment		•		•	•		•	•	•	•			
Resource development	•	•		•	•		•	•	•	•			
Secondment		•	•	•	•		•	•	•	•			
Strategy development (policy development)	•		•	•	•		•	•	•	•			
Systems development	•			•	•		•	•	•	•			
Team Building	•	•	•	•	•		•	•	•	•			
Training events (course, seminar, Training of Trainers)			•	•				•	•	•			
Workshop (roundtable)	•	•	•	•	•		•	•	•	•			

Figure 2: Capacity development levels, types, focus areas, and activities

The Strategic Mapping also found that increasingly IDLO utilized a top-down / bottom up approach, combining capacity development activities aimed at fostering the ability of institutions and individuals to deliver good quality justice with empowerment techniques to strengthen civil society networks and groups to enhance access to justice and basic rights. Finally, the Strategic Mapping revealed IDLO’s commitment to local ownership and partnerships. It was particularly evident in IDLO’s gender programs and in programs aimed at strengthening judicial leadership skills and fostering the involvement of judicial professionals in legal reform processes in Afghanistan, Kenya and Kyrgyzstan, and in IDLO’s gender programs.

2.2.1 Substantive Goal 1 (Expected Outcome) | Trust and Confidence in Justice Sector

Trust and Confidence in the Justice Sector Enhanced	56% of projects
<i>Qualitative SMQ 1: In what way do these projects address strengthening of capacity of justice sector institutions to perform their core functions?</i>	
<p>IDLO's theory of change articulates that legitimate, effective and responsive institutions are key to breaking the cycle of violence and instability and laying the foundations for economic recovery and social development. In this context, IDLO's contribution aimed at improving the quality of justice, so that people can have confidence in the laws and institutions that are meant to serve them. While flagship programs in Afghanistan, Kenya, Kyrgyzstan and Tajikistan focused on state-centered justice institutions, projects in Mali focused on informal justice or in Somalia supported traditional dispute resolution (TDR) processes.</p>	
<i>Qualitative SMQ 2: In what way do these projects support constitutional and legal reform?</i>	
<p>Supporting institutions to carry out constitutional and legal reforms in a fair, transparent and inclusive manner was a key component of IDLO's theory of change, with projects primarily in Kenya and Somalia. IDLO's work was relevant both to peace-building and democratic processes, as well as to ensuring the independence and impartiality of the judiciary.</p>	
<i>Qualitative SMQ 3: In what way do these projects contribute to enhancing the integrity of justice sector institutions?</i>	
<p>IDLO's theory of change is based on the idea that, to foster confidence in the justice sector, it is essential to enhance the integrity of justice sector institutions and strengthen their capacity to promote good governance by holding state and other constituencies, including the private sector, accountable. In this context, IDLO's interventions targeted corruption, bribery, abuse of power and arbitrariness, with dedicated programs in Kyrgyzstan, Afghanistan, Ukraine, Tunisia and Mali.</p>	

Most of IDLO's work under Goal 1 was carried out in transitional, fragile or post-conflict situations, to build or reform justice sector institutions through capacity development, technical assistance and public engagement. The paragraphs below describe the approaches, activities and methodologies under this Goal, across the SMQs.⁵

Capacity development: Transferring knowledge and skills through training, Trainings of Trainers (TOTs), coaching, and mentoring arrangements formed a major component of many of the projects and programs under Goal 1. In some settings, IDLO designed and delivered practical skills training, including language courses on legal subjects, such as in South Sudan. Additional nuanced capacity development approaches were also utilized, including individualized coaching, mentoring, on-the-job training, exchange workshops and study visits.

⁵ Disaggregated information is available in the full Strategic Mapping Report, which also contains more in depth quantitative analysis.

Many projects combined transferring knowledge and skills with the production of learning tools and resources, manuals and judicial bench-books. In Tajikistan, commercial law resources were enriched at the Judicial Training Centre library, while in Myanmar, IDLO delivered 1,220 books and established legal resource libraries in Rule of Law Centres in four regions.

IDLO’s largest capacity development program was in Afghanistan. The objective was to build the training capacity of the key institutions in the criminal justice sector. As part of that effort, IDLO designed and implemented training courses in conjunction with the relevant Afghan institutions for over 5,176 legal professionals, including judges, prosecutors, defense lawyers, members of parliament, civil servants and academics. Some of the main achievements of the program by the end of 2016 included:

- Establishing professional training departments and directorates in partner institutions to sustainably manage continuing professional development.
- Progressively transferring responsibility for 40% of all training delivered to Afghan professionals.
- Providing 27,650 training hours to Afghan justice professionals to achieve increased capacity and competencies in delivering justice.
- Delivering 394 courses in 31 provinces and reaching justice sector professionals in all 34 Afghan provinces.
- Supporting female justice professionals to participate in training courses so that, while unrepresented in the profession, women made up 14% of all training graduates.
- Legal knowledge of the participants improved by 29%.
- Work related behavior of the participants was enhanced by 36%;
- Legal cases dealt with as per the law reached 72%.

In addition to large scale individual capacity development, IDLO efforts also focused on additional levels of capacity development in Afghanistan, as shown in **Figure 3**.



Figure 3: Capacity development at multiple levels in Afghanistan

Technical assistance and institutional support: IDLO provided technical assistance for constitutional, legal and judicial reform processes which were of strategic importance in sustaining peace, advancing democratic processes and promoting the rule of law. In Kenya, IDLO strengthened the capacity of the Commission for the Implementation of the Constitution to monitor, facilitate and oversee the development of legislation and administrative procedures required to implement the 2010 Constitution. In Somalia IDLO provided technical assistance to the Ministry of Justice to advance the processes of constitution-making and legislative reforms.

Technical assistance was also critical to programs combating sexual and gender based violence. In Afghanistan, IDLO supported the Elimination of Violence Against Women (EVAW) Units, and, in select Afghan provinces established by the Attorney General's Office which have been a critical feature of the national strategy to combat gender-based violence (for assessment of results, see independent evaluation of the *Supporting Access to Justice in Afghanistan* project, Chapter 4 below).

Technical assistance and institutional support were major components of IDLO's program in Ukraine to reduce corruption and promote good governance. IDLO embedded advisors in the National Anti-Corruption Bureau and the Special Anti-Corruption Prosecutor's Office to develop action plans for reform that led to the creation of a General Inspectorate Unit to help eradicate corruption at both national and regional levels. Important deliverables of the project included a new system of electronic public procurement and the establishment of "one-stop" administrative facilities ("Public Service Centres") that, by simplifying procedures, reducing bureaucracy, creating a transparent environment and separating functions, eradicates opportunities for corruption.

As shown in the Ukraine project, technical assistance has included not only the provision of legal expertise but also technological support to improve transparency and strengthen public accountability, for example, with timely information tools on electoral dispute resolution in Kenya, and the improvement of Kyrgyzstan's Supreme Court's website. E-justice initiatives in Kyrgyzstan included the development of a user-friendly court information management system that allowed transparent case management and randomized allocation of cases to judges to reduce the possibility of corruption.

Public engagement: Given the aim of Goal 1 to create public confidence in the justice sector, several projects placed particular emphasis on strengthening the role of civil society and fostering judicial-public engagement to advance justice sector reforms. In Kenya, public engagement within the constitutional process was one of IDLO's key objectives, achieved through public outreach activities, multi-stakeholder consultations and communications activities such as a 'brand audit' of constitutional justice institutions. In Kyrgyzstan, a "reality TV show" was launched to demystify the role of courts and the legal system to the general public. In Afghanistan, radio shows were developed for the Ministry of Justice to explain its role in providing legal services, including for women victims of violence.

Policy advocacy and research: Research and policy advocacy at global and national levels complemented other activities to advance Goal 1. Research activities supported effective programming, e.g. through data collection on the functioning of traditional justice systems in Somalia, political analysis of the penal chain in Mali, or mapping of corruption practices in the judicial system and developing a diagnostic tool to measure vulnerabilities to the integrity of the judiciary in Kyrgyzstan. In Kenya, comprehensive publications were developed on devolution jurisprudence, judicial transformation and judicial resolution of electoral disputes. Research also supported broader advocacy goals. For instance, as part of its pledge to enhance women's participation in the justice sector, IDLO produced a comprehensive report on women's professional participation in Afghan justice institutions⁶.

Combining capacity development, technical assistance and public engagement

The larger programs under Goal 1 combined capacity development, technical assistance, and public engagement. A good example is IDLO's project to build the capacity of the Kenyan

⁶ IDLO, 'Women's Professional Participation in Afghanistan's Justice Sector: Challenges and Opportunities, 2014, available at: <http://www.idlo.int/publications/womens-professional-participation-afghanistans-justice-sector-challenges-and>.

judiciary to handle electoral disputes. which was the subject of IDLO’s first Lessons learned Brief⁷.

The project’s notable achievements included:

- Supporting the Judicial Working Committee on Electoral Preparations to develop procedural rules for hearing disputes concerning presidential elections.
- Training over 700 judicial officers and court staff on the new Constitution and electoral laws.
- Embedding a group of researchers within the judiciary to serve as reference points for judicial officers hearing electoral disputes.
- Assisting the judiciary with comprehensive stakeholder engagement, including regular dissemination of information about progress of cases in the electoral dispute resolution system.
- Creating a frequently asked questions (FAQ) document, disseminated widely to the public on a variety of platforms.

Figure 4 reproduces the intervention logic in the Lessons Learned Brief, illustrating the complexity of successful programming under Goal 1.

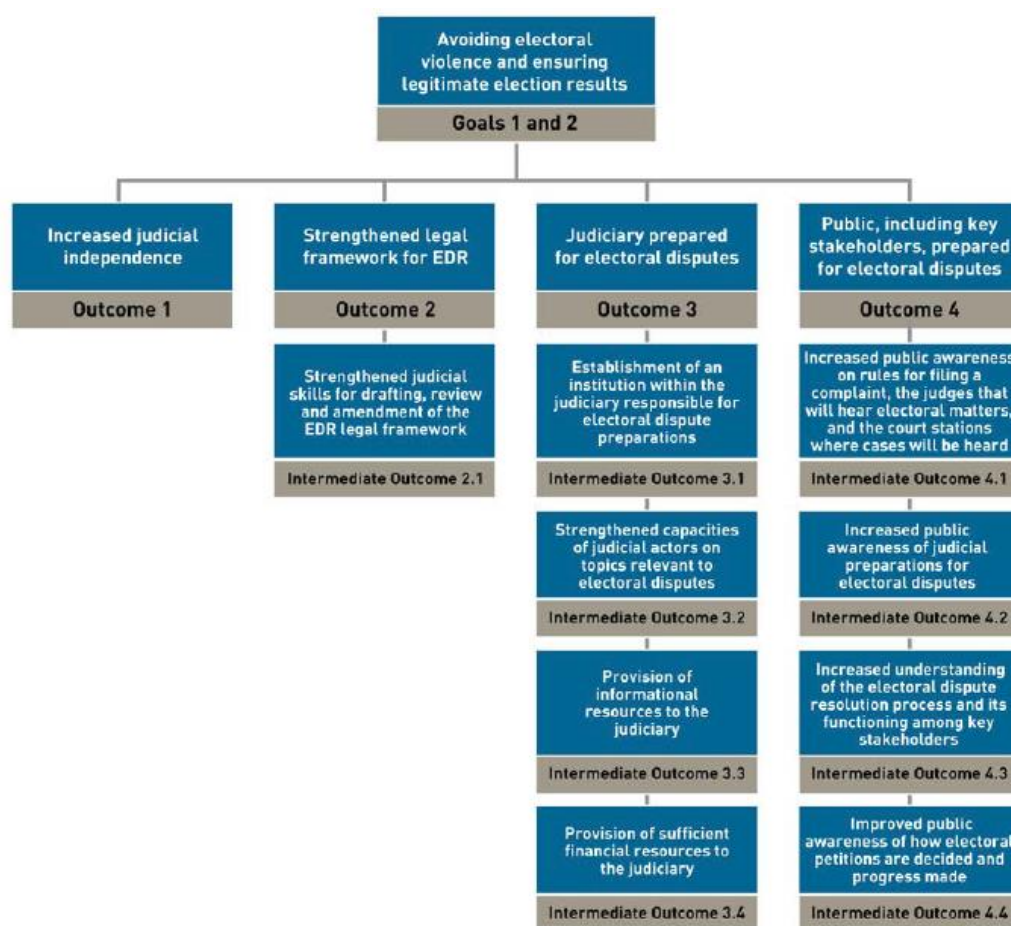


Figure 4: Goal and outcomes of IDLO’s project on judicial resolution of electoral disputes in Kenya

⁷ IDLO, ‘Avoiding Violence and Enhancing Legitimacy: Judicial Preparedness for Handling Election Disputes in Kenya and Beyond’, 2016 available at: <http://www.idlo.int/what-we-do/initiatives/lessons-learned-brief-avoiding-violence-and-enhancing-legitimacy-judicial>.

