EVALUATION OF THE IDLO GENDER STRATEGY

FINAL REPORT

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Acronyms and abbreviations

ADB	Asian Development Bank
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CSO	Civil society organization
DAC	Development Assistance Committee (OECD)
DANIDA	Danish International Development Agency
EQ	Evaluation question
EU	European Union
GBV	Gender-based violence
IDLO	International Development Law Organization
M&E	Monitoring and evaluation
NGO	Non-governmental organization
OECD	Organisation for Economic Co-operation and Development
SBA	Somali Bar Association
SDGs	Sustainable Development Goals
TDR	Traditional dispute resolution
ToR	Terms of Reference
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNSCR	United Nations Security Council Resolution
WPC	Women Protection Center

The views expressed in this publication are the views of the authors and do not necessarily reflect the views or policies of IDLO or its Member Parties.

EXECUTIVE SUMMARY

Introduction

This a theory-based strategic evaluation to assess the development, implementation, and achieved results of the International Development Law Organization (IDLO) Gender Strategy 2015–2018 (hereafter the Gender Strategy). It provides an assessment of the Gender Strategy's internal and external coherence with respect to international commitments and good practice; measures the extent to which the expected results of the Gender Strategy were achieved in terms of programmatic work, advocacy, internal rules and procedures and external policy dialogue with key international stakeholders; and identifies relevant findings, conclusions and related structured recommendations for IDLO's post-2018 Gender Strategy. It covers the period May 2015–March 2018.

The report consists of nine main sections:

- Section 1: Introduction
- Section 2: Global context and situation analysis
- Section 3: History and overview of the IDLO Gender Strategy
- Section 4: Evaluation methodology and limitations
- Section 5: The IDLO gender portfolio
- Section 6: Findings (answers to evaluation questions)
- Section 7: Conclusions
- Section 8: Overall assessment (DAC criteria)
- Section 9: Recommendations

Annex 1 illustrates the Theory of Change underlying the evaluation and detailed information complementary to Findings is provided in Annex 2 (Country/Project Capsules) and Annex 3 (Evaluation Matrix).

This Executive Summary presents the Findings, Conclusions, and Recommendations of the Evaluation Team, as well as their overall assessment of the Gender Strategy and its implementation in terms of relevance, efficiency, effectiveness, impact prospects, sustainability prospects, and IDLO's added value.

Findings

Below brief answers are provided to each evaluation question (EQ). Full-length answers are in the main body of the report. The criteria of the Organisation for Economic Co-operation and Development's Development Assistance Committee (OECD DAC) – Relevance, Efficiency, Effectiveness, Impact and Sustainability – most directly addressed are provided in the brackets after each question.

EQ 1: Internal coherence and IDLO institutional environment

To what extent was the Gender Strategy internally coherent and did IDLO create an institutional environment conducive to achieving its goals? (Relevance, Efficiency)

The answer to this EQ is generally positive. No issues of internal consistency between the Gender Strategy and overall IDLO strategy arise. The work of the Gender Team has ensured good clarity of what the Gender Strategy entails. All staff interviewed – whether based in the field or at headquarters and Branch/Liaison Offices – were supportive of the Gender Strategy. Gender tools developed and associated training, although they came fully onstream only in Q1 2018, have in the course of their development led to demonstrable improvements in the gender orientation of IDLO's work. However, a critical assessment of the tools indicates that, while they are a step in the right direction, further work is needed to deepen the guidance in order to make it more useful. Such work could include sharing examples of good practice, indicators and monitoring, providing guidance on data sources, and so on. The small Gender Team, with a large and growing portfolio to support, has to constantly balance competing priorities. Weaknesses in indicators and monitoring, as well as risk assessment, have been consistently identified in project evaluations consulted and are not limited to gender (in response, IDLO has developed new monitoring guidelines to be rolled out in 2019; in addition to this, a knowledge management and learning initiative is underway). These translate into slow institutional learning and are in part a product of IDLO's continuing project, rather than programmatic orientation – albeit one that has improved over the evaluation period. Institutional constraints to achieving the Gender Strategy are ultimately not internal, but external: dependence on project-by-project finance, the counterpart scarcity of unallocated funding that could finance programmatic Gender Strategy implementation and further development.

EQ 2: External coherence and overall strategic framework

To what extent was the Gender Strategy externally coherent and did IDLO align with key global trends and policies? (Relevance)

The IDLO Gender Strategy is broadly consistent with the strategies of other major players. It is an enabling instrument, permitting IDLO to implement a wide range of donor-financed actions. However, at some expense of diversification, and because it reflects donor priorities, the portfolio is weighted towards gender-based violence (GBV). The work of the Gender Team, in both developing and operationalizing the gender tools and training, has made a significant contribution to mainstreaming gender in IDLO in accordance with international good practice. However, IDLO continues to be considered stronger at implementing stand-alone gender projects – which are relatively few in number – than mainstreaming of the overall portfolio, which would require a more programmatic, less project-oriented approach. That having been said, mainstreaming has become stronger over the evaluation period thanks to the Gender Strategy and application of tools developed by the Gender Team.

EQ 3: Contribution to progress at the country level I

To what extent have IDLO's engagement, activities and project interventions contributed to tangible progress towards empowering women and girls to claim and realize their rights? (Effectiveness, Impact prospects, Sustainability prospects)

While there was considerable emphasis on awareness-raising at the level of actors in justice-sector institutions, it is only recently that many projects have engaged in broad, community-based awareness raising. Non-governmental organizations (NGOs) and civil society organizations (CSOs) have been involved in all projects, but implementing partners have for the most part been public institutions such as Ministries of Justice. The capacity of such institutions to respond to women and girls demanding their rights, along with the skills of their staff, has been strengthened, but there is only limited evidence that women's effective demand for justice is actually increasing. Among the reasons are the recent vintage of the Gender Strategy, the fact that gender tools only came onstream in early 2018, and the fact that monitoring over the evaluation period tended to concentrate on inputs and activities rather than results (in response to which, as mentioned under EQ 1, a results-monitoring framework has been recently developed). Capacity building and training, the two main areas of IDLO action, are upstream actions, and impact in terms of women demanding their rights lie downstream. Such impact can be expected only in the longer term, and it is far too early in the implementation of IDLO's Gender Strategy to criticize it for lack of downstream results.