2.2.2 Substantive Goal 2 (Expected Outcome) | Human Rights and Access to Justice

Human Rights and Access to Justice Advanced	46% of projects
Qualitative SMQ 1: In what way do these projects address strengthening access to justice and the rights of women and girls?	
<p>IDLO's gender work was guided by a dedicated Gender Strategy, aiming to ensure that through its work, IDLO effectively contributed to gender equality and the achievement of fair and just outcomes for women and girls. In addition, through specific programs, notably in Afghanistan, Kenya, Latin America, Mongolia, Liberia and Burundi, IDLO focused on upholding the human rights of women and girls and promoting their access to justice.</p>	
Qualitative SMQ 2: In what way do these projects address the provision of legal services for poor and marginalized communities?	
<p>IDLO's theory of change is based on strengthening justice infrastructure to realize social justice and address marginalization and inequality. The underlying assumption is that access to justice is much more than access to a formal court – it is also access to markets, education, health and other basic services through restoration of rights that have been ignored or denied. At the same time, addressing marginalization and inequality means prioritizing the direct provision of legal services, including information, counselling, legal advice and representation, as well as legal empowerment and cost-effective dispute resolution mechanisms. Key interventions related to children's access to justice in Eastern Europe and Central Asia, work with the National Human Rights Commission in Bangladesh and the Traditional and Dispute Resolution Unit in Somalia, and support for vulnerable and marginalized communities and migrant women in Latin America.</p>	
Qualitative SMQ 3: In what way do these projects address the right to health of marginalized and vulnerable-groups?	
<p>IDLO's work on the right to health was guided by a Health Law Strategy, which identified HIV as a priority area. Programs concentrated on research, consultations and facilitation of dialogue, predominately in the Middle East and North Africa and Latin America and the Caribbean regions to address discrimination against those living with or at risk of HIV. Several programs included multiple-level capacity development aimed at strengthening legal frameworks for public health, empowering civil society to hold governments accountable for public health outcomes, and strengthening legal services to address discrimination and access to health care and services. Memoranda of Understanding were signed with UNAIDS, WHO and the Caribbean Public Health Agency, opening programmatic and advocacy opportunities.</p>	

Human rights and gender equality were both cross-cutting themes of the 2013 -2016 Strategic Plan as well as distinct streams of work under Goal 2. While human rights were relevant to all three goals of the Strategic Plan, for instance in relation to promoting fair trials through strengthening of the criminal justice sector in Afghanistan under Goal 1 or addressing discrimination of women's economic rights under Goal 3, they were directly operationalized under Goal 2 as part of IDLO's work to advance women's access to justice, the right to health, and legal services for poor, vulnerable and marginalized communities.

The paragraphs below present IDLO's approaches, activities and methodologies under this Goal across the SMQs. While some of IDLO's work for women and girls is described in the following paragraphs, the gender programs are discussed in greater detail in Chapter 3 of this report.

Capacity development: Various learning techniques and tools were combined with training and TOT workshops to transfer knowledge and skills on access to justice issues and the rights of women and girls. For instance, in Afghanistan, IDLO Gender Justice Advisers trained and mentored prosecutors working at the provincial level. IDLO also paid significant attention to strengthening and expanding the quality of legal services and technical know-how in the program countries. Training courses on forensic medicine in Afghanistan strengthened considerably the capacity of professionals involved in investigation of possible violence exercised towards vulnerable and marginalized groups. Also in Afghanistan, where there are roughly 2,500 licensed lawyers, many of whom do not practice law, IDLO provided legal training necessary for licensing. Programs in Somalia focused on strengthening prosecution of sexual and gender based violence against women, particularly in internally displaced person camps, and enhancing the knowledge and skills of select lawyers on principles of gender justice and juvenile justice.

IDLO's interventions also encompassed in-field coaching of investigators, in partnership with local institutions, and the development of operational tools such as manuals, guidelines and other practical tools to assist them to develop the skills for investigating, monitoring and reporting of human rights violations. Such an approach was taken in Costa Rica, where IDLO supported the establishment of the "Casa de derechos" (House of Rights) with the specific aim to combat gender-based violence for migrant women through legal awareness and legal aid support.

Technical assistance and provision of legal services: Through a combination of technical assistance and learning activities the capabilities of legal professionals were strengthened to provide legal assistance to vulnerable and marginalized communities, women, youth and the disabled and ensure their equitable access to rights and services. In Paraguay, in collaboration with the Ministry of Justice, IDLO supported the provision of free legal advice to residents in one of Asunción's poorest neighborhoods. Under health law programs and projects, efforts focused on building and strengthening the capacity of institutions that provide legal services to protect the rights of people living with HIV (PLHIV) in Egypt, and of National Human Rights Institutions, police and paralegals in Latin America. This included face-to-face coaching, e-learning courses on HIV law and policy, and online capacity building and workshops. In El Salvador and Guatemala, through an IDLO-facilitated initiative, students and law professors in university clinics provided free legal services to key affected populations. In Benin, with the support of IDLO, legal services organizations provided free or subsidized legal services to PLHIV and key affected populations.

A multi-country IDLO project in Latin America in 2014-2015 provided technical assistance, capacity development and communication support to enhance access to justice for vulnerable sectors of society, including women victims of violence, youth, indigenous peoples, vulnerable and marginalized communities. In Brazil, IDLO provided technical assistance to the House of Rights in the Cidade de Deus favela in Rio de Janeiro, which handled some 26,000 cases on issues related to identity papers, legal proceedings, child acknowledgement and alimony, and neighbor disputes – many of these cases brought by women. In Costa Rica, IDLO raised awareness among the beneficiaries of the services provided by the newly created Casa de Derechos de las Mujeres in Upala. In Honduras, IDLO provided technical assistance to expand the services offered in the Tegucigalpa-based Centre for the Assistance and Protection of Women's Rights and ensured its coordination with the Inter-Institutional Protocol for Comprehensive Assistance to Victims of Violence Against Women in Cases of Domestic Violence and Violence Within the Family, approved at the end of 2013.

Discrimination against women was addressed in Bangladesh by supporting the capacity of the Bangladesh National Human Rights Commission to complete its shadow reports to the UN Convention on the Elimination of all Forms of Discrimination Against Women - CEDAW, the development of a publication titled ‘A Critical Appraisal of Laws Relating to Sexual Offences in Bangladesh’,⁸ and by supporting institutional Gender Action Plans.

Networking and outreach: A specific feature of IDLO’s health law projects was advocacy and information sharing on health rights among marginalized and vulnerable-groups. During national workshops and inter-regional conferences, organized with IDLO support, participants reviewed the progress in strengthening and expanding HIV-related legal services and rights; shared experiences and best practices; and identified global actions for networking and concrete actions to strengthen and expand HIV-related legal services. Another approach to reduce HIV-related discrimination was the dissemination of literature and information sharing on health and law.

To achieve better legal services for poor, vulnerable and marginalized communities, IDLO worked to create networks of civil society organizations and facilitated their interaction with state institutions. For instance, networks such as the Afghanistan Legal Aid and Advocates Network were established to improve the quality of legal aid services for the poor and disempowered, and brought together state and non-governmental providers of legal aid. Also in Afghanistan, IDLO played a key role in facilitating coordination among different units and agencies, including women’s affairs, criminal investigation departments, family response units, protection centers and forensic medicine directorates, to improve the provision of services to victims of sexual and gender based violence in fifteen provincial centers. In a similar vein, in Kenya IDLO facilitated and coordinated meetings of the Judiciary Sexual Harassment Taskforce. In Myanmar, IDLO created and directly ran four Rule of Law Centres, under a project also supported by UNDP, Avocats Sans Frontières and Bridges Across Borders South East Asia Community Legal Initiative, that fostered the development of networks and partnerships among civil society groups.

Research, policy advocacy and outreach: Support for Goal 2 was complemented by research and advocacy at international fora and national capitals on human rights and access to justice issues. Against a background of increased religious discrimination, IDLO published a report on ‘Freedom of Religion or Belief: Current Dilemmas and Lessons Learned’⁹. The report was discussed on the sidelines of the UN Human Rights Council by international legal experts and subsequently, the findings were discussed at a meeting in Rome that brought together experts and religious leaders.

IDLO conducted a major study titled ‘Accessing Justice: Models, Strategies and Best Practices on Women’s Empowerment’¹⁰, which analyzed the situation of women’s legal empowerment and the effectiveness of formal and informal legal systems in nine countries – Afghanistan, India, Morocco, Mozambique, Namibia, Papua New Guinea, Rwanda, Solomon Islands and Tanzania. With UNICEF’s support IDLO published two reports on children’s access to justice¹¹. These research studies formed the backbone of IDLO’s policy advocacy at UN and

⁸ UNDP and IDLO, ‘A Critical Appraisal of Laws Relating to Sexual Offences in Bangladesh’, 2015, available at: <http://www.justiceandhrbd.org/166/a-critical-appraisal-of-laws-relating-to-sexual-offences-in-bangladesh.html>.

⁹ IDLO, ‘Freedom of Religion or Belief: Current Dilemmas and Lessons Learned’, 2016 available at: <http://www.idlo.int/publications/freedom-religion-or-belief-current-dilemmas-and-lessons-learned>.

¹⁰ IDLO, ‘Accessing Justice: Models, Strategies and Best Practices on Women’s Empowerment’, 2013, available at: <http://www.idlo.int/publications/accessing-justice-models-strategies-and-best-practices-womens-empowerment>.

¹¹ UNICEF and IDLO, ‘Children’s Equitable Access to Justice: Central and Eastern Europe and Central Asia’, 2015, available at: <http://www.idlo.int/publications/childrens-equitable-access-justice-central-and-eastern-europe-and-central-asia>.

UNICEF and IDLO, ‘Promotion of Diversion and Alternative Measure to Detention for Children in Conflict with the Law: Jordan, Sudan, and Tunisia’, 2015 See: <http://www.idlo.int/news/highlights/highlighting-childrens-rights-world-bank>.

other international fora and national capitals to raise awareness on the barriers faced by women and children in accessing justice and realizing their rights.

2.2.3 Substantive Goal 3 (Expected Outcome) | Sustainable Development and Economic Opportunity

Sustainable Development and Economic Opportunity Strengthened	22% of projects
<i>Qualitative SMQ 1: In what way do these projects address embedding rule of law in international policies and strategies for sustainable development?</i>	
<p>IDLO's work in this cluster concentrated mostly on support for policy dialogue in the context of the post-2015 framework. IDLO contributed substantially to the process leading to the adoption of the Sustainable Development Goals, the 2030 Agenda, and specifically, Goal 16 on rule of law and access to justice. IDLO combined its programmatic experience with research and advocacy to contribute to the international efforts to design the new sustainability and development agenda post-2015.</p>	
<i>Qualitative SMQ 2: In what way do these projects address sustainable management of natural resources and combating the impact of climate change?</i>	
<p>With targeted programs and small pilots, IDLO worked to facilitate the effective governance of biodiversity, land and natural resources and reduce the adverse impact of climate change. IDLO's interventions, in line with its expertise and core competencies, focused on strengthening of legal frameworks, support for efficient and accountable government institutions, and empowerment of civil society. Key programmatic areas included a global program on biodiversity and an assessment of the legal framework for sustainable energy investment in Kenya.</p>	
<i>Qualitative SMQ 3: In what way do these projects address strengthening of legal and judicial capacity and knowledge for economic transition, entrepreneurship and economic opportunity?</i>	
<p>One of the core elements of IDLO's theory of change rests on the assumption that the rule of law is essential for creating investor confidence and a level playing field for business through respect for intellectual property, legal transparency and reliable mechanisms of arbitration or dispute resolution, contract enforcement and regulatory compliance. IDLO's work included capacity development on commercial and economic law of legal institutions, especially the judiciary in Kyrgyzstan, Montenegro, Jordan and Tunisia, courts, and the promotion of regulations and processes in support of small and medium-size enterprises in Mongolia, also focusing on alternative dispute resolution.</p>	

Goal 3 recognizes the importance of the rule of law to sustainable development and economic opportunity. Given the timing of the discussions on the post-2015 development agenda and IDLO's limited resources, most of its efforts under this goal were devoted to advocacy for the inclusion of the rule of law in the framework of the Sustainable Development Goals (SDGs). As can be seen from the percentage of projects contributing to this Goal, the level of programming was significantly less than for other the two Goals, and was concentrated largely on capacity development of institutions on commercial law and to a lesser extent on natural resource sustainability.

The paragraphs describe the approaches, activities and methodologies under this Goal, across the SMQs.

Policy advocacy, networking and research: IDLO played an active role in the UN discussions and negotiations leading up to the adoption of the 2030 Agenda for Sustainable Development, and contributed substantively to the understanding of the rule of law as a cross-cutting issue relevant to all three pillars of sustainable development - economic, social and environmental. In addition to advocacy at the UN and participation in all major events, with the support of the Government of Finland, IDLO produced a flagship report titled '*Doing Justice to Sustainable Development: Integrating the Rule of Law into the Post-2015 Development Agenda*'¹², demonstrating through concrete cases the contribution of the rule of law to sustainable development. IDLO also worked to advance public understanding on the issues through an itinerant international photography exhibition entitled '*In Focus: Justice and the Post-2015 Agenda*'¹³.

IDLO garnered support at the regional and country levels for implementation of the SDGs by co-hosting, together with the Government of Tanzania, a pan-African multi-stakeholder conference in Dar es Salaam, entitled '*Achieving the 2030 Agenda and Agenda 2063: The Rule of Law as a Driver of Africa's Sustainable Development*'¹⁴. The two-day conference, with more than 100 mainly African participants from over 18 countries, provided a platform to exchange knowledge, experience and good practice. As a direct outcome of the conference, a broad group of leading African judges, lawyers and rule of practitioners have now coalesced, in partnership with IDLO, to establish an African Centre of Excellence on Access to Justice.

Training and Technical Assistance: IDLO was involved in capacity building activities, as well as in the provision of advisory services to build or improve the knowledge of partners and beneficiaries on commercial and economic law. In Mongolia, IDLO's contribution to economic transition, entrepreneurship and economic opportunity involved the establishment of mediation centers for resolution of business disputes in partnership with the Mongolian Chamber of Commerce and Industry to implement the Mediation Act. As a result of IDLO's support, the mediation centers handled 25 business disputes in the first 6 months of operation. IDLO trained around 200 judges in Mongolia and equipped the Supreme Court library with commercial law materials. Other commercial law capacity development interventions included Tajikistan, Montenegro and Jordan, where IDLO concentrated on building the capacity of judges on banking practice and procurement issues, while in Tunisia IDLO strengthened the capacity of the courts on financial and economic crimes.

¹² IDLO, '*Doing Justice to Sustainable Development: Integrating the Rule of Law into the Post-2015 Development Agenda*', 2014, available at: <http://www.idlo.int/publications/doing-justice-sustainable-development>.

¹³ Available at: <http://www.idlo.int/news/multimedia/photo-galleries/focus-justice-photography-exhibition-vernissage>.

¹⁴ IDLO, '*Africa Rule of Law Conference for Sustainable Development Report*', 2016, available at: <http://www.idlo.int/publications/idlo-africa-rule-law-conference-sustainability-report> and <http://africainitiative.idlo.int>.

3 HOW WE WORK | Focus on Gender

3.1 IDLO's Gender Strategy (2015 -2016)

The adoption of IDLO's first Gender Strategy (2015 - 2016) has been a significant driver in the substantial expansion and consolidation of IDLO's work on the rights of women and girls. It emphasizes the centrality of gender as necessary and essential in the achievement of IDLO's mission, vision, strategic aims and goals. The Strategy's objective is to ensure that IDLO's work effectively contributes to gender equality and the achievement of fair justice outcomes for women and girls.

In alignment with Strategic Plan 2013 – 2016, IDLO's Gender Goals are to:

1. Ensure gender-responsive legal and institutional frameworks, with a focus on conflict, fragile and other challenging situations;
2. Enhance women's access to justice in formal and informal institutions; and
3. Increase women's legal empowerment in sustainable development, with a focus on climate change, land and natural resources.

During the timeframe of the Gender Strategy, 2015-2016, IDLO has:

- *Expanded its gender programming:* Programs with gender as a principal or significant objective expanded from 3 in 2014 to 21 in 2016. Using a gender tracker¹⁵ - a methodological tool that allows for a quick scan on the degree of gender integration within projects - IDLO has assessed that at the end of 2016, 21 projects had gender as a principal or significant objective (including Afghanistan, Honduras, Kyrgyzstan, Kenya, Liberia, Mongolia, Somalia, Tanzania, Tunisia, and Uganda), and 18 projects had gender as a collateral or targeted objective
- *Increased opportunities to "innovate" gender interventions beyond conventional justice sector training:* While IDLO's strongest gender work stream (work related to sexual and gender based violence, SGBV) continues to gain momentum, new gender work streams are opening-up in the area of commercial/business law (Egypt and Jordan), land rights (Burundi), and health (Uganda and Tanzania).
- *Enhanced advocacy on gender issues:* alongside increased gender programming, IDLO enhanced its policy advocacy work by organizing, convening or participating in policy dialogue at national, regional and global levels, including the Commission on the Status of Women, the UN Human Rights Council, the Committee on the Elimination of Discrimination on Women, the Assembly of States Parties to the Rome Statute of the International Criminal Court, among others. IDLO has been a vocal champion of SDG 5 and signed a Memorandum of Understanding with UN Women in April 2017 to support gender equality in the implementation of the 2030 Agenda.
- *Increased openness and capacity of IDLO employees to integrate gender into their work:* In addition to gender workshops and outreach within and beyond IDLO, regular and targeted technical support is provided to encourage gender integration.¹⁶ Awareness on gender issues has been increased through internal weekly gender updates and a thematic resource library.

¹⁵ The "gender tracker" is based on the OECD-DAC Gender Equality Policy Marker and similar tools used by several IDLO partners. The tracker's methodology has been evolving to ensure optimal uptake of gender into IDLO's projects and ease of review and support. The gender tracker uses four basic criteria of gender integration: (i) "principal" (i.e. included as a project goal), "significant" (i.e. included as a project outcome), "collateral" (included as a project output or activity) and "none" (i.e. not included). The latest IDLO gender tracker review was conducted in February 2017.

¹⁶ In 2016 alone, real time gender technical support was provided by IDLO's Senior Gender Adviser to approximately 49 projects at various stages (project development, implementation and evaluation) in a variety of ways from field visits, workshop presentations, regular consultations, gender workshops, document drafting and review, among others.

3.2 Brief self-assessment of IDLO's gender programs

This section consolidates examples of how IDLO's programs have contributed to the achievement of IDLO's gender goals. Notably, this is a self-assessment and not an evaluation. Independent evaluations of IDLO's gender programs in Afghanistan and Kenya are included in Chapter 4. A full evaluation of IDLO's Gender Strategy and the resulting work will be carried out when the necessary resources become available.

Gender Goal 1: Ensuring gender-responsive legal and institutional frameworks, with a focus on conflict, fragile and other challenging situations

IDLO's Gender Goal 1 focused on combating discriminatory laws and ensuring the emergence of a gender responsive legal, policy and regulatory framework. IDLO's work in Kenya, which started in 2013, is a specific example of a project developed and implemented to address this Gender Goal. Other examples include projects in Tunisia and Honduras.

Kenya: IDLO's work focused on advancing the implementation of gender equality provisions in the 2010 Constitution, in particular:

- enhancing the capacity of the government to mainstream gender across sectors;
- strengthening the capacity of the Family Division (Court) to efficiently and effectively administer gender justice; and
- increasing the capacity of Kenya's judiciary to address sexual harassment and gender discrimination in the work place as part of the judicial transformation process.

Despite challenges due to entrenched gender discrimination and weak political will, IDLO's projects led to crucial legal, policy, and institutional outputs. Embedded IDLO advisers significantly contributed to:

- development and adoption of the Ministerial Gender Mainstreaming Policy;
- development of the Draft National Equality Policy and Bill on Political Representation of Special Interest Groups/Vulnerable/Marginalized Groups;
- development and adoption of the Ministerial Workplace Policy on Prevention and Response to Gender-Based Violence;
- development of Draft National Policy for Prevention and Response to Gender-Based Violence; and
- development and piloting of Gender Budgeting and Government Procurement Processes at national and county government levels.

Additionally, through technical assistance to the judiciary, IDLO supported the establishment of a complaints/ investigation procedure within the judiciary on sexual harassment cases. IDLO's projects also provided support for the Family Division of the High Court (the only family court in the country) which resulted in:

- the court's review and submission to the Attorney-General for forwarding to the Parliament draft amendments on the Law of Succession (Amendment) Bill and the Probate and Administration Rule and Regulations to ensure their alignment with the Constitution;
- enhanced ability for the Family Division to deliver on its mandate – through provision of advisers to undertake legal research and provide administrative assistance to the Court registrar;
- support for the Registry Improvement Committee (RIC); and
- technical assistance in designing, integrating and operating an information management system within the Family Division of the High Court, which has

significantly grown in scope and acts as a guide in digital standardization of other systems across the judiciary.

IDLO's influence in Kenya, especially its ability to convene and provide results within a changing and challenging environment, continues to grow as it expands its current work through additional resources for gender programming. See **Annex III** for IDLO's infographic on its work in Kenya.

Tunisia: IDLO is currently supporting the Tunisian Ministry of Women, Family and Childhood with:

- capacity development on legal drafting skills to support the revision and adoption of gender-responsive laws and policies; and
- technical assistance for the adoption of a protocol/guidelines for women's shelters.

IDLO is also carrying out research to enhance the effective participation of women justice professionals and develop an evidence-based capacity building program to increase the participation of women professionals in legal/ policy reform and justice delivery.

Honduras: Through a multi-year, multi-dimensional project to reduce homicides in San Pedro Sula, IDLO aims to enhance access to justice for women and other victims of domestic and intra-familial violence. Among the outputs of this project is the creation of a comprehensive model to help provide legal and support services to victims of violence, including a coordination mechanism for local actors to improve victim support, investigations and prosecutions.

Gender Goal 2: Enhancing women's access to justice in formal and informal institutions

IDLO's Gender Goal 2 focused on ensuring that women are empowered and equipped with the tools to access justice both in formal and informal systems. IDLO's gender program in Afghanistan is long-running, while new projects have emerged in Liberia, Mongolia, Somalia, Kyrgyzstan and Uganda following the adoption of the IDLO Gender Strategy.

Afghanistan: IDLO has been working to improve access to justice for survivors of gender-based violence through:

- strengthening prosecution of crimes of violence against women through support and capacity development of the Elimination of Violence against Women (EVAW) Units;
- facilitating Women's Protection Centers (shelters);
- advancing legal aid and legal services; and
- increasing public awareness on legal issues relating to sexual and gender based violence.

The first EVAW unit was established in March 2010 in Kabul, marking the beginning of a significant commitment of the Afghan government to advancing women's access to justice in Afghanistan, and eradicating impunity for gender-based crimes. The action by the government to expand the EVAW units to all provinces, in line with the Self-Reliance Mutual Accountability Framework objectives, are vital milestones in Afghanistan's path towards the elimination of violence against women.

IDLO has been supporting the EVAW units since their inception. It has developed and conducted specialized legal courses to train prosecutors to successfully prosecute gender-based violence. As the largest training partner of the Attorney General's Office (AGO), as of the end of 2016, IDLO had trained 943 prosecutors in 14 subjects, and 80% were applying the newly-acquired knowledge in their work. A system is now in place to mentor prosecutors in 11

provinces on legal questions in EAW cases. IDLO and the AGO have developed a database that tracks EAW cases in 20 provinces and contains over 8,000 cases, as well as a case filing system that contains all information required for prosecution. With IDLO's support the EAW teams and the AGO have also developed and implemented standard operating procedures for a case filing system in 15 provinces. IDLO has provided training and support for case tracking in 32 provinces and law libraries in 33 provinces.

IDLO also achieved significant results with women's shelters in Afghanistan. IDLO facilitated the development and adoption of the Women Protection Centre (WPC) Guidelines in 2014 to standardize the services offered by shelters to beneficiaries as much as possible as well its implementation through a series of capacity building activities comprising ten training sessions for 182 staff (123 women, 59 men).

IDLO also facilitated the development of the Afghan Shelter Network – a network of women's shelters - and supports it in the implementation of the WPC Guidelines, increasing its knowledge on security, database management, psycho-social trauma, law, and sustainability and strategic planning, as well as strengthening its influence with the government and other stakeholders. IDLO's Capability Maturity Model Assessment Report in October 2016 provided an assessment of capacity challenges for shelter work, as well as key areas for women's shelters to advance to a sustainable and then optimal level of operation.

A summary of the independent evaluation of IDLO's Supporting Access to Justice Program, under which the above activities are carried out, is provided in Chapter 4.

Liberia: IDLO is focused on enhancing the efficiency, transparency and accountability of Criminal Court E, the specialized court designated to deal exclusively with sexual offenses and improving access to justice and protection mechanisms for victims of SGBV. The program has four components:

- supporting Criminal Court E through targeted support to judges, court staff, and other relevant actors;
- enhancing the capacity of offices under the Court Administrator to support efficient, transparent, and accountable processing of SGBV cases by the CCE;
- improving access to justice and protection mechanisms for survivors of SGBV; and
- increasing the education of women in the Liberia National Police.

In 2016, as part of the project, IDLO produced a report titled '*Access to Justice After Sexual Violence in Liberia: Improving the Justice Sector Response to SGBV in Montserrado County*'. The report provides data on the alarming rate of case attrition from the one-stop shelter to the courts, as well as a detailed process map on SGBV cases within the justice sector. It also informs high-level policy dialogues around the effectiveness of Liberia's SGBV response and ways to improve them.

Through sub-grants with selected civil society organizations (CSOs), IDLO is supporting routine data gathering and documentation on the progression of each SGBV case from One Stop Centers, to the police, prosecutor and courts. A total of 118 cases are being tracked, which provides opportunities to document and support survivors' needs, which can include transporting survivors and family to crime scenes during the conduct of preliminary investigation, feeding survivors, assisting survivors to access medical treatment, purchasing drugs and accompanying survivor to the court to access justice, etc. Within a short period of time, IDLO has demonstrated strong convening power for policy and operational discussions on SGBV accountability.

IDLO also supported the development, piloting and validation of the Jury Procedures Manual, ensuring that the jury's procedures are compliant with the Jury Law, are efficient and cost effective, and enable gender balanced jury participation. Additionally, the first scholarship

class, funded by the US-IDLO Professional Development Fund, was launched with 61 beneficiaries (9 males and 52 females) from the police, SGBV Crimes Unit, Criminal Court E and the one-stop centers. Most beneficiaries graduated in mid-2017.

Mongolia: IDLO is also working to combat domestic violence through improved mechanisms, coordination and capacities of justice sector and other relevant actors. The program seeks to:

- support the development of a coordinated justice response to sexual and gender based violence (SGBV) by relevant service providers; and
- strengthen capacities of these service providers to better respond to SGBV.