EQ 4: Contribution to progress at the country level II

To what extent have IDLO's engagement, activities and project interventions contributed to tangible progress towards legal, policy and regulatory frameworks that are gender-responsive? (Effectiveness, Impact prospects, Sustainability prospects)

IDLO has contributed to legislative drafting and the adoption of national-level policy papers; in addition, many IDLO projects have contributed to better procedures and protocols at the Ministry or agency level that make justice more gender-responsive. However, while IDLO has engaged in technical policy dialogue on how to best implement existing strategies, it appears from the evidence to have been less often involved in the high-level country political dialogues in which broad national policies related to gender and the rule of law are debated. Even at the technical level, attitudes and political ownership have sometimes been limiting factors. Sustainability prospects are variable: projects require authorities to provide only staff availability and do not address the systemic shortage of government resources for the justice sector. Data on retention of trained staff in relevant duties have not been available in project documentation consulted. IDLO has, in some cases, contributed to better availability of administrative data relevant to gender, for example with respect to individual agencies or courts. However, there did not appear to be examples of advice, guidance and work that would improve the quality of the data needed for gender-informed national policymaking and decision-making. This is a key aspect of gender mainstreaming that warrants greater effort in the future. The international community is making progress on clarifying the types of data needed for policymakers in the context of the indicators and targets associated with the Sustainable Development Goals (SDGs), for example the ongoing work on target 5 related to discriminatory laws.

EQ 5: Contribution to progress at the country level III

To what extent have IDLO's engagement, activities and project interventions contributed to tangible progress towards developing accessible institutions capable of delivering fair justice outcomes for women? (Effectiveness, Impact prospects, Sustainability prospects)

While IDLO can contribute to only a limited extent given the scale and scope of problems hindering women's access to gender-responsive justice, projects reviewed have contributed either directly (some) or indirectly (all) to improving women and girls' access to justice. Capacity-building and training actions have improved gender sensitivity and related skills among justice-sector actors. However, IDLO gender projects have often been implemented in context resistant to attitudinal change, a process that is long-term in nature and which includes resistance at the institutional level. Moreover, IDLO is often operating in countries where all components of the justice system are profoundly impaired by lack of adequate budget, impairing access to justice not only by exclusion but also by their sheer user-unfriendliness. Many are conflict-affected or fragile. With a few exceptions, IDLO has concentrated on formal justice-sector institutions, whereas for many women, informal and traditional justice social institutions will be their first and often only recourse.

Conclusions

Based on the EQ answers above, the following conclusions have been reached.

Conclusion 1: Strategic alignment (based on EQ 1)

IDLO has explicitly introduced a gender focus to its work as outlined in the Gender Strategy. This is well aligned to IDLO's overall strategy as well as to the broad international policy framework. The addition, in March 2018, of specific gender tools and tracking of performance may be expected to help further mainstream gender in the work of IDLO.

Conclusion 2: An enabling instrument (based on EQ 1)

The Gender Strategy is an enabling instrument, positioning IDLO to implement actions across a broad front in line with donor priorities.

Conclusion 3: Processes in place (based on EQs 1 and 2)

Only a short period of time has elapsed since the Gender Strategy and associated processes to implement it have been put in place. By the end of March 2018 (the end of the evaluation period), the Gender Team developed an approach and tools to ensure that the IDLO Gender Strategy informs all project design and implementation. This is now operational. All new projects require a gender analysis, and those that are found to have no gender component are required to critically reconsider gender and make appropriate adjustments.

Conclusion 4: Role of the Gender Team (based on EQs 1 and 2)

The small Gender Team has been critical to both the development, dissemination and implementation of the Gender Strategy. As a team comprising just one higher-level staff for most of the period, recently becoming two higher-level staff and one junior staff, the team has worked hard and successfully to engage IDLO staff, including senior management and field colleagues, develop tools, and pursue outreach such as training, technical assistance, technical field missions,

and backstopping support. While the role of the Gender Team cannot be underestimated, it should also be acknowledged that change in organizational culture and a push towards gender programming has been strongly driven by IDLO's Senior Leadership Team.

Conclusion 5: Tools available (based on EQ 2)

The tools developed – guidelines on gender analysis; guidelines for mainstreaming gender in the project cycle; revised project development documents and reporting templates to use at all points of the project cycle; and a Gender Tracker to score all projects on their gender orientation – are significant achievements to support operationalization of the Gender Strategy. The Tracker replicates approaches established at other international development organizations and will allow future comparisons of performance across different parts of IDLO and with other agencies. The guidelines and templates are a good start but require further development to provide useful guidance to staff and teams.

Conclusion 6: Monitoring and evaluation (based on EQs 3–5)

While gender-responsive project monitoring improved over the evaluation period, it remained weak, as did mechanisms for eliciting and disseminating lessons learned. This is a critical weakness – looking ahead, improved attention to monitoring and results will be needed for IDLO to show what difference its projects and activities have made to the lives of women, and to justice on the ground. While gender-sensitive evaluation has received growing attention at IDLO, evaluation as a whole remains too dependent on donor project financing, meaning among other things that there are no resources available for ex-post follow-up studies.

Conclusion 7: Focal area I: gender-based violence (based on EQs 3–5)

In practice, GBV has been a key area of focus of IDLO gender projects. These projects typically focus on the supply side of gender justice (training and capacity building of justice-sector staff and institutions), with more recent projects also engaged in legal empowerment, access to justice institutions, and broad awareness raising. While promoting an important goal of the SDGs, the focus on GBV appears to reflect IDLO's donor preferences rather than an internal strategic choice. However, other areas of activity include work with justice professionals, gender aspects of constitutional reform, women's inheritance and land rights, access to justice for women entrepreneurs, and access to HIV-related legal and health services.

Conclusion 8: Focal area II: capacity building and training (based on EQs 3–5)

While some contributions to legislative drafting, constitutional reform, and policy advisory work have been noted, IDLO's gender actions remained very strongly oriented towards capacity building, and specifically training, with some technical assistance work in the form of provision of expert advice and support.

Conclusion 9: Strategic/programmatic orientation (based on EQs 1–5)

Across IDLO, the decentralization of finance mobilization to country managers tends to bias the portfolio towards continuation of existing projects. While significant progress has been made by IDLO headquarters toward more strategic, programmatic and financial mobilization to pursue the Gender Strategy agenda, financing and implementation remains largely dependent on entrepreneurial, opportunistic country-level initiatives. However, apart from Kenya, IDLO does not

have country strategies which could provide the framework for implementing the Gender Strategy and a basis for discussions with government and development partners.

Conclusion 10: National context (based on EQs 3–5)

Many IDLO projects are in conflict-affected or fragile settings and/or in contexts where prevailing political, institutional, and socio-cultural attitudes are hostile to gender equality. While IDLO does have a comparative advantage in its experience of working in difficult contexts, any assessment of impact or outcomes needs to take contextual constraints into account.

Conclusion 11: Civil society and customary justice (based on EQs 3–5)

While NGOs and CSOs have been involved in most IDLO projects, IDLO's main partners and interlocutors have been public authorities. There has traditionally been an emphasis on the supply side, rather than the demand side, for gender-responsive justice, which has shifted to some extent recently, but could be further deepened and extended. Also to be noted is that IDLO's current programming on customary and informal/traditional justice systems is limited, and can be further strengthened, thus addressing the fora where disputes are resolved in many settings.

Overall assessment

Based on the EQ answers and conclusions above, this section offers an overall assessment of the IDLO Gender Strategy, both as a strategy and in implementation, according to the standard OECD DAC criteria.

Relevance

No issues of internal consistency arise; the Gender Strategy is fully in line with overall IDLO strategy. Nor is there any question that the Gender Strategy is externally aligned with the SDGs, donor priorities and beneficiaries' need for improved gender justice. An example of the Gender Strategy's relevance at the global level is the Memorandum of Understanding with UN Women and IDLO's important role in the High-level Group on Justice for Women, whose preparations for the 63rd Session of the Commission on the Status of Women in March 2019 and the High-level Political Forum in July 2019 are informed by a report commissioned by IDLO. A weakness of the relevance of the Gender Strategy as implemented to needs on the ground is the relative inattention to customary and informal/traditional justice systems, often the first and only recourse of poor women. Alignment with donor priorities has also come at some expense of portfolio concentration, namely in the area of GBV. While this is undeniably a key area, and one strongly represented in the SDGs, justice for women requires a broader focus. Similarly, with its historically grounded expertise in justice-sector institutional capacity building and training (i.e. the supply of gender justice), IDLO has not engaged sufficiently in the sort of downstream awareness raising and civil-society strengthening that would augment the demand for gender justice.

Internal relevance is demonstrated by the fact that IDLO continued to implement the Gender Strategy during a significant funding downturn in 2016 and, in fact, donor semi-earmarked funding for Gender Strategy implementation in some degree compensated for the loss of resources. While more needs to be accomplished, the Gender Strategy has proven to be an asset in IDLO's attempt

to shift donors from a project-by-project financing approach to one more aligned with strategic and programmatic goals.

The work of the Gender Team in developing and operationalizing the gender tools has made a significant contribution to mainstreaming gender in IDLO in accordance with international good practice. While this evaluation has identified the need for further progress on mainstreaming, this has improved over the evaluation period, and further progress will lead to a more programmatic, less project-oriented approach.

A number of projects analyzed present examples in which political and security situations shifted during project implementation. In general, projects have reacted flexibly, maintaining relevance in the face of changed circumstances. A number of project evaluations have, however, called for better risk assessments at project design stage, including proposed mitigation measures. Despite the introduction of Gender Analyses in project proposals, sometimes the degree of institutional ownership and "buy in" to gender sensitive reforms was overestimated, leading to poor implementation of IDLO-advised policies (an efficiency issue, as well). In some cases, for example, in gender-sensitive reform of justice institutions Kenya (which predated the introduction of Gender Analysis), policy dialogue would appear to have been inadequate and initial needs assessment to have paid inadequate attention to baseline institutional conditions.

Efficiency

The work of the Gender Team has ensured good clarity of what the Gender Strategy entails. All staff interviewed, whether in the field or at headquarters and Branch/Liaison Offices, were supportive of the Gender Strategy. Buy-in by senior leadership has been good and has strengthened staff commitment. The main internal objective of the Gender Strategy was to define an already implicit gender dimension in IDLO's mandate and catalyze its application in various aspects of IDLO's work, such as programming, and that objective has been achieved. Gender tools developed and associated training, although they came fully onstream late in the evaluation period and require further development, have led to demonstrable improvements in the gender orientation of IDLO's work. The context for Gender Strategy development and implementation suffered, however, from IDLO's project-driven nature, too oriented towards near-term donor responsiveness and not enough towards for long-term foundational work.

The small Gender Team, with a large and growing portfolio to support, has functioned with exceptional efficiency to carry on developmental work while supporting field implementation. At the same time, human resource constraints have meant that neither was done under ideal circumstances with full efficiency. Similarly, field staff coping with implementation issues while constantly looking for additional project funding, often in the shape of what amount to Phase II projects, has insufficient time to serve as a laboratory developing and experimenting with ideas, including for strengthening the gender dimension.

Institutional constraints to achieving Gender Strategy goals are ultimately not internal, but external: dependence on project-by-project finance, the counterpart scarcity of unallocated funding that could finance programmatic Gender Strategy implementation, improved monitoring and evaluation (M&E) and knowledge management/learning, and further development. While a knowledge management and learning initiative is addressing the gap, institutional learning at IDLO

was slow over the evaluation period; in part a product of IDLO's continuing project – rather than programmatic – orientation. That the Gender Strategy has aroused donor interest in programmatic support is a sign that it has potential to relieve this situation.

Effectiveness

The gender skills and awareness of justice-sector institution staff, and along with it the capacity of such institutions to respond to women and girls demanding their rights, has been strengthened, but there is little evidence that this is actually taking place, for reasons discussed below under Impact. The difficult country contexts within which IDLO works, weak M&E systems, and the difficulty of measuring progress are, in part, to blame. IDLO has contributed to legislative drafting and the adoption of national-level policy papers; in addition, many IDLO projects have contributed to better procedures and protocols at the Ministry or agency level that make justice more gender-responsive. However, while IDLO has engaged in technical policy dialogue on how to best implement existing strategies, it appears from the evidence to have been less often involved in the high-level country political dialogues in which broad national policies related to gender and the rule of law are debated. Even at the technical level, attitudes and political ownership have sometimes been limiting factors.

IDLO's Gender Strategy is implemented in difficult environments. Many projects lie in conflict-affected or fragile zones. Most are in areas where the social, cultural, and political context is deeply hostile to gender equality. A number of examples have been found of instances in which IDLO-implemented reforms and capacity improvements failed to translate into evidence of results. Indeed, IDLO has developed a comparative advantage in working in difficult terrain; a comparative advantage that may be attractive to donors in the near term but carries with it many challenges and must be considered in light of the fact that rule of law work requires long-term strategic development. The short-term nature of many IDLO gender projects, and their emphasis on delivering activities (especially training), also reduces IDLO's effectiveness in delivering results.

The issue of tangible differences for target beneficiaries is discussed below under Impact.

Impact prospects

As developed in detail in answering EQs 3–5, impact prospects must be conditioned on where in the upstream–downstream continuum they lie. Many projects have produced gender results, and to some extent impact, at the upstream level (e.g. in terms of capacity built, persons trained and so on). The prospects for downstream impact in the form of improved gender justice for women, who are the ultimate intended beneficiaries, are far less certain. Several factors explain this. First, a neutral factor is that, as stated above in discussing limitations of the evaluation, it is too early in the implementation of the Gender Strategy to look for impact in this inherently long-term area. Second, and tending the assessment towards pessimism, are the difficult contexts in which IDLO works. Some are countries in which entrenched patriarchal attitudes make progress difficult. In answering EQ 3, for example, we have found no country-level evidence of women increasingly demanding justice. IDLO's increasing work on broad awareness raising and with civil society, as well as on survivor-centered strategies, legal empowerment and social accountability, detectable in the projects examined and figuring in the Recommendations of this evaluation, may help to address this. Some of the countries reviewed are conflict-affected or fragile. In almost all, justice-

sector institutions do not have budgetary resources adequate to function well. Finally, if projects are to have impact, M&E must be capable of detecting it. In answering EQ 2, we have found that not only is M&E weak in general, but it is more oriented towards activities and outputs, not results or impact.