The project successfully:

- Supported the establishment of a cross-organizational and multi-disciplinary eleven-member working group, a first of its kind, on justice sector response to domestic violence from key governmental agencies (judiciary, prosecution, police, bailiffs, wardens), civil society, and law enforcement university) and supported by 15 experts from the judiciary, prosecution and police.
- Established a pool of 33 trainers from across the justice system to teach other judicial actors effective and coordinated response to domestic violence. The trainers were identified and assisted through IDLO's TOT delivered by IDLO¹⁷ as well as regular briefings.
- Finalization of a draft training handbook for distribution to project partners (Judicial General Council, National Police Agency, Office of the Prosecutor General, General Executive Agency of Court Decisions, and the Law Enforcement University).
- Delivery of training on effective and coordinated response to domestic violence to 175 representatives from across the justice system, conducted by 25 trainers selected among the 33 trainers who underwent IDLO's TOT.¹⁸

IDLO's interventions were well-timed as the Domestic Violence Bill was in discussion in parliament and was eventually passed during the course of the project, leading to increased thirst for knowledge on good practices and support for the law's implementation. The experience to date has opened up the possibility for more funding to increase capacity for justice sector monitoring and mainstreaming of a survivor-centered approach; enhance multi-stakeholder coordination (especially justice sector and CSO); and provide public legal awareness on domestic violence.

In addition to these selected projects, IDLO projects that also align with the delivery of Gender Goal 2, include:

Somalia: an IDLO Women and Children's Rights Adviser is embedded with the Attorney General's Office to: (a) provide an assessment of how SGBV cases are handled within the AGO; (b) lead the development of the draft Policy on Prosecution of Sexual Offenses; (c) support the finalization of the procedures for managing SGBV cases; among others.

¹⁷ At the end of the TOT, participants reported an average improvement in knowledge and skills of 74% and an overall satisfaction score 4.83 out of 5. The increased knowledge was reflected in results of pre- and post-training tests taken by the participants, where 88% of the participants got higher scores in the post-training test.

¹⁸ At the end of the training, participants reported an average improvement in knowledge and skills by 69.5 %, and an overall satisfaction rate of 4.7 out of 5. The increased knowledge was reflected in results of pre- and post-training tests taken by the participants, where 65% of the participants got higher scores in the post-training test.

Kyrgyzstan: a key component of IDLO’s support to the General Procuracy of the Kyrgyz Republic was supporting the development of a Gender Audit Report.¹⁹ The recommendations of the Report will feed into the Procuracy’s Strategic Plan.

Convening, research and advocacy: IDLO made voluntary pledges at the UN General Assembly High Level Meeting on the Rule of Law (2012) to enhance the participation of women as judges, prosecutors, lawyers and court officials. As part of its pledge, IDLO published a study titled ‘*Women’s Professional Participation in Afghanistan’s Justice Sector: Challenges and Opportunities*’ based on a participatory methodology. The study has been welcomed by justice actors as the first of its kind in the country and an important contribution to women’s agency in the justice sector. As noted elsewhere in this chapter, IDLO is conducting similar research in Tunisia.

IDLO supported the founding and growth of the Kyrgyzstan Women Judges Association. IDLO is also in the last stages of negotiations for a project to begin the groundwork for the establishment of a regional women judges’ forum in the Southern and Eastern Mediterranean region to be convened in Egypt. To further exchanges of good practices, IDLO has deepened collaboration with the International Association of Women’s Judges. In 2015, IDLO joined GQUAL, a global campaign to encourage the appointment of qualified women to international courts and other bodies.

Through a convening of national stakeholders and advocacy at the Assembly of States Parties to the Rome Statute of the International Criminal Court, IDLO called for accountability for sexual and gender-based crimes and underlined the importance of complementarity between national and international criminal justice mechanisms.

Gender Goal 3: Increasing women’s legal empowerment in sustainable development, with a focus on climate change, land and natural resources

IDLO’s Gender Goal 3 focused on enhancing women’s legal empowerment in the field of sustainable development. Although smaller in volume or number, as compared to projects relating to other Gender Goals, the work on Gender Goal 3 has been highly innovative.

Uganda and Tanzania: IDLO won a DREAMS Innovation Challenge project from among 800 applications worldwide. Funded by ViiV Healthcare, the recently launched project aims to strengthen the capacity of adolescent girls and young women (AGYW) and their communities to hold service providers accountable for the delivery of quality HIV-related services, by using an innovative model based on a blend of legal empowerment and social accountability efforts. The model is built on the following elements:

- building greater awareness among AGYW, their families and communities legal rights, laws on health and gender, responsibilities of service providers and state accountability;
- developing local processes to inform state agencies (health, justice, gender) about HIV policies and practices;

¹⁹ The Gender Audit Report, entitled “Report on Gender Mainstreaming in the Activities of the Procuracy Bodies of the Kyrgyz Republic,” assesses and provides recommendations with respect to the following, inter alia: Regulatory legal acts regulating service in the Prosecutor’s Office; Representation of women, including in the management team; Procedure for the application of incentives and penalties to employees of the Prosecutor’s Office in accordance with gender disaggregated data; Situation with the material and technical as well as social welfare of employees of the Prosecutor’s Office; Gender aspects of the rotation of employees of the Prosecutor’s Office; and Process of transfer of professional skills, upgrading training and vocational guidance work.

- collaborating with health and legal professionals in advancing knowledge, transparency and equality in HIV service delivery, including in responding to SGBV;
- supporting village health committees to advance rights of AGYW; and
- using community engagement and evidence-based monitoring to influence local and national policy debates.

The project has succeeded in obtaining secure high-level buy-in through engagement with both national and district level partners, despite the challenging contexts of HIV service delivery in Uganda and Tanzania.

Burundi: IDLO is piloting an innovative methodology to evaluate and mitigate the detrimental effects of land titling on women's rights. In Burundi, a baseline population survey prior to a major land titling intervention had shown that women were the principal rights holders to 24.94% of the parcels, based on customary entitlements. At the mid-way point of the land titling intervention, only 4.18% of the parcels were registered in the name of a woman. In an effort to find solutions to the problem, IDLO launched a pilot project to gain a better understanding of the obstacles standing in the way of registration of women's customary rights, to identify strategies to overcome these obstacles, and to test the effectiveness of these strategies in practice. Key features of the pilot are raising awareness among and strengthening capacities of the main actors involved in registration; intensive information campaign and six community dialogues involving women and local leaders. The results of a study carried out by IDLO following the pilot in one of the provinces showed a considerable increase in the level of protection of women's land rights, either in the form of registration of the right in the woman's own name or through recognition of a derived right. Overall, the level of protection increased to 28.40% in two provinces and to 46.74% in an additional province.

Research and policy advocacy: IDLO launched a study titled '*Women, Food, Land: Exploring Rule of Law Linkages*'²⁰ on the occasion of the 43rd session of the Committee on World Food Security, as a contribution to raising awareness on the legal barriers to women's food security and to engage with international food agencies.

3.3 Planning for the future

IDLO is currently in the process of finalizing its next Gender Strategy in alignment with its new Strategic Plan (2017 – 2020), with a focus on 4 Gender Goals:

1. women and girls to claim and realize their rights;
2. legal, policy and regulatory frameworks are gender-responsive;
3. institutions deliver fair justice outcomes for women and girls; and
4. gender equality informs rule of law and sustainable development.

The new Gender Strategy will be complemented by a comprehensive and detailed Action Plan, requiring all IDLO projects to be gender-informed and for gender analysis to be integrated into all stages of the project cycle, including project development, implementation and evaluation. IDLO is exploring additional sources of funding to strengthen its capacity to ensure effective delivery of the new Strategy as well as to monitor and evaluate its results, and share the lessons learned internally and with partners.

²⁰ IDLO, 'Women, Food, Land: Exploring Rule of Law Linkages', 2017 available at: <http://www.idlo.int/publications/women-food-land-exploring-rule-law-linkages-o>.

4 WHAT WE ACHIEVED | Cross-Project Independent Evaluation

This chapter is an independent evaluation of selected projects carried out by external consultants. Limited editing and formatting was done for readability and clarity.

IDLO's Evaluation Guidelines follow internationally recognized principle of evaluation independence, meaning that evaluations are designed and managed independently of IDLO project management and implementation staff. IDLO's Evaluation Unit is responsible for preserving the independence of IDLO evaluations. External evaluators contracted are credentialed professionals observing high ethical and quality standards. In the recruitment process, IDLO avoids any possible conflict of interest and to ensure this principle is respected, evaluation team members sign a Declaration indicating they have no known conflict of interest relating to any stage of the design or implementation of the intervention being evaluated. Although acting under the broad functional supervision of the Evaluation Unit, external evaluators are granted the full freedom to impartially conduct their assessments.

4.1 Evaluating rule of law results at IDLO

Theory-of-change based evaluation is regarded as the 'gold standard' in evaluation and has been adopted by most donor agencies. In 2016, IDLO formally adopted this approach, following the revision of its evaluation guidelines.

Under this approach, evaluators reconstruct a Theory of Change (ToC) linking inputs and activities to outcomes and results in a logical chain. Evaluation questions are then answered corresponding to this framework based on measurable indicators. Evaluation findings are used to formulate conclusions and recommendations. The logical chain that results, and the fact that it is based on the reconstructed ToC that informed the project, ensures that project results are measured against IDLO's original aims and that IDLO can adapt its approaches to evolving needs. Evaluation questions are guided by the OECD/DAC evaluation criteria:

- *Relevance*: whether projects are suited to the priorities and policies of the target group, recipient, implementer, and donor
- *Efficiency*: the level of resources used to achieve the desired objectives.
- *Effectiveness*: whether the programs achieved the planned outputs and they contributed to the desired outcomes
- *Impact*: tangible benefits for target populations
- *Sustainability*: the sticking-power of impacts after the donor support for the project ends

To date, IDLO has implemented 10 project evaluations in line with the above-described Evaluation Guidelines, analyzing program results during the 2013-2016 strategic cycle. These evaluations form the backbone of the present *Cross-Project Evaluation*, assessing in detail IDLO results against DAC criteria, with a focus on effectiveness, impact, and sustainability.

There are a number of limitations to this kind of reporting, mainly:

1. The evaluations were conducted according to contractual requirements of donors. This notes their value-add to the donor. However, in absence of a strategic evaluation, it is not possible to concretely assess conformity to a single unified IDLO ToC. However, it is possible to make connections between the evaluations and the outcome level of IDLO's Results Framework.
2. It must be acknowledged that theory-based evaluation methodologies and drawing links between actions and impacts have limitations due to the difficulty of linking observed change and the theory meant to explain it, or between change in observable indicators and progress towards higher-level goals such as access to justice.

3. The search for objectively measurable indicators of progress in rule of law has often proven challenging. In part, this is because rule of law is an intrinsically multidimensional and highly differentiated concept.

On the positive side, ToC-driven evaluations, such as those implemented at IDLO, are:

1. Highly participatory, ensuring evaluation ownership and uptake;
2. Independent, by being implemented by external experts; and
3. Informative, by making the projects' objectives explicit and allowing for development of focused evaluation questions and indicators linked to the reconstructed ToC.

4.2 The projects evaluated

All projects analyzed were implemented under the IDLO 2013-2016 Strategic Plan and its three substantive goals (See Introduction to the report). All of the projects analyzed, and the criteria by which they were evaluated, focused on substantive aspects of IDLO's Strategic Plan 2013-2016 and linked to the outcomes and outputs specified in IDLO's ToC and Results Framework.

All projects evaluated share common themes: they focused on institution building and improving access to justice for vulnerable and marginalized groups, including looking at weak access to justice in the private sector due to underdeveloped commercial law and poor enforcement of judicial decisions. The projects benefited a variety of partner institutions, including Ministries of Justice, bar associations, judges' associations, prosecutors' or advocates' associations, etc. Direct beneficiaries include government officials, justice sector professionals, civil society organizations and individual justice seekers. Representatives of vulnerable and marginalized groups are also present as indirect beneficiaries in a number of projects. All projects are heavily oriented towards training and capacity building, including the production and dissemination of training materials, policy documents, and legal documentation. Some involved legislative drafting.

4.3 Project evaluations: summary of findings, conclusions, and recommendations

Evaluated projects are presented in alphabetical order by country. Where more than one project was evaluated in a country, they are presented chronologically. Where evaluations are available on the IDLO website, a link is provided.

Evaluation 1/2: Supporting Access to Justice in Afghanistan (SAJA)²¹	
<i>Main outcomes of IDLO's 2013-16 Strategic Plan addressed:</i>	
<i>Outcome 1.1</i>	<i>Institutional reform processes supported</i>
<i>Outcome 2.1</i>	<i>Gender equality enhanced and the rights of women and girls upheld</i>
<i>Outcome 2.2</i>	<i>Legal services for poor and marginalized communities provided</i>
<i>Period Evaluated</i>	<i>40 months</i>
<i>Value</i>	<i>USD15.1 million</i>
<i>Evaluation (mid-term)</i>	http://www.idlo.int/what-we-do/initiatives/evaluation-project-supporting-access-justice-saja-afghanistan
This project was financed by the U.S. Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL) and was/is implemented from September 2014 to December 2017, with a budget of US\$15.1 million. The project consisted of four	

²¹ Based on both a mid-term and final Evaluation.

components: (i) improving the quality of legal aid services; (ii) increasing the effectiveness of the specialized prosecution units within the Attorney General's Office (AGO) in prosecuting Violence Against Women (VAW) cases; (iii) improving the capacity of WPCs and their association, the Afghan Shelters Network (ASN); and (iv) increasing public awareness of women's rights, legal rights and access to justice of target beneficiaries.