Sustainability prospects

If impact of the IDLO Gender Strategy is a long-term prospect, sustainability is a longer-term one. The assessment of sustainability prospects is essentially identical to that of impact assessments. The impact of training and capacity building are likely good at the level of individual beneficiaries, but no real evidence has been found in this evaluation regarding retention of trained personnel in relevant duties. Institutional settings, whether in the form of insufficient resources or entrenched resistance to gender equality, are not conducive; nor, in some settings, is the political and social context. Institutional ownership has been found to be mixed.

IDLO's added value

IDLO has added value though its active involvement in advocating, by itself and with other organizations, for the development of a specific goal on the rule of law. With SDG 16 now in place, IDLO is working towards its simplification, including through its participation in the Pathfinders initiative for peaceful, just and inclusive societies. The most tangible evidence lies in its partnership with UN Women and co-leadership of the High-level Group on Justice for Women. At the same time, other international organizations are also active in the rule of law and development. There has been undoubted value added generated in IDLO's consistent policy advocacy activities in the form of high-profile interventions of the Director-General and statements given by members of the Offices of the Permanent Observers in New York and Geneva, respectively. These policy advocacies draw from research and knowledge generation activities of the Gender Team and other teams.

Recommendations

The recommendations below are based on the conclusions. In each case, the Evaluation Team has proposed at least one concrete feasible first step that can be taken.

Strategic recommendation

Recommendation 1 (Based on Conclusions 1 and 2)

As a broad enabling instrument that is well aligned to IDLO's overall strategy, the Gender Strategy does not require extensive revision for the post-2018 period. This would require Gender Team staff time that can better be applied to various other priorities, as outlined elsewhere in this evaluation. Moreover, too-frequent strategic adjustments risks confusion among staff and stakeholders and could divert the organization from advancing in already-agreed directions.

- Feasible concrete first step: In order to reduce potential confusion, rename the existing Gender Strategy as the Gender Strategy 2015–2020 to clarify that it is aligned to the current IDLO Strategic Plan.

Recommendations related to implementation and results

Recommendation 2 (Based on Conclusions 3 and 5)

Further development of the gender tools is required. These have been developed over a short period of time and largely amount to instructions to always take gender into account in programming, implementation, and M&E. What is needed to make these more operational is more specific information on international good practice and lessons learned, as well as guidance on likely data and information sources.

- Feasible concrete first step: The Gender Team should review the current state of its tools, including conferring with regional and country teams on needs, and draw up a plan for revision, based on a distillation of knowledge and experience from IDLO, UN Women and elsewhere.

Recommendation 3 (Based on Conclusion 6)

Improved gender monitoring is needed to build on IDLO's comparative advantage as an organization with substantial field experience as a project implementor. It is recognized that weak monitoring is not unique to the gender front of IDLO's operations – however, it is nonetheless critical to address as part of overall efforts to strengthen performance in this area. Nor, as found in a review of other donor gender evaluations, is gender monitoring an issue only at IDLO.

Progress would entail further development and dissemination of guidance on gender indicators and results to be monitored. These need to be more oriented towards results, outcomes and impact; not limited to inputs, activities and outputs. The present development of an overall monitoring framework presents an opportunity for sharpening the gender aspect.

Experience and evidence gathered through gender M&E should be synthesized, on a regular basis (e.g. annually), into lessons learnt that can be given to regional and country teams to improve project design and implementation, but also to inform strategic thinking at the country level. This would also make a significant contribution to global knowledge on justice for women more broadly. The resources required to improve knowledge generation and management, starting with improved and more systematic M&E, should be a priority topic for discussion with IDLO's donor partners.

- Feasible concrete first steps: Improvements in gender monitoring should be studied in the context of the current initiatives to improve monitoring for results and put in place structures for knowledge management and learning. The findings on M&E of other donor strategic gender evaluations should be studied. In addition to providing insights to improve practices within current resource limitations, this can serve as the basis for discussion with donor partners.

Recommendation 4 (Based on Conclusions 7–10)

IDLO should continue to strive for a more program- rather than project-oriented approach to tackling gender inequality at the country level. Gender Analysis should not only be at the project level. Assessments of the status of gender justice, while not aspiring to rise to the level of country gender strategies, could inform and serve as the basis for better country-level dialogue with government, major development partners, and civil society focusing on justice and rule of law.

Such assessments would draw on existing data (e.g. legal needs assessments, complemented by IDLO and other sources of data and knowledge).

- Feasible concrete first step: As part of revising the gender tools, Gender Analysis should be at the country level, i.e. it should not only be at project level. This could be piloted with Gender Team support. This action would be complementary to Recommendations 2 and 3.

Recommendation 5 (Based on Conclusions 7–10)

Consistent with the adoption of a more programmatic stance, IDLO should attempt to diversify its portfolio into additional key gender equality areas, building on the strength of its GBV and training/capacity-building projects. Even if IDLO has a comparative advantage in these areas, comparative advantage needs to be considered in a dynamic sense. Existing small, innovative activities on economic empowerment and gender balance in justice-sector institutions can serve as the basis for such diversification.

- Feasible concrete first step: When discussing "traditional" (i.e. training and capacity-building) IDLO projects such as those above with donors/stakeholders, IDLO can seek to introduce innovative elements that have potential to expand into stand-alone activities and programs in the future.

Recommendation 6 (Based on Conclusion 11)

In order to pay more attention to the demand for gender-responsive justice, in addition to the supply, IDLO should strengthen partnerships with civil society (including women's organizations) and continue to develop skills and experience in broad awareness raising as well as other demand-side interventions such as survivor-centered approaches, legal empowerment and social accountability.

- Feasible concrete first steps: In addition to developing innovative new project ideas and partnerships, IDLO should seek to extend and strengthen the civil society and legal empowerment components in existing and upcoming projects in which public authorities are the principal partner.

Recommendation 7 (Based on Conclusion 11)

Given the reality of how most women experience justice in their daily lives, IDLO should build on its work on customary, informal and religious fora and mechanisms for the resolution of disputes. Since most disputes are resolved outside the formal system, restricting efforts to formal actors misses an important part of the justice landscape. IDLO has some valuable experience on this front, which could be brought more systematically into work advancing gender equality.

- Feasible concrete first steps: In developing innovative new project ideas and partnerships, IDLO should seek to extend and strengthen its work with informal justice actors – either stand-alone activities, as part of a plural legal landscape supporting both formal and informal justice. Evidence that this is happening already can be found in the post-evaluation period (January 2019) publication of a Policy Brief and a Practitioner Brief on informal justice.