The components – strengthening legal aid, forming the capacity of prosecutors to deal with sexual and gender based violence, strengthening the network of WPCs for victims of SGBV, and promoting public legal awareness – were clearly relevant in the Afghan context. Despite early delays, the project was able to speed up implementation in its second half, with the result that the project was implemented as planned and targets were sometimes exceeded. The project succeeded in training 2,000 individuals and established a successful legal aid network, the Afghanistan Legal Aid and Advocates Network (ALAAN). Legal training increased the quality of services offered, and raised the profile of the network of legal aid centers.

The large number of persons trained speaks to the high efficiency of the project. The ALAAN network proved extremely effective at advocating for establishment of legal aid providers. As a result of the project, competent Elimination of Violence Against Women (EVAW) units were established in key provinces. Gender Justice Advisers provided training to the prosecutors in 124 separate training sessions that reached nearly 2,500 participants. An electronic database, and new case filing system, were introduced and prosecutors report feeling much better equipped to deal with EVAW cases. Thanks to the project, the network of WPCs successfully implemented a series of guidelines, resulting in a higher level of services to beneficiaries. By contrast, interventions to raise public legal awareness were somewhat effective in generating results. The evaluators noted that it could have been more effective if less emphasis was placed on mass media campaigns, e.g. radio. The evaluators assessed that few of the new clients received by WPCs came as a result of radio outreach carried out by the project. Results were more effective when the Ministry of Justice sent its staff out to speak to audiences. ALAAN successfully carried out a number of outreach activities, including a map of the provinces showing where legal aid could be obtained and a Facebook page.

While gaps were identified in all components, evaluators judged overall impact to be satisfactory. There were additional unintended positive impacts; e.g. the training of ALAAN members also benefited their ability to attract donor funding. However, although the capacity of prosecutors to deal with VAW was improved, institutional weaknesses at the Ministry of Justice continues to hamper them in their work. This suggests that a new program of work should be designed, funded and implemented to meet the Ministry's need. Not all stakeholders have internalized the attitudinal changes necessary to successfully combat SGBV.

Sustainability prospects of the overall project were judged to be strong, despite the high turnover of prosecutors, which posed a challenge to the long-term capacity of prosecuting EVAW cases. Also, while in the course of the project a mission statement for ALAAN was drafted, as was a list of network objectives and a policy document, ALAAN still faces challenges with its governance structure, the Attorney General's Office (AGO), and with traditional authorities at the provincial level. At the time of evaluation, it did not seem likely that ALAAN would be able to continue without the backing of a donor; however, the evaluators were optimistic about sustainability given a further phase of support.

At the level of the AGO, prospects for sustainability were mixed. Prosecutors felt better equipped to handle EVAW cases, but there was no evidence of knowledge transfer from trained individuals within the concerned units to the rest of their units. EVAW prosecutors did not feel that their cases would be well handled if they left the EVAW unit because prosecutors in other (non-specialized) units who had not benefited from the project capacity building were

seen as having a lower level of competence. The evaluators expressed the view that EVAW units were the strongest department of the AGO.

Notably, the evaluators could discern no particular trend in the number of cases prosecuted by the units, signaling a need for further research. The amount of cases received in 20 provinces between October 2015 and April 2017 increase from 374 to 563 during July and September 2016 – which becomes the peak level - and then it drops to 329 towards the end of the observed period. The number of cases coming before the Kabul unit is significantly higher than all the rest; this is partly because women from smaller neighboring provinces to Kabul sometimes bring their cases to the capital. In relation to this topic, the evaluation delivers an important observation: an increase in the number of cases prosecuted by the units as an indicator of the success of the units has proven controversial. Many of the key stakeholders interviewed saw an increase in the number of cases coming to the units as a failure. That is, if the unit is focused on the EVAW, then success would come in the form of a decrease in cases. Of course, an increase in cases could also be attributed to women becoming more aware of their rights and being more likely to seek redress. It could also be linked to an increase in cases being referred to the EVAW units when previously they would have been handled by other prosecutors. It is difficult to isolate the reason for an increase or decrease and thereby draw any conclusions. What is clear, however, is that if the units are handling a greater number of cases, this speaks to the capacity of the units. The establishment of the units also created a greater role for government, and the AGO, in particular, in gender justice.

The production of WPC guidelines and related standard operating procedures was judged to have led to greater confidence and capacity. More managerial and stress management training was called for to increase staff retention and therefore improve the overall sustainability. The Ministry of Women’s Affairs role in the ASN and in its capacity for monitoring the WPCs has been evolving; however, it requires further assistance so that it can better fulfil its monitoring role. The evaluators emphasized that there are currently no formal exit strategies in place for WPC clients and that a key challenge for the centers lies in finding the right balance between the need for protection and life security and the need to build agency for women. In general, WPCs tended to continue to support conservative exit strategies that effectively link women to a man. However, some income generating activities were carried out.

The main recommendations of the evaluation were: more impact analyses at component level, more TOTs in place of individual training sessions, shifting focus from training defense lawyers to ALAAN network development, and further developing WPC guidelines as well as providing fundraising and management training to WPCs.

Evaluation 3: Support to Kenyan Constitution Implementation Process with a Focus on Devolution and Gender Reforms	
<i>Main outcomes of IDLO’s 2013-16 Strategic Plan addressed:</i>	
<i>Outcome 1.1</i>	<i>Institutional reform processes supported</i>
<i>Outcome 2.1</i>	<i>Gender equality enhanced and the rights of women and girls upheld</i>
<i>Outcome 2.2</i>	<i>Legal services for poor and marginalized communities provided</i>
<i>Period Evaluated</i>	<i>60 months</i>
<i>Value</i>	<i>3.25 million euro</i>
This was a technical assistance program financed by Danida in the amount of 3.25 million euro. It was comprised of four projects (referred to as the “4P Framework”): (i) Supporting Gender Reforms in Kenya's Public Service; (ii) Supporting the Kenyan Constitution Implementation Process; (iii) Supporting the Kenyan Constitution Implementation Process / Devolution; and (iv) Supporting the Kenyan Constitution Implementation Process / Access to Gender Justice. As background, IDLO has been deeply involved in Kenyan constitutional reform, having provided support to the Committee of Experts who drafted	

the Constitution. With such broad scope, the project placed IDLO at the center of Kenyan constitutional reforms and development.

The evaluation found that IDLO interventions were relevant; they addressed “important institutional challenges” to implementing constitutional reform and were well aligned with government priorities and needs. Gender and devolution components were in line with Kenya’s strategic directions. At the same time, the project lacked a coherent theory of change, progress and monitoring reports were oriented towards activities rather than results and risks associated with political, social, and security

Implementation was efficient and the demand-driven strategy increased Government ownership ... The demand-driven model by which IDLO mobilized technical expertise to meet specific requests from the Judiciary and Executive was praised by representatives of both branches.

challenges were insufficiently taken into account in project design. Yet, implementation was efficient and the demand-driven strategy increased government ownership.

IDLO support to the judiciary and executive branches contributed to strengthening legal, policy, and administrative frameworks for justice. The demand-driven model by which IDLO mobilized technical expertise to meet specific requests from the judiciary and executive was praised by representatives of both branches. IDLO contributed to improved drafting of legislation and amendments of existing legislative and administrative documents. New systems for central registry of gender justice cases (e.g., inheritance claims) were established. However, the evaluation noted that actual improvements in gender justice depended on political processes and decision makers’ priorities, as well as on the “overall level of awareness or recognition of some issues in the public sphere in Kenya”. IDLO’s contribution to strengthening the policy and administrative framework to address gender justice was tangible. However, the evaluation found that the adoption of policies, legislation and administrative documents drafted with IDLO’s support was largely lacking. While the project produced concrete results in the form of policy documents, guidelines and legal drafts to promote gender equality, gender remained an “undervalued topic in Kenya suffering from negative political and societal perceptions even within decision-makers in government and judiciary”.

The evaluation assessed the results achieved to have positive prospect for impact on justice delivery and implementation of the Constitution, provided that the Government remains committed. However, significant challenges remain to realizing Constitutional ambitions, in the form of self and institutional interests, capacity constraints, and political blockages. While the project contributed to decentralization by drafting model laws for counties and training county lawyers, genuine fiscal decentralization is difficult in Kenya because of low levels of capacity in Public Financial Management as well as economic and political factors. The evaluators believed the project had improved long-run prospects for devolution, yet noted that these had yet translated into improved local services.

Sustainability prospects were judged to be mixed. The embedded experts delivered highly specialized expertise which, after their departure, some institutions interviewed by the evaluators felt they could not use because they lacked complementary human resources. Particularly given its scope, the project performed very well on producing outputs in the form of improved policies and frameworks. However, the evaluation found that political, economic, and institutional factors hindered their actual implementation. Thus, much of IDLO’s added value, which was judged to lie in its ability to flexibly mobilize expertise in response to government and judiciary requests, may risk being dissipated over time.

Evaluation conclusions were essentially along DAC-criterion lines. IDLO interventions were relevant to the reform process. Implementation was assessed as relatively efficient, in spite of delays due to external factors. Projects implemented under the overall framework were effective. Results achieved are likely to have positive impact prospects, but sustainability

prospects are mixed. IDLO's added value was primarily in its flexibility and responsiveness to the needs of the government.

The main recommendations were to establish a monitoring and evaluation plan, to document good practices and lessons learned to inform future projects, to establish and update a risk analysis and mitigation strategy, and to develop a sustainability plan.

Evaluation 4: Commercial Law Judicial Capacity Building Project (CLJCBP) in Mongolia	
<i>Main outcomes of IDLO's 2013-16 Strategic Plan addressed:</i>	
<i>Outcome 1.1:</i>	<i>Institutional reform processes supported</i>
<i>Outcome 1.2:</i>	<i>Capacity of justice sector institutions to perform core functions strengthened</i>
<i>Outcome 3.3:</i>	<i>Legal and judicial capacity and knowledge for economic transition, entrepreneurship and economic opportunity strengthened</i>
<i>Period Evaluated</i>	<i>24 months</i>
<i>Value</i>	<i>845,346 euro</i>
<i>Evaluation</i>	http://www.idlo.int/what-we-do/initiatives/evaluation-commercial-law-judicial-capacity-building-project-cljcbp-mongolia
<p>This project was undertaken in partnership with the European Bank for Reconstruction and Development (EBRD) and aimed to develop and implement a commercial law judicial training program; i.e. with a near-term goal of building judicial capacity and a long-term one of improving the business environment. The project was implemented in two phases spanning September 2012 to September 2014 with a budget of 845,346 euros. The overall objective was to assist in building stronger and better functioning legal institutions responsible for commercial law and thereby to increase business confidence in the judiciary. Specifically, the project aimed to develop and implement a commercial law curriculum so as to enhance the capacity of Mongolian judges to deal more effectively with commercial law cases.</p>	

While there was no explicit evaluation finding on relevance, this can be assumed as the state of commercial law, much of it related to contracts, was poor in Mongolia. The evaluators found that IDLO's experience in capacity building, good international network of experts, and previous experience in Tajikistan (see project below) made for a high level of efficiency. Implementation, including recruitment of high-quality experts and the smooth operation of a Project Implementation Unit in Ulaanbaatar, was good. The participatory involvement of a small group of Mongolian judges in the development of training materials and as trained trainers was judged an effective approach, as was the attention paid to quality control.

Beneficiary judges expressed the view that the training of 25 judges selected to be trainers had been very beneficial. It imparted legal analytic skills, not only in the nine core areas covered, but more generally in civil and administrative law. A study tour by 10 judges to South Korea raised awareness of the potential benefits of a well-established commercial law sector and served to provide motivation. The evaluators assessed the quality of the training sessions to be good on the basis of examining court cases and decisions written by the judges of 311 commercial law decisions drafted by 14 judges that attended the TOT, where 26 reflected aspects of the training, including containing information from the Handbooks and citing relevant legislation and international law. Skills improved included cross examination, research skills, and the ability to draft judicial decisions. A by-product of the training activities (i.e. an "unintended effect") was the formation of a network of like-minded judges. Nine sector handbooks were produced and 200 judges trained.

Training evaluation reports and general feedback indicate that the project achieved its purpose. The evaluators assessed that the project had made a significant contribution to strengthen the Mongolian judiciary's capacity in the area of commercial law, but acknowledged that remaining needs are large. Although performance was varied, judges who received training were found to have enhanced their capacity to cite prior case law and follow precedent. The project is expected to provide an important contribution towards strengthening Mongolian commercial law. In turn, this should have a positive impact on the business environment. There was no explicit evaluation finding on sustainability, but the evaluators pointed out that legal development is by nature a long-term process, with a significant role being played by peer pressure as more and more lawyers become conversant with international good practice.

In conclusion, the project made a significant contribution to improving the rule of law in Mongolia. The evaluators warned, though, of the difficulty in hiring capable people and to retain them in the judicial system. Most beneficiaries had one very strong opinion in common: they wanted more training. The principal output, with a high value added especially in terms of sustainability, were the handbooks developed for each of the sectors, which have become a standard reference source for judges hearing commercial law cases. More assessment of gender related issues and gender equality in the judicial system was suggested.

Evaluation 5: Strengthening Enforcement of Court Decisions in Mongolia	
<i>Main outcomes of IDLO's 2013-16 Strategic Plan addressed:</i>	
<i>Outcome 1.1</i>	<i>Institutional reform processes supported</i>
<i>Outcome 1.2</i>	<i>Capacity of justice sector institutions to perform core functions strengthened</i>
<i>Outcome 3.3</i>	<i>Legal and judicial capacity and knowledge for economic transition, entrepreneurship and economic opportunity strengthened</i>
<i>Period Evaluated</i>	<i>24 months</i>
<i>Value</i>	<i>675,000 euro</i>
This project was implemented from July 2014 to June 2016 in partnership with EBRD with a budget of 675,000 euro. Beneficiary institutions were the General Executive Agency for Court Decisions and the Ministry of Justice and Home Affairs. The overall goal was to support the improvement of the investment climate by increasing confidence and trust in the justice and court enforcement system. Specifically, it aimed to help the Agency and Ministry to build a functioning enforcement system and human resources capacity. In order to accomplish this, the project provided support to a legislative drafting group at the Ministry, provided training at the Agency and provided institutional development advice to the Agency.	

The evaluation found the project clearly relevant to priorities and coherent with strategies of the government, the donor and IDLO. Synergies were created with a prior IDLO intervention. However, the evaluation found that the project lacked: (i) a structured risk assessment; (ii) a monitoring system; and (iii) a coherent set of objectively verifiable indicators for internal monitoring of project activities and objectives.

IDLO utilized resources flexibly, in particular for training, making it highly efficient. It would have benefitted from a systematic monitoring and reporting for project outputs/results. Effectiveness, was generally assessed to be good. For example, the human resources capacity of the General Executive Agency for Court Decisions was significantly increased by the training of a pool of trainers consisting of 12 senior bailiffs. This filled an important need as prior support to legal development in Mongolia had trained judges but had neglected the enforcement aspect. The senior bailiffs shared positive feedback and confirmed that their ability to carry out their duties had been strengthened. Post-training testing of 200 bailiffs

found that 78% improved their knowledge of enforcement systems. Focus groups revealed that the bailiffs trained now carry out their day-to-day activities with greater confidence. Training responded to a significant need for bailiffs to deal with their expanding caseload and improved participants' skill to handle the enforcement process. However, IDLO could have taken steps to include institutional training recommendations as priorities in institutional plans/strategies. The training modules prepared in the project were appropriately embedded in in-service training programs, as were handbooks developed.

The main conclusions of the evaluation were that the project provided the enforcement Agency with critical support and resources, improving human resources capacity through the creation of a qualified pool of trainers. The comparative advantage of IDLO was identified as including substantial technical expertise in law enforcement, having a network of qualified experts / consultants in several countries, utilizing an efficient training information / assessment tool and application of pre-post training tests for training participants, strong relationships between IDLO Project Implementation Unit and the Agency, Ministry of Justice and EBRD. The approach and scope of the training activities were generally well adapted to the specific needs of the targeted enforcement officers. The comprehensive approach adopted by EBRD to cover and support both judiciary and enforcement aspects of the system facilitated the synergies and enhanced the impact of capacity building support.

However, the evaluation noted that the project had initiated a process of improvement in enforcement, and achieving the ultimate goal of high-quality enforcement across the country would require further investment. Sustainability of the training activities' benefits was judged to depend heavily on staff retention policies of the Agency and willingness to continue in-service training sessions. The beneficiary agency did not, at the time of evaluation, have the institutional and financial resources to maintain the trained trainers to continue to deliver training. The Agency is operating under considerable financial uncertainty. This risks sustainability due to budget restrictions insofar that the government may not be able to hire sufficient junior bailiffs to keep pace with the rising court decision load. The project made various recommendations to the Ministry of Justice on reforming the Law on Enforcement of Court Decisions, however, at the time of the evaluation, and despite the fact that the project contributed to the capacity of the Ministry's Legislative Working Group, these had not been implemented. Actual impact on improving the investment climate was not yet visible, nor was there evidence that actual enforcement practices had yet improved. This would need broader reforms that depend on institutional, political, and financial factors beyond the scope of the project. While private sector representatives interviewed by the evaluators expressed optimism regarding the prospects for a more secure commercial environment, external economic conditions at the time were deteriorating. The project is likely to have stimulated positive developments, the visible impacts of which were hard to directly discern.

“Post-training testing of 200 bailiffs found that 78% improved their knowledge of enforcement systems.”

The evaluators recommended that the donor continue support through a long-term strategy bringing in regular transfer of international expertise from IDLO's international network and supporting wider reform prospects related to enforcement. The beneficiaries were recommended to support continuation of beneficiary management's support for staff retention, in-service training, etc. and support needed legislative changes.

Evaluation 6: Enhancing the Capacity of Legal Professionals in Somalia for the Delivery of Justice	
<i>Main outcomes of IDLO's 2013-16 Strategic Plan addressed:</i>	
<i>Outcome 1.1</i>	<i>Institutional reform processes supported</i>
<i>Outcome 1.2</i>	<i>Capacity of justice sector institutions to perform core functions strengthened</i>
<i>Outcome 2.1</i>	<i>Gender equality enhanced and the rights of women and girls upheld</i>
<i>Outcome 2.2</i>	<i>Legal services for poor and marginalized communities provided</i>
<i>Period Evaluated</i>	<i>12 months</i>
<i>Value</i>	<i>US\$850,000</i>
<i>Evaluation</i>	http://www.idlo.int/what-we-do/initiatives/evaluation-enhancing-capacity-legal-professional-somalia-delivery-justice
This project was financed by the US Department of State Bureau for International Narcotics and Law Enforcement in the amount of US\$850,000 and was implemented by IDLO from August 2014 to August 2015. It aimed to contribute to access to justice through the strengthening of the Somali Bar Association (SBA) and the overall enhancement of the effectiveness of the legal profession. This included strengthening knowledge and skills of selected lawyers in substantive law, procedural law, lawyering skills and on the principles of gender and juvenile justice.	

The SBA collapsed during the Somali civil war but was re-established in 2010. It has 64 members (of which 16, 25 per cent, are female) and is active only in Mogadishu. In a context where universities do not follow any set curriculum, the project successfully produced a report on legal curriculum development for Somali lawyers, with four core areas developed: the Constitution, legal ethics, case management, and the establishment of legal practice. Professional accreditation standards and disciplinary and complaints procedures were updated and, at the time of evaluation, were due to be implemented with the enactment of the Advocate's Act.

The evaluation found that the project was well-aligned with government priorities and responded well to the training needs of beneficiaries. IDLO implemented the project flexibly and for the most part responded to emerging needs and changing circumstances. Activities were properly allocated to produce expected deliverables and achieve planned results in the most cost-effective and timely manner possible. Security was a special challenge, given Al-Shabaab's targeting of lawyers and justice sector professionals. The project responded by organizing training sessions in small groups, with flexible schedules, in safe venues. The evaluation praised IDLO's agility, flexibility, and hands-on approach in a troubled country environment. The positive evaluation confirmed that it is possible to produce results even under difficult circumstances, in this case despite managing the project from a distance in Nairobi. The project delivered capacity building to legal professionals at a time when there was no other institution providing this type of support in Somalia, with transformative effect on the physical infrastructure and governance structure of the SBA. It largely achieved its objectives of increasing legal professionals' knowledge and skills. The training sessions achieved good gender balance with 40% female participants on average. Training sessions were considered by participants to be of high quality and skill-enhancing, a view shared by external sources such as the judiciary and civil society. A practical difficulty was that, since some participants spoke no English, interpretation was needed, sometimes resulting in slower pace training sessions.

Due to the training activities, improvement in the capacity of the judiciary to dispense justice fairly and effectively, especially to vulnerable and marginalized groups, can be expected. Awareness of rights was raised, with potential impact on access to justice for vulnerable and marginalized groups. However, the large-scale impact of the project was limited due to the small number of trainee participants.

While the evaluation concluded that the project had laid a foundation for continued development of the SBA, it cautioned that the SBA leadership still must prove that it can steer and manage its own transformation. The pillars which set the ground for SBA's institutional sustainability are in place, but sustained effects from capacity building will depend on the SBA's ability to take the lead in the process of continued capacity building.

The main conclusions of the evaluation were that support offered by IDLO was in line with the country's main priorities and relevant to enhance the knowledge, skills, and professional conduct of end beneficiaries. Its hands-on approach, agility and adaptability to changing circumstances, the quality of the project team and the relationships developed with leading members of the judiciary and development partners were a distinct comparative advantage in making a short-run, stand-alone project successful. However, the SBA needs continued technical support (e.g. creation of a self-governing structure and the instruments which grant its independence from the political power) for results to materialize. A continued focus on capacity building is needed. It was recommended that a follow-up project should consolidate results, expanding the SBA's activities and that IDLO should encourage a closer relationship between SBA and other justice actors and civil society, such as journalists. Additional training follow-ups were suggested, along with broadening the base of trainees, extending the training of female legal professionals, and expansion of capacity building to new areas of knowledge and emerging issues.

Evaluation 7: Strengthening Linkages Between Formal Justice System and Traditional Dispute Resolution System to Improve Access to Justice in Somalia (Phase II)

Main outcomes of IDLO's 2013-16 Strategic Plan addressed:

<i>Outcome 1.1</i>	<i>Institutional reform processes supported</i>
<i>Outcome 2.2</i>	<i>Legal services for poor and marginalized communities provided</i>
<i>Period Evaluated</i>	<i>15 months</i>
<i>Value</i>	<i>US\$921,631</i>

The project, financed by the Bureau for African Affairs of the U.S. Department of State with a budget of US\$ 921,631, operated for a period of 15 months and represented a follow-up to a Phase I intervention. Its overall objective was to contribute to de-radicalization and reintegration of disengaged fighters; specifically, by enhancing the capacity of the Ministry of Justice, Religion, Constitutional, and Reconciliation Affairs and NGOs to engage with traditional dispute resolution (TDR) mechanisms. The project was divided into three program outputs: (i) implementing TDR policy in four districts assessed in Phase I; (ii) support a TDR Unit in the Ministry to expand its work to sixteen new areas; and (iii) concert the TDR policy from Phase I into a national TDR Strategy.

The evaluation found that the project was aligned with the priorities of the Ministry of Justice as well as with the Constitution, and that it was well designed. In particular, it was in line with IDLO's expertise and was especially relevant since other donors are pulling out of Somalia. The project reacted with flexibility to donor requests, but did not effectively use project management tools for implementation, monitoring results and risk management. Training provided to the Elders and at the TDR Unit was deemed very adequate and useful for the intended purpose, although the topic of gender equality and further inclusion of women in other community activities notably met with some local resistance. The new members of the TDR recruited under the project were trained in the fundamentals of management: meeting facilitation, report writing, interviewing, logistics. These capacity building interventions, delivered by a customary justice expert, were highly appreciated by the TDR unit.

The evaluators assessed that the project has potential to create a positive impact in the judicial system in Somalia. The adoption of the Policy Consultation Paper produced by the project in August 2016 has confirmed wide-ranging impacts on several fronts, such as on the rights of women, children, and the most vulnerable and marginalized. However, the TDR Unit's in-house capacity for project management and knowledge sustainability is very limited, as the project management and reporting is primarily at activity level and the knowledge resides in the current staff and not yet in the institution. When the project was initially conceived, it did not plan to deal with disengaged combatants; this was added at the request of the donor. As a result of the added component, 40 disengaged combatants are estimated to have moved back to their communities, which can be judged to be a positive impact of the project.

IDLO's added value was its experience in successfully executing projects in countries under armed conflict, with unstable governments, and an ongoing security threat. The lessons learned and the knowledge gained in Phase I were adequately used. Together with a participatory approach, an efficient use of local partners, and a team of skilled professionals at the IDLO regional office in Nairobi, backed by IDLO headquarters, made Phase II a positive action in Somalia. This is in spite of the relatively short execution period and changing beneficiary group. IDLO's emphasis on keeping a close working relationship with its partners paid off, based not only on common objectives, but on trust, cooperation and co-dependence. IDLO's ability to react to changes due to its relatively small size also enabled it to be more receptive to the needs of the local circumstances or petitions by its local partners.

The main conclusions of the evaluation were closely and positively aligned to DAC criteria. The project was aligned with Ministry of Justice priorities and the Constitution. It reached its specific objective. It had good potential to positively impact on the judicial system of Somalia. It was efficient as resources were spent according to plan and within budget, although it lacked effective results monitoring and risk management. The adoption of the Somali Federal Government TDR Policy enhanced the sustainability of the benefits of the overall project; however, financial sustainability of the TDR Unit remains conditional to support from foreign donors.

Recommendations included: continued emphasis on gender rights within TDR mechanisms, despite local resistance, better use of the Project Cycle Management (PCM) including risk management at project start, and more strategic consideration of knowledge management to ensure sustainability.