INTRODUCTION

1.1 Structure of this report

The International Development Law Organization (IDLO) is an intergovernmental organization devoted to empowering people and enabling governments to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.

This report presents the results of the evaluation of the IDLO Gender Strategy covering the period 2015 (when the strategy was adopted) to 2018. It consists of nine main sections:

- Section 1: Introduction
- Section 2: Global context and situation analysis
- Section 3: History and overview of the IDLO Gender Strategy
- Section 4: Evaluation methodology and limitations
- Section 5: The IDLO gender portfolio
- Section 6: Findings (EQ answers)
- Section 7: Conclusions
- Section 8: Overall assessment (DAC criteria)
- Section 9: Recommendations

Annex 1 illustrates the Theory of Change underlying the evaluation and detailed information complementary to Findings is provided in Annex 2 (Country/Project Capsules) and Annex 3 (Evaluation Matrix).

1.2 Objectives and scope of the evaluation

Overall objectives

The Terms of Reference (ToR) set out the objectives and rationale as a **forward-looking strategic evaluation** to assess the development, implementation, and achieved results of the Gender Strategy 2015–2018 (implemented in line with the IDLO Strategic Plans 2013–2016 and 2017–2020). Within this framework, the evaluation will:

- Provide an assessment of the Gender Strategy's internal and external coherence with respect to international commitments and good practice, including the SDGs, the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and Beijing Platform for Action processes, approaches of recognized bilateral/international donors, approaches of recognized NGOs and so on;
- Measure the extent to which the expected results of the Gender Strategy were achieved in terms of programmatic work, advocacy, internal rules and procedures and external policy dialogue with key international stakeholders; and

- Identify relevant findings, conclusions and related structured recommendations for IDLO's post-2018 Gender Strategy.

Specific objectives

In line with the ToR, the evaluation:

- reviews and as appropriate reconstructs the Gender Strategy's Theory of Change, which will serve as a logical basis to develop and answer focused evaluation questions (EQs); and
- examines the Gender Strategy's outputs and the extent to which they contributed to the expected outcome-level results and impact in IDLO's programmatic activities.

According to the ToR, the evaluation is expected to cover:

- Levels and trends in the extent and nature of gender integration (gender mainstreaming and stand-alone initiatives) in IDLO programs and projects (both in terms of design and implementation)
- The extent to which IDLO's gender integration approaches, procedures and tools support the uptake and implementation of the Gender Strategy in IDLO programs and projects either as a cross-cutting issue or an area of focus;
- The allocation of resources – staff and money – relative to the commitments;
- Quality of support provided to staff and national counterparts;
- Quality of IDLO internal dialogue on gender integration (whether through mainstreaming or stand-alone), especially at the project/program design stage;
- Synergies between IDLO's own Gender Team and field program implementation;
- Complementarities between different levels of gender-focused interventions (such as project, program and strategy-level) at IDLO
- Relevance of IDLO's Gender Strategy in the broader justice and development sector globally.

Scope

This evaluation covers the period May 2015–March 2018. However, for purposes of assessing baseline conditions, the evaluation also takes into consideration some selected initiatives before 2015, as well as some that have continued or been initiated post-March 2018.

GLOBAL CONTEXT AND SITUATION ANALYSIS

IDLO's Strategic Plan commits the organization to promoting gender equality. The breadth of the Gender Strategy indicates that IDLO considers the rule of law and gender equality to be indissolubly linked regarding both the substantive and procedural aspects of the law, as well as governance. Equality before the law and access to justice cannot be achieved if laws, legal processes, and justice institutions are not gender sensitive and underpinned by commitments to women's empowerment and gender equality. Absent these, the contribution of law to sustainable development will be seriously impaired and may exacerbate rather than relieve inequalities.

While IDLO does not formally define rule of law, the formulation established by the United Nations[1] describing the rule of law will serve:

> "A principle of governance in which all persons, institutions, and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced, and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness, and procedural and legal transparency."2

Terms directly linking the rule of law to gender include "equally enforced," "consistent with international human rights norms and standards," "equality before the law," accountability to the law," "fairness in the application of the law," and "participation in decision-making."

1.3 The global policy context

While gender equality is not a new topic on the international agenda, momentum and commitments have accelerated over the past decade or so, and the breadth and depth of the agenda has expanded, as indicated by the targets and indicators adopted by 193 governments in 2015 as the SDGs, as part of SDG 5, as well as others (notably SDG 16).

This section briefly outlines key milestones and commitments to gender equality at the international level that are relevant to the context for IDLO's work.

International, regional and national commitments on gender equality

Relevant human rights commitments date back at least to the Universal Declaration on Human Rights, although the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is the key treaty.

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[1] U.N. Secretary-General Kofi Annan, "The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies" (S/2004/616 of 3 August 2004)
http://www.unrol.org/files/2004%20report.pdf

[2] See http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N04/395/29/PDF/N0439529.pdf?OpenElement

CEDAW was a major step forward in recognizing key rights for women, and has to date been ratified by 189 States (out of 193 UN member states).[3] It obliges States "to take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices, which constitute discrimination against women." While widely ratified, CEDAW is also subject to very extensive reservations. Although CEDAW did not explicitly prohibit violence against women, it was considered a form of "discrimination against women Through the adoption of General Recommendation No. 19."[4] The 1993 Declaration on the Elimination of Violence against Women (see more below on violence against women) complements CEDAW in calling for the elimination of this form of violence.

CEDAW General Recommendation No. 33 on Women's Access to Justice emphasizes that justice delivery must traverse development, conflict, and other forms of crisis contexts, because women and girls are at risk of rights violations in all these settings.

Major regional gender policy statements and conventions include the European Union Policy for Gender Equality in EU External Relations 2016–2020, the Council of Europe Gender Equality Strategy 2018–2023 ,and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol).

The adoption of the Vienna Declaration and Program of Action at the United Nations World Conference on Human Rights in 1993 is regarded as a watershed moment in the women's rights movement. The Declaration responded to calls by civil society through the Global Campaign for Women's Human Rights. For the first time women's rights were explicitly accepted as human rights, paving the way for the integration of women's rights into human rights norms and practice. Prior to the Vienna Conference, women's human rights were mostly absent from the international human rights agenda, because the human rights framework maintained a dichotomy between the public and private spheres.[5] Because the human rights agenda concerned itself primarily with acts taking place in the public sphere, intimate partner violence was regarded as being outside its framework.

The Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women (1995) and the follow-up process and review through the Commission on the Status of Women (see e.g. the Beijing +20 review). One of the key strategic objectives under Beijing's "critical area of concern" relating to Human Rights of Women, is to "ensure equality and non-discrimination under the law and in practice" with actions to be taken including:

> "(a) provide constitutional guarantees and/or enact appropriate legislation to prohibit discrimination on the basis of sex for all women and girls of all ages and assure women of all ages equal rights and their full enjoyment; (b) embody the principle of the equality of men and women in their legislation and ensure, through law and other appropriate means, the practical realization of this principle; and (c) review national laws, including customary laws and legal practices in the areas of family, civil, penal, labor and commercial law in order to ensure the implementation of

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[3] https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en. See also Optional Protocol to the Convention; General Recommendation 19 (regarding the elimination of violence); General Recommendation 30; General Recommendation 33 and General Recommendation 35

[4] United Nations General Assembly, *Convention on the Elimination of All Forms of Discrimination Against Women*, art. 2, U.N. Doc. A/RES/34/180 (Dec. 18, 1979).

[5] *See* Charlotte Bunch, *Women's Rights as Human Rights: Toward a Re-envision of Human rights*, 12 HUM. RTS. Q. 486, 491 (1990) (analyzing how this dichotomy has historically enabled states to justify female subordination in the home).

the principles and procedures of all relevant international human rights instruments by means of national legislation, revoke any remaining laws that discriminate on the basis of sex and remove gender bias in the administration of justice."

Occupying a central role in the context of state fragility and conflict is the 2000 United Nations Security Council Resolution 1325 (UNSCR 1325), from which the Women, Peace, and Security Agenda derives (see also below).[6]

The **Millennium Declaration and Goals for 2015** included Goal 3: To promote gender equality and empower women. The extent to which the Millennium Development Goals (MDGs) advanced gender equality is arguable. The more recent SDG agenda has a much more ambitious and extensive coverage of gender equality issues. SDG 5, the most directly tied to gender, is outlined in the box below.

Achieve gender equality and empower all women and girls

5.1 End all forms of discrimination against all women and girls everywhere.

5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.

5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation.

5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate.

5.5 Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life.

5.6 Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences.

5.A Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws.

5.B Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women.

5.C Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels.

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[6] *See also Rome Statute of the International Criminal Court 1998, especially in relation to gender-based crimes and UN Special Procedures, such as the Working Group on the issue of Discrimination against Women in Law and in Practice and UN Special Rapporteur on Violence against Women, its causes and consequences*

More broadly, SDG 16 – to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels – is also relevant. This agenda has been well laid out by the Pathfinders – The Roadmap for Peaceful, Just and Inclusive Societies. The Pathfinders have established a Task Force on Justice, chaired by ministers from Argentina, the Netherlands, Sierra Leone and the Elders (an international NGO consisting of recognized elder political leaders and advocates for peace and human rights). The Task Force will identify the scale of the justice gap, make the case for investing in justice, identify what works and call those working for justice to action. In this context, a High-level Group on Justice for Women has been established to advocate for the centrality of women's justice needs in the implementation, monitoring and reporting of SDG 16. The High-level Group will develop concrete recommendations on justice for women and girls, with an emphasis on successful models and interventions, as an input to the work of the Task Force on Justice, ahead of the 2019 High Level Political Forum.[7] As described below, IDLO is playing a key role in the High-level Group.

Over time, gender equality has assumed a more prominent place in the aid and development effectiveness agenda. The Paris Declaration on Aid Effectiveness (2005) contained no reference to gender equality, a gap partly addressed by the subsequent Accra Agenda for Action (2008), which committed to broadening country-level policy dialogue on development in ways consistent with agreed international commitments on gender equality and human rights. The Busan High Level Forum on Aid Effectiveness in 2011, by contrast to the Paris Declaration, contained strong commitments to gender equality, particularly in fragile and conflict-affected settings.

Key gender issues

In the IDLO Gender Strategy, three key areas are identified: (i) discriminatory and unresponsive legal, policy, and institutional frameworks; (ii) limited access to justice, and (iii) exclusion and disempowerment of women and girls.

The first area highlights that while progress has been made in many jurisdictions, discriminatory laws and legal gaps still prevail. Using available World Bank data at that time, it emphasizes that almost 90 per cent of 143 economies surveyed have legal restrictions against women's rights. The Gender Strategy pointed out that "conventional" legal reforms often fail to address gender inequalities and provides these examples: "many legal reform initiatives sideline changes in discriminatory personal laws, despite widespread recognition of substantial inequalities on account of gender in this area. In some cases, rigid adherence to discriminatory customary laws and traditions continues to deny women the benefits of laws providing for equal rights. More alarmingly, poorly conceived or inadequately implemented legal reform can exacerbate gender inequalities."

On the second key area, the Gender Strategy affirms that "[a]ccess to justice is a necessary condition to claim equal rights, resources and power, to hold individuals and institutions accountable, and to prevent and address impunity. However, it remains an enormous challenge for most women around the globe, especially those living in development settings and rural areas."

[7] IDLO co-authored a background note to the work, available at https://cic.nyu.edu/sites/default/files/background_paper_-_high-level_group_on_justice_for_women.pdf.

The Gender Strategy continues to critique how "conventional" justice reforms have been unresponsive to the justice needs of women, as they have ignored intra-household and intra-community disputes as being "private and outside the realms of public dispute resolution", tended to focus on the type of justice system (formal versus informal), rather than on the justice outcomes that would benefit women most, and rarely take into account that discriminatory norms cut across multiple justice institutions, often leaving women without effective recourse or redress.

It also mentions that most justice reform programs tend not to engage with informal or quasi-formal institutions, despite the fact that these are the preferred dispute resolution mechanisms for the majority of women in developing countries, especially in cases concerning intra-family disputes. It also highlights limitations on women's ability to claim their rights across a broad front due to a variety of access issues – geographical, financial, social among others.

The Gender Strategy also calls out the "underinvestment in judicial subsectors such as family courts, legal aid for family proceedings, or small claims tribunals that can support women's needs and also address the often-conflicting demands of work and family". Access to justice is especially a problem in fragile, conflict, and crisis situations, justice and law enforcement institutions are also weakened or compromised. It highlights women are not equipped with awareness, skills, support and power to claim their rights.

The third key area emphasizes the continuous exclusion and disempowerment of women. In addition to challenges as justice seekers, women continue to be on the sidelines in key sustainable development agenda discussion, such as in climate change and land and natural resource governance.

Focus on violence

Because GBV occupies a prominent position in the IDLO gender portfolio, it merits a special focus. International conventions and declarations have proven critical to addressing challenges like violence against women, not least because they provide concrete definitions of what constitutes GBV, but also because of their role as standard-setting documents.[8]

Violence against women was defined by the United Nations Declaration on the Elimination of Violence against Women, adopted by the General Assembly in 1993, as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."[9] The Declaration on the Elimination of Violence against Women led to the creation of the United Nations Special Rapporteur on Violence Against Women in 1994. This office reports to the United Nations Human Rights Council and is tasked with "seeking and receiving information on violence against women," as well as "recommending measures . . . to eliminate all forms of violence against women." In 1996, Radhika Coomaraswamy, the first Rapporteur, stated that "the international human rights framework could be applied to address discriminatory laws or customs, like (national) exceptions for marital rape or the defense of honor, which exempt perpetrators of domestic violence from sanctions and reflect the consent of the State."