Evaluation 8: Enhancing the Capacity of the Judiciary of South Sudan	
<i>Main outcomes of IDLO's 2013-16 Strategic Plan addressed:</i>	
<i>Outcome 1.1</i>	<i>Institutional reform processes supported</i>
<i>Outcome 1.2</i>	<i>Capacity of justice sector institutions to perform core functions strengthened</i>
<i>Period Evaluated</i>	<i>24 months</i>
<i>Value</i>	<i>€1,500,000</i>
<i>Evaluation</i>	http://www.idlo.int/what-we-do/initiatives/evaluation-project-%E2%80%99Cenhancing-capacity-judiciary-south-sudan
<p>This project was implemented between December 2012 and December 2014 (including a six-month extension) and was financed by the EU in the amount of 1,500,000 euro. This period includes the initial project timeline (18 months) as well as the six-month extension to reflect suspension of project implementation in July 2015 due to political instability. The objective of the project was to build capacity of the judiciary to interpret and apply laws under the new Constitution in the face of difficult challenges: the switch from Arabic to English, the large role of traditional law and sharia, and the absence of a common law tradition. Specific objectives were to increase the capacity of the judiciary of South Sudan to deliver training and to improve the court system's ability to deliver justice in civil and</p>	

criminal cases. These were to be accomplished by supporting the development of the Judicial Training Institute (JTI), delivering English-language training to judges, and improving judges' access to legal materials, especially in rural areas.

The evaluation found that the project addressed significant needs of the judiciary of South Sudan and praised IDLO for remaining engaged following the outbreak of violence in December 2013 and appropriately adjusting its activities. However, risk analysis and mitigation measures applied to training activities did not extend to covering the establishment of a Judicial Training Institute. In this context, implementation challenges could have been better anticipated in the project design phase.

In the training area, IDLO was flexible in managing and implementing the project and in adapting to changing circumstances. Overall, the project achieved its goal of increasing knowledge and skills of judicial practitioners to fulfil their duties. However, the project's impact on the structure of the judiciary, and on increasing the access of its staff to needed resources were limited. The main cause was outside of IDLO's control in that the judiciary's leadership were reluctant to move forward with proposals and the resources were limited. While components of an eventual Judicial Training Institute were provided, its establishment was delayed because of the weak organizational capacity of the judiciary and its highly centralized and personalized nature of the decision-making process. The project facilitated the establishment of a training committee of the judiciary and performed a National Training Needs Assessment (underway at the time of the evaluation because of delays associated with the outbreak of violence). A workshop in December 2014 brought judicial officials from Uganda and Kenya to present options for a training strategy. Recommendations on the shape of a future Judicial Training Institute emerged from the workshop. Yet, these had not been implemented at the time of evaluation. A Code of Judicial Conduct was extensively considered by the senior judiciary. Overall, the evaluation concluded that a highly personalized approach to decision-making related to organizational reform and administrative processes limited the judiciary's ability to benefit from technical inputs delivered by IDLO or other international partners.

“The evaluation found that the project addressed significant needs of the judiciary of South Sudan and praised IDLO for remaining engaged following the outbreak of violence in December 2013 and appropriately adjusting its activities ... IDLO's value-added is reflected in its unique relationship with leading members of the judiciary, developed through support, which came to represent a distinct comparative advantage for engaging with the judiciary. The approach and scope of training were overall well-adapted to needs and circumstances.”

In terms of training, the project was assessed to have positive impact on the capacity of individual judges. A significant source of project value added was that the IDLO training activities represented essentially the only capacity development opportunity available to junior judges and judicial support staff (court clerks, registrars, bailiffs). Tangible results of the training were observed in case flow management and the management of court registries. Less satisfactory were the results of English language training: those who entered the course with poor English skills were likely to leave the same way. Another project disappointment was the inability to increase access of judges in rural areas to legal resources. Originally, it was foreseen to open judicial resource centers in the ten high courts across the country, but this facet was eliminated by factors beyond the project's control, notably the combination of reluctance by high judicial authorities and the outbreak of violence. Moreover, withdrawal by former development partners and the worsening of austerity conditions, especially during the second half of the project, reduced opportunities for trained lawyers to apply their enhanced skills in the administration of justice. Given institutional problems in the judiciary, project results were judged likely to prove scattered and not systemic. Proposals that would give rise

to systemic improvements (e.g., adoption of the Code of Conduct drafted with project support) had not, at the time of evaluation, been implemented by the leadership of the judiciary. It should be noted again that IDLO was one of the few agencies that remained and was able to continue programming despite the renewed violence.

Sustainability was assessed to be limited given that the leadership of the judiciary had not implemented proposals for capacity building. Sustainability would require that the judiciary be able to design, organize, and deliver high quality judicial training sessions, something that will require the putting in place of a stable Judicial Training Institute. While the project did deliver results that would contribute to this, it was unable to push this through to completion. As a result, the evaluators questioned the capacity of the judiciary to absorb high quality international technical assistance. The capacity of the judiciary to carry out administrative functions remained low as the lack of judiciary staff means that judges are often burdened with the administrative tasks. The evaluation was able to conclude that the relationship formed with the judiciary provided a good basis for continued IDLO support. The main IDLO value added was that it delivered training throughout the project's life, even under difficult political and security conditions, drawing on its knowledge of the sector and regional network of experts. However, when it came to promoting broad organizational change, IDLO had fewer tools, resources, and procedures.

The project provided essential services, in the form of judicial officer and staff training, both before and after the crisis of December 2013. IDLO's added value is reflected in its unique relationship with leading members of the judiciary, developed through support, which came to represent a distinct comparative advantage for engaging with the judiciary. The approach and scope of training were overall well-adapted to needs and circumstances. However, complexities and challenges of engaging with the judiciary 'beyond training' were not sufficiently anticipated and reflected in project design. Similarly, risk assessment and response was mainly focused on training-related activities, at the expense of other project components.

The main recommendations of the evaluation were that future training activities be adequately funded to allow for a more deliberate and comprehensive engagement of the judiciary in wider organizational development. Also, the evaluators recommended to increase the access of the project team to skills and know-how for administrative systems and procedures, strategic leadership and planning, and organizational development.

Evaluation 9: Implementation of a Commercial Law Judicial Training Program in Tajikistan	
<i>Main outcomes of IDLO's 2013-16 Strategic Plan addressed:</i>	
<i>Outcome 1.1</i>	<i>Institutional reform processes supported</i>
<i>Outcome 1.2</i>	<i>Capacity of justice sector institutions to perform core functions strengthened</i>
<i>Outcome 3.3</i>	<i>Legal and judicial capacity and knowledge for economic transition, entrepreneurship and economic opportunity strengthened</i>
<i>Period Evaluated</i>	<i>36 months</i>
<i>Value</i>	<i>833,513 euro</i>
<i>Evaluation</i>	http://www.idlo.int/what-we-do/initiatives/evaluation-%E2%80%9Cimplementation-commercial-law-judicial-training-program
This project, undertaken in partnership with EBRD in the amount of 833,513 euro was implemented by IDLO on behalf of the Judicial Training Centre (JTC) between October 2011 and October 2014. The overall goal was to contribute to the longer-term improvement of the investment climate in Tajikistan. The project purpose was to assist Tajikistan in building stronger and better functioning courts and legal institutions responsible for the commercial	

law sector and to increase business confidence in the judiciary. There was a ten-module training course for judges (and an apprentice program for selected younger ones) as well as support to the JTC to increase the delivery effectiveness of its training.

While the evaluation made no explicit finding as to relevance, given the poor state of development of commercial law in Tajikistan, this can be assumed. The project successfully formed a corps of 20 JTC trainers in commercial law, and some 200 judges received training. Based on self-assessment, the number who felt competent in commercial law increased from 58% pre-training to 90% post-training, a fifty per cent increase. Less successful was the provision of commercial law literature and documents to the JTC, because the capacity to manage such materials over the long term was not in place. Training handbooks for the modules were produced and well received by trainers and judges who subsequently received training. However, while the training succeeded, the institutional capacity building at the JTC did not, because the project team was not able to establish ongoing, continuous contact with the Centre. Because of the inadequate institutional capacity of the JTC in terms of staffing and financial resources, the planned database of commercial law decisions was not produced. Overall, the evaluation found that the project benefited from a detailed design of training activities, but that capacity bottlenecks at the Judicial Training Centre were not adequately appreciated at the project design stage. These problems affected not only the delivery of training results, but the broader project purposes. Also, project activities were concentrated in two episodes of Technical Assistance (TA) in 2012 and 2014, limiting the possibilities for long-term engagement with national counterparts and beneficiaries. As a result, the project made limited progress towards long-term capacity building.

Positive impacts of the project included enhanced skills of judges trained, spillover effects to the legal profession more generally, and a raised institutional visibility of the JTC. However, the overall capacity of JTC remained weak due to broader organizational issues related to staffing, financing, and lack of sustained capacity improvements. Hence, because the JTC remained weak, the impact of the project on the Tajik courts and legal system as a whole, as well as its potential impact on business and investment climate was limited. The evaluators made no explicit findings on sustainability or IDLO value added, but noted IDLO's experience in adult judiciary education and flexibility in the face of evolving conditions.

The main conclusions of the evaluation were that the training program helped to improve the access of the JTC to qualified trainers in commercial law, likely raising the profile of the JTC to a certain degree and in the short term. The training program helped to build up human capacity in the Tajik judiciary in this area of law, serving as a foundation for longer term improvements in the investment climate. However, the immediate effects were judged to be limited to the specific courts and graduates of the training, as many fundamental shortcomings still remain. Without institutional strengthening, the JTC could not continuously and sustainably contribute to strengthening the capacity and functionality of Tajik courts in commercial law. The project was assessed to have had a localized positive impact on the investment climate due to the judicial activities of judges who received training. However, for such impact to be sustainable, additional strengthening of the national training institution and continuous updating of training activities and materials would be necessary.

As in other evaluations, a distinction was made between the strength of the training component and the weakness of the broader intervention. Beyond its training-related components, the design of the program and key aspects of the approach to project implementation were not appropriate to address most of the wider capacity-related bottlenecks of the JTC (e.g., staff retention and quality, budget stability and adequacy, knowledge retention and management and performance monitoring of the trainer corps). This reduced the potential for long-term effects for the visibility and profile of the JTC and the capacity of the Tajik judiciary as a whole. While the project team reacted flexibly to some of the unforeseen bottlenecks in JTC capacity, not conducting a more detailed risk analysis and

project response strategy during the development of a detailed work plan limited opportunities of the project team to take into account likely challenges and prepare an appropriate risk management strategy.

In addition to considering continued support, the main recommendations of the evaluation were to develop a strategy for development of organizational capacity at the JTC with long-term TA and engagement with the Training Centre and perform a more comprehensive risk assessment in future.²²

Evaluation 10: Capacity Building Program to Support the Implementation of the Nagoya Protocol²³	
<i>Main outcomes of IDLO's 2013-16 Strategic Plan addressed:</i>	
<i>Outcome 3.1</i>	<i>Enhance legal preparedness for climate change and the green economy</i>
<i>Outcome 3.2</i>	<i>Improve management of natural resources</i>
<i>Value</i>	<i>590,000 euro</i>
<p>This project was financed by the Japan Biodiversity Fund (JBF) in the amount of 0.59 million euro and carried out jointly by IDLO and the Secretariat of the Convention on Biological Diversity (SCBD) to address implementation of the Nagoya Protocol, that entered into force in October 2012, and called on countries to develop legislative, administrative and policy measures to implement the Protocol. Many countries are now actively engaged in making the Protocol operational but lack the necessary capacity to establish new or amend existing domestic legislative, administrative and policy measures. The program contributed to building country-level capacity to meet international commitments through the development of a broad range of learning materials made freely accessible to Parties and partner organizations, hosting comprehensive targeted courses for national lawyers and policy-makers, and providing opportunities for continuous learning and information exchange.</p>	

The evaluation found that the program (i) provided relevant and strategic capacity building assistance to countries; (ii) was relatively efficient; (iii) effectively increased capacities of lawyers and policy makers, although it is struggling to maintain a vibrant network of trainees post training; (iv) produced results that are likely to have positive impact prospects; and (v) had mixed sustainability prospects.

Value added by the program was judged to be extending and making more comprehensive systematic e-learning materials developed by an earlier IDLO-SCBD project on capacity building, establishing and disseminating reference material, and leveraging support from other development partners. From the standpoint of this report, the most relevant aspects of the project are that: (i) it demonstrates IDLO's capacity to effectively intervene at a global level; (ii) it demonstrates IDLO's capacity to deliver relevant actions in support of the rule of law; and (iii) demonstrates adherence to the 2013-16 Strategic Plan's commitment to produce results contributing to strengthened related to natural resources and the environment.

²² In line with these recommendations, IDLO has provided on-the ground advice and feedback to the JTC staff to improve its management and organizational performance, especially with a view to assure knowledge-retention and sustainability of project. IDLO has also adopted a comprehensive Risk Management Policy for implementation of future projects.

²³ Although different in scope as compared to country-based rule of law projects, this project was included in the cross-evaluation analysis as it addresses directly Goal 3, which had fewer projects in comparison IDLO Goals 1 and 2.

4.4 Synthesis of findings based on OECD/DAC criteria

Synthesizing across these summaries, points that emerge strongly are as follows:

4.4.1 Relevance

All evaluations (including those where there was no explicit finding on the DAC criterion) have found that project design and implementation were relevant to government priorities, beneficiary needs, and national context. They have all been coherent with IDLO's mission to promote the rule of law with a top-down / bottom up approach looking at institutions and justice users. Findings based on relevance support IDLO's focus on the 'end user' and the prioritization of local ownership and accountability – two key principles underpinning the 2013-2016 strategic plan and articulated in IDLO's strategic documents.

To give a few examples of IDLO's strong relevance, commercial law projects in Mongolia and Tajikistan addressed institutional and structural issues in countries requiring long-term judicial reform. The legacy of the Soviet legal system was a near-total lack of knowledge of commercial law (particularly the law of contracts) in both countries. IDLO projects addressed this by creating manuals and handbooks and training judges. In Mongolia, a subsequent project supported strengthening of the enforcement system by building capacity at the Ministry of Justice and the agency responsible for executing judgments. Taken together, these projects are designed to strengthen business confidence in the judicial system and improve the investment climate – highly relevant priorities for the beneficiaries.

There are further examples of relevance in the form of alignment with needs and priorities, and directly linking to IDLO's focus on empowerment and gender. In South Sudan, IDLO was entrusted with the task of building the judiciary practically from the ground up after independence. In Somalia, IDLO trained judges in areas such as human rights and traditional law, with special attention given to gender. It also strengthened the ability of the judiciary to work with Traditional Dispute Reconciliation mechanisms. In Kenya, IDLO's project supporting constitutional reform aligned with two of the government's main goals: gender and decentralization. Gender was also strongly represented in IDLO's work in Afghanistan, where the project trained prosecutors in gender-based violence cases and supported the network of centres for women victims of SGBV. The project supported the largest network of defense lawyers in the country and generally promoted legal awareness of the population.

From the project point of view, a fairly frequent finding was that problems encountered in project implementation could have been better identified by a strengthened approach to risk assessment and mitigation early in the project design process. This recommendation has been embraced by IDLO as part of its current ongoing work on a Quality Program Framework, which includes guidelines on risk assessment and mitigation.

4.4.2 Efficiency

Evaluations have been uniformly positive on the efficiency of IDLO's projects, i.e. they have concluded that the actions delivered reasonable value for money (results relative to money spent). However, shortcomings in project-level monitoring systems were noted, something that IDLO is currently addressing as part of the Quality Program Framework noted above.

IDLO has been recognized for its flexibility, ability to nimbly adapt to changing circumstances, and its ability to work in challenging political and security environments. This links directly to IDLO's way of working based on context sensitivity, and capacity to engage with plural legal systems and to work in fragile contexts under difficult circumstances.

Projects in Kenya, Somalia and South Sudan attest to this, particularly the latter example where the work plan had to be drastically revised following the outbreak of violence. This can be highlighted as a good practice to follow in terms of flexibly seeking alternative ways to deliver results in rapidly changing environments. Some evaluations show that efficiency would have improved if risk analysis had been given more attention at the design stage (Kenya, Mongolia). There were also projects where risk planning allowed unexpected challenges to training to be managed, but where risk planning for other aspects of the project was deemed insufficient (South Sudan and Somalia as well as Tajikistan). A key element of efficiency has been IDLO's unique ability to quickly mobilize regional networks of legal experts to deliver training or provide legal expertise or technical assistance (drafting, production of handbooks and manuals, etc.).

4.4.3 Effectiveness

Evaluations have found that IDLO has effectively delivered project results. This is particularly true for projects that involve training (i.e. most of them). For example, in Mongolia, Tajikistan, South Sudan, and Somalia; and to a lesser extent, Afghanistan, training activities were judged both by participants and evaluators to have been of high quality. Training targets were routinely met and sometimes greatly exceeded (Afghanistan). In some cases, training results were assessed by using pre- and post-training testing (Tajikistan), review of judicial opinions to ascertain that legal precedent, international law, and guidance transmitted in training were used (Mongolia commercial law), and focus groups with beneficiaries (Mongolia enforcement).

In some instances, however, planned results apart from training could not be delivered. In Tajikistan, the planned Judicial Training Centre was delayed because of the lack of capacity in the judiciary; in South Sudan, distribution of legal resources to rural judges had to be abandoned because of the security situation and a code of judicial conduct was drafted but never adopted because of the highly personalized nature of the judiciary. In Kenya, decentralization proved difficult because of political barriers and integration of gender issues ran up against the persistence of traditional attitudes in responsible institutions.

To generalize, barriers to greater effectiveness usually had to do with conditions external to the project such as security (Afghanistan, South Sudan, Somalia), institutional weaknesses (virtually all projects), personalities (South Sudan), and entrenched patriarchal values (Afghanistan, Kenya). Setbacks such as these are to be expected in the kinds of settings where IDLO works and are often beyond IDLO's control. Nevertheless, IDLO's flexibility and agility in challenging environments contributed to the projects' effectiveness.

More broadly, capacity development is IDLO's core competence, and results based on effectiveness attest to the sound methodology of IDLO's training and capacity building. However, IDLO recognizes that training is only one component and that capacity development is a much broader process that occurs at multiple levels – individual, institutional, organizational and sectorial – with the aim of overcoming the wide range of systemic barriers that obstruct change. IDLO has embraced the evaluators' recommendation to produce a comprehensive, organizational strategy on capacity development and comprehensive operational tools, covering the four levels of change. This will help ensure a common, high standard and organization-wide approach to capacity development with the potential to improve long-term results and sustainability.

4.4.4 Prospects for impact

Project evaluations generally show that while results have been delivered, their translation into impact remains limited: evaluations have been studiously cautious, to such an extent that a number of them prefer to label the DAC criterion as ‘Prospects for Impact’ rather than ‘Impact’. There are various reasons for this: institutional constraints such as low capacity and poor human resources retention (Mongolia enforcement), insufficient commitment of partner institutions to change (South Sudan, Tajikistan), financial constraints (Mongolia commercial law), political considerations external to the project (Kenya), security (Somalia), etc. The result is that impacts cited tend to be scattered, i.e. at individual level of the trainees or, at best, at the level of the cadres trained (e.g., ERAW prosecutors in Afghanistan), not necessarily systemic or institutional at large scale. Examples of system-wide scaling are scarce in the evaluations reviewed. At the same time, almost all evaluations felt that projects had the potential to contribute to long-term progress in the rule of law.

This needs to be contextualized by recognizing that much of the institutional change and, particularly, changes in legal culture that are encouraged by IDLO projects are inherently long-term processes requiring long-term investments, and that results may not be perceived during or immediately after the end of a program. For example, while in Mongolia the evaluators of the commercial law project felt that IDLO training activities had improved the quality of judicial decision making in the field, the evaluators of the enforcement project saw no immediate evidence of improved enforcement. In Tajikistan, positive impacts at the individual beneficiary level were observed, but their translation into actual improvements in the administration of justice were felt to be limited, because of the weak judiciary. In Somalia, by contrast, the evaluators felt that IDLO’s support to the Somali Bar Association had had a transformative effect on that institution, although one that would require further nurturing to attain sustainability. In Afghanistan, the impact on prosecutors was held to be significant but limited by institutional weaknesses of the AGO, and gender-related impacts in general were constrained by persistent patriarchal values on the part of both men and women. In Kenya, while the IDLO project produced results contributing to the implementation of constitutional reform, the actual momentum of such reforms was slowed by political considerations and gender attitudes.

4.4.5 Sustainability

Evaluations have tended to conclude that maintaining capacity that has been formed will require continued training and capacity building – a valid point given the strong emphasis in well-developed legal systems on lifelong learning. As such, the commitment of donors and partner institutions will continue to influence prospects for sustainability.

All projects to some degree demonstrate that while training can and usually does produce impact at the individual level, it can be quickly dissipated if trainees are working in an institutionally weak setting, are moved to positions where their training is not relevant, or leave for better-paid employment. The problem is especially serious for the judiciary, whose independence is usually far from assured in most countries where IDLO works. In the case of two countries considered here, Mongolia and Tajikistan, retention in the judiciary of lawyers trained in commercial law is highly uncertain. Adding to the problem of sustainability is the tendency of underdeveloped / weak legal systems to be personality-dependent and politicized (South Sudan and Somalia). Also, deterioration of the security situation is a major risk in most of the countries where IDLO works. Therefore, IDLO’s projects are best viewed as making a contribution towards long-term development of the rule of law and problems that are inherently systemic and long-term in nature.

4.5 Project-level cross-evaluation conclusions

A number of project level conclusions and associated recommendations recur in the evaluations. Almost all make specific recommendations to better tailoring of the training strategy to needs – more attention to English language skills, more emphasis on TOTs, greater use of practitioners rather than academics as trainers, etc. Several evaluations call for enhanced techniques and approaches to respond more squarely with the known lack of political will and cultural resistance related to gender issues. Recommendations further suggest that there should be better risk assessment and mitigation strategies set out in the initial stages of the project, even if this requires lengthening the inception phase.

These evaluations looked at project level results, not at IDLO's achievements and challenges at the overall level. They note the limited effect on transformative systemic change due to adverse initial conditions, limited technical and institutional capacities of partners, and difficult or dangerous external circumstances. However, they acknowledge that IDLO was able to add value through its ability to implement with reasonable effectiveness in challenging conditions. A frequent recommendation is that IDLO should broaden its scope and skills to deal with systemic issues related to capacity development.

At the higher level, a common conclusion from evaluations is that project activities have contributed to progress by producing results, but that impact above the individual beneficiary level is still elusive and sustainability is not assured. This can be attributed to various factors, not least the short-term duration and limited financing of most projects, as opposed to the complexity of strengthening the rule of law and the need for long-term investment to counter fragility and build political will and ownership. Evaluations suggest that particular attention needs to be given to enhancing ownership not only of the long-term reform process, but of the capacity created, recognizing that, if not maintained through continued investment, it will depreciate and eventually be lost.

5 CONCLUSION | IDLO's 'Added Value'

A top down, bottom up approach, based on capacity development, legal empowerment and policy advocacy, forms the backbone of IDLO's theory of change, and is at the core of its 'value add'.

Whether through support to women's shelters in Afghanistan or efforts to build public confidence in constitutional reforms in Kenya, increasingly IDLO's programs and projects are demonstrating a top down / bottom up approach by partnering with governments and justice sector institutions as well as civil society concurrently. The ability to convene and work with multi-stakeholders is a valuable asset for IDLO's programming as well as policy advocacy and partnership building.

IDLO is committed to gender equality and human rights. IDLO's current Strategic Plan (2017-2020), see **Annex IV**, is explicit in acknowledging the centrality of human rights in advancing the rule of law. IDLO's engagement with the UN's human rights machinery is growing. A new Gender Strategy is being finalized and will introduce stronger, clearer organizational policies, processes and tools to ensure more effective, gender-responsive programming. Additional funding is being sought to undertake an independent evaluation of the work accomplished, draw lessons and build capacity for more innovation of the kind IDLO is employing in the DREAMS project to empower young women and adolescent girls against HIV/AIDS.

Ensuring local ownership and building effective local partnerships have been acknowledged by the *Cross-Project Independent Evaluation* as a comparative advantage of IDLO. Working with local partners has enabled IDLO to facilitate capacity development and empowerment through networking, for instance of women's shelters and legal aid providers in Afghanistan. Close and constructive working relationships with local partners, whether senior judiciary, civil society leaders or government officials, has also enabled IDLO to operate in difficult and dangerous situations such as South Sudan, Somalia or Afghanistan.

IDLO's strategy of engagement with national actors, civil society, local partners and communities flows out its focus on the end users of justice. As a result, IDLO's programs are increasingly incorporating inception phases in order to better meet local needs based on locally defined parameters and to develop and implement programs in close consultation and coordination with local partners, both governmental and non-governmental.

This involves paying special attention to the legal pluralism, including informal legal systems, while keeping in mind that the values and norms of rule of law are universal and must be respected universally. IDLO is developing policy guidelines on informal legal systems to better inform its programming and advocacy.

IDLO supports a context-specific approach to program design that takes into account the distinct needs of each country or situation. The *Cross-Project Evaluation* confirmed the relevance of IDLO's work to national strategies, needs and priorities. IDLO is investing in scoping missions, needs assessments, field presence, political economy analysis and dedicated relevant expertise, and building into its program design an appropriate analysis of the political and social structures as well as gender analysis to identify the best entry points to maximize impact. It accepts the recommendation of the independent evaluation to improve risk analysis and mitigation and do more "smart programming".

The *Cross-Project Evaluation* commended IDLO's ability to rapidly mobilize regional or national expertise, and also acknowledged IDLO's agility and ability to adjust flexibly to difficult operational contexts and rapidly changing circumstances. These are valuable traits that IDLO is deepening through improvements to its organizational systems, employment policies, staff training and data base of experts.

The *Cross-Project Evaluation* also signaled areas for improvement, including closer attention in project design and implementation to the major systemic barriers to change, better risk analysis and mitigation, support for institutional reforms that go beyond capacity development and address administrative systems, strategic leadership and planning capacity of institutions, as well as more strategic consideration of knowledge management to ensure sustainability and inform future projects.

These recommendations are being embraced under IDLO's new Strategic Plan (Strategy 2020), and more specifically through Major Initiatives on Program Quality Change, Learning and Knowledge Management. IDLO is strengthening its own capacity and competencies, particularly around program design, internal learning, and developing concepts, guidelines and impact assessment reports, linked to a robust Monitoring and Evaluation system. IDLO is also planning to devote attention to strengthening its capacity development and institution building competencies for instigating systematic change, and address political will, cultural resistance, and ownership through "theory of change" driven programming.

The Cross-Project Evaluation has highlighted the importance of sustained engagement. IDLO will continue to support openness to learning and adaptation, and seeking partners to drive long-term investment in the rule of law.