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[8] See *Freedom from Violence and the Law*, Rangita da Silva Alwis and Jeni Klugman, Working Paper, FXB Center for Health and Human Rights, Harvard University, January 2015 . http://fxb.harvard.edu/wp-content/uploads/sites/5/2015/01/Freedom-from-Violence-and-the-Law.pdf

[9] G.A. Res 48/104, art. 1, U.N. Doc. A/RES/48/104 (Dec. 20, 1993).

Other important international declarations which have recognized violence against women as a violation of human rights, include the Programme of Action of the International Conference on Population and Development (1994), the Beijing Declaration and Platform for Action, and the Southern African Development Community's Declaration on Gender and Development (1997) with its 1998 Addendum on the Eradication of All Forms of Violence Against Women and Children. The Addendum is a recognition of the importance of the inalienable and interlinked nature of the panoply of rights that must be harnessed to address violence against women. It also recognizes the deeply rooted cultural and social ethos that need to be combated. The Addendum recognizes that violence against women and children "reflects the unequal power between women and men." It also recognizes a broad category of violence against women including physical and sexual violence, as well as economic, psychological and emotional abuse, and traditional practices harmful to women including femicide and female genital mutilation. The Addendum recognizes the protection of all women including specifically laws on anti-discrimination against women with disabilities and women in armed conflict. It calls for services, such as providing easily accessible information for survivors and victims of violence, including women with disabilities, and recommends the allocation of the necessary resources to support implementation.

UNSCR 1325 was the first Resolution to address the disproportionate and unique impact of armed conflict on women. The context was the adoption of thematic resolutions on protection of children and children and armed conflict; atrocities and UN peacekeeping failures in Rwanda, Somalia and former Yugoslavia; and mobilization of women's groups. UNSCR 1325 expressed "grave concern" about sexual violence in conflict situations and recognized the need for UN peacekeepers to protect women and girls, and also recognized that sustainable peace could only be achieved if women participate in peace negotiations.[10]

Subsequent resolutions to UNSCR 1325 include UNSCR 1820 (2008) condemning the use of sexual violence as a tool of war and UNSCR 1888 (2009) mandating UN peacekeeping missions to protect women and children from sexual violence.

Several regional instruments prohibit GBV:

- The Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, 1994 ("Convention of Belem do Para") is the first treaty on violence against women and a landmark instrument to protect women from this serious violation of their human rights.11 It affirms that women have a right to be free from violence in both the public and private spheres and holds the state accountable to prevent, punish and eradicate violence against women, incorporating a due diligence standard.
- The Protocol to the African Charter on Human and Peoples' Rights, on the Rights of Women in Africa (Maputo Protocol), has provisions against GBV within the scope of women's rights to life, integrity and security of the person, and dignity. Article One defines violence against women as including "all acts perpetrated against women."12 The African Charter on the Rights and Welfare

[10] Resolutions subsequent to UNSC 1325 include UNSCR 1820 (2008) condemning the use of sexual violence as a tool of war, UNSCR 1888 (2009) mandating UN peacekeeping missions to protect women and children from sexual violence.
[11] Vivienne Chin & Yvon Dandurand, Violence in the Americas: A Regional Analysis (2001) (reviewing the implementation of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women).
[12] African Commission on Human and Peoples' Rights, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, art. 1, July 11, 2003.

of the Child includes protection from sexual abuse under the scope of "torture, inhuman or degrading treatment."

- The Committee of Ministers of the Council of Europe adopted a convention on preventing and combating violence against women and domestic violence in 2011. This defines violence against women as a human rights violation and as a form of discrimination. The definition of violence includes economic harm or suffering. The Convention contains both negative and positive duties on the part of States. State parties are called upon to exercise due diligence to prevent, investigate, and punish perpetrators, and required to provide access to services—including legal and financial assistance, psychological counselling, hotlines, and sexual trauma services.
- The ASEAN Declaration on the Elimination of Violence against Women and Elimination of Violence against Children (2012) calls on members states to enact legislation to tackle violence against women, improve services to implement it, to monitor progress, and strengthen regional cooperation, including research and the sharing of good practice.

Situation analysis: Gaps in implementation

As outlined above, there is a strong foundation in international law and global commitments for gender equality and women's empowerment. However, there is a huge disparity between these legal commitments and obligations at the global and regional levels, and what happens in practice.[13]

These gaps arise at the national level, as the following examples illustrate. The World Bank regularly documents the serious gaps in ensuring equal legal protections for women and girls in a range of fields. According to the 2018 update of the annual Women, Business and the Law report, 104 countries still have laws preventing women from working in specific jobs, including mining (65 countries) and manufacturing (47 countries). Overall, in 2018, 2.7 billion women were legally restricted from having the same jobs as men.

Only two in five national governments mandate equal remuneration for work of equal value. Forty-five countries do not have specific laws on domestic violence and 59 countries have no laws on sexual harassment in the workplace. This means that, in 2017, more than one billion women lacked protection from sexual violence from an intimate partner or family member, while the number of women lacking legal protection against sexual harassment in employment, education and public places is estimated at 362 million, 1.5 billion, and 2.2 billion, respectively.

Male dominance in family relations is also evident in data showing that a woman cannot, in the same way as men: apply for a passport in 37 countries, be legally recognized as head of household in 31 countries, travel outside her home in 17 countries, confer citizenship to her children in 25 countries and confer citizenship to her spouse in 51 countries.

Even when gender-responsive laws exist on paper, domestic implementation is often poor due to a variety of technical, financial and political factors. This may be due to conflicting customary laws and/or the strength of traditional values and practices. These strengthen the willingness of citizens to break

[13] Jeni Klugman, Gender based violence and the law, https://www.worldbank.org/en/research/brief/world-development-2017-background-papers

the law and weaken the willingness of the authorities to enforce it (e.g. laws against child marriage, GBV, inheritance, and distribution of common property in case of death or divorce).

Worsening the situation are the illiteracy, isolation, and ignorance of many poor women. For example, in the area of land rights, titling and registration regulations often require that a national identity card, marriage or birth certificate, or deeds from a land registry office or court be provided, whereas rural or poor women have limited time and money to claim their rights. Of particular concern from the democracy standpoint is that women may be prevented from voting due to their lack of a national identity card.

At the same time, global resources to support gender equality have been limited. In 2014, only US$130 million out of almost $32 billion of total aid went to women's equality organizations and institutions.[13] The imbalance has been particularly acute in fragile states, where in that year only one per cent of aid targeted gender equality as a principal objective. The Addis Ababa Action Plan on Transformative Financing for Gender Equality and Women's Empowerment outlines, in response, transformative policy and financing actions to accelerate implementation of existing commitments in the Beijing Declaration and Platform for Action and to meet new commitments on gender equality and women's empowerment in the context of the post-2015 development agenda. While it has the status of a voluntary commitment, partners include the governments of Brazil, Sweden, Switzerland and the United Kingdom, as well as the OECD and UN Women. The targets include costed and adequately resourced national policies, strategies and plans on gender equality; prioritized investments in accessible, affordable, and quality social infrastructure and essential services; systematically tracked and prioritized allocation of overseas development assistance for gender equality; a minimum of 15 per cent of all peacebuilding funds target gender equality as a principal objective; global trade, financial and investment agreements contribute to gender equality, women's empowerment and human rights; and legislative and administrative reforms implemented to ensure women's equal rights to economic and productive resources.

Financial support for gender equality has been meager, as are resources specifically devoted to the intersection of gender and justice. While larger institutions – such as UN Women and the United Nations Development Programme (UNDP) – have been active in this area in numerous countries around the world, IDLO remains the only organization whose gender mission is exclusively focused on gender and the rule of law.

1.4 Strategic approaches to integrating/mainstreaming gender in justice and development

Mainstreaming and targeted interventions

As approaches are multiple and continue to evolve, two main strategic approaches are often featured to advance gender equality: mainstreaming and targeted interventions. Mainstreaming involves "systematically integrating gender perspectives in policies, programmes and projects."[14] It emerged from the 1995 Beijing Program of Action and may be interpreted as a reaction against previous

[14] https://onlinelibrary.wiley.com/doi/full/10.1002/jid.3211

approaches that marginalized gender in small "Women in Development" projects.[15] An example of mainstreaming would be reviewing all investments and activities to ensure appropriate attention to gender equality, regardless of the primary objective of the program. An example of a targeted intervention would be support services for survivors of domestic violence.

Most development agencies adopt a combination of both mainstreaming and targeted approaches, adapted as appropriate to the context. There is a voluminous literature, largely beyond the scope of this evaluation, reviewing and critiquing various approaches. Part of this relates to the longstanding debate – not unique to gender – between advocates of a pragmatic approach to pursuing reform within existing structures and those calling for wholesale transformation of existing power relations.[16] An analogy may be made between "thin" and "thick" conceptions of the rule of law; the former adopting a formalist view and the latter an emancipatory one.

A number of recent reviews from development institutions suggest that mainstreaming has not yet succeeded in embedding a gender equality orientation into the institutional DNA of most development agencies, and gender equality results have been fragmented, poorly monitored, and too rarely scaled up. Here we highlight the main findings, by agency.

The World Bank's relatively early evaluation covering the years 2002–2008[17] found an improvement in quantity and scope of WB interventions, with some positive effects on gender equality, but cited the lack of an accountability and monitoring framework, which combined to weaken the pace of progress in the later years. An Asian Development Bank evaluation covering the years 2005–2015[18] concluded that gender mainstreaming has tended to occur at project level (and in selected sectors) rather than a country level; in addition to this, the lack of a monitoring framework limited results at the country partnership level. The Asian Development Bank's independent evaluation concluded that, while its gender work had improved women's lives in limited ways, progress on grand issues such as discrimination, GBV and economic empowerment due to "limited policy and institutional support … in combination with lack of governments' commitment."

An evaluation of European Union (EU) support to Gender Equality and Women's Empowerment 2007–2013[19] was critical almost across the board, particularly at the country level, where it found that EU Delegations lacked the tools, staff, and/or inclination to implement gender mainstreaming. At EU headquarters, as well, the institutional architecture and incentives needed to meet the EU's international commitments on gender equality had not been put in place, undermining the potential for an organization-wide response. While financial commitments had risen over the period, staff and the tools needed by staff had lagged. Accountability was found to be weak, and the EU had failed to invest in developing the country-specific knowledge needed to effectively address gender issues in

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[15] For example, Catherine Hoskyns, 2005. Review essay: gender mainstreaming in trade, finance, and development. *International Feminist Journal of Politics* 7–4 December, 607–13.

[16] Arguing for the latter, see, for example, Otto, Dianne 2012. *Gender issues and international human rights: an overview*. Melbourne Legal Studies Research Paper No. 606. University of Melbourne Law School and Allwood, Gill (2013). Gender mainstreaming and policy coherence for development: Unintended gender consequences and EU policy. *Women's Studies International Forum* 39:42–52.

[17] https://openknowledge.worldbank.org/handle/10986/10523

[18] https://www.adb.org/documents/thematic-evaluation-study-adb-support-gender-and-development

[19] https://www.adb.org/documents/thematic-evaluation-study-adb-support-gender-and-development

programming and policy dialogue. A previous independent assessment had reached similar conclusions, citing in particular a lack of interest on the part of senior EU management.[20]

International agencies face the reality that all Member States (shareholders in the case of the multilateral banks) do not share the same enthusiasm for gender equality, even if nearly all have signed up to CEDAW and all to the SDGs.

Some bilateral agencies have established a more consistent platform for engagement. Two countries with exceptionally strong commitment to gender equality, and both significant sources of IDLO funds, are Sweden and the Netherlands. Both have recently published gender evaluations.[21]

- The Swedish International Development Agency found that, while gender integration into Swedish development cooperation was effective, the lack of monitoring and the absence of country strategies/objectives and indicators meant that institutional learning was lacking. Because of weak monitoring, gender mainstreaming tended to be stronger upstream (i.e. at the programming level) than in implementation. Weak monitoring meant that it was difficult to identify results, even when there was indication that programs had made a difference (notably women's economic empowerment in integrated (e.g. rural development) programs. They later were judged to have contributed more to progress than more limited actions focused on women's income and access to employment.
- The evaluation of the Dutch Ministry of Foreign Affairs questioned the extent to which gender mainstreaming had really been woman-centered, pointing out that gender had been instrumentalized as a tool for "smart economics," "smart politics," "smart security" and so on, without full regard for the impact on women themselves. Like other evaluations, the Dutch found that gender mainstreaming was much more likely in "soft" development sectors like health and education than in "hard" ones such as private sector development, in spite of the opportunities to be pursued. Reporting tended to focus on what had been done, not on its effectiveness. While mainstreaming was combined with stand-alone interventions, synergies between the two were not exploited. In part also because budgetary information was lacking, it was not possible to assess the effectiveness of gender mainstreaming, leading the evaluators to call for moving mainstreaming from rhetoric to reality.

The main points that emerge from these evaluations are:

1. the lack of political commitment not only at the governmental/client level, but among senior management within development agencies;

2. inadequate capacity, both in terms of staffing and tools/expertise available; and, most consistently,

3. inadequate accountability and monitoring, leading to failure to capture good results when obtained and a lack of institutional learning.

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[20] O'Connell, Helen (2013). *Implementing the EU Gender Action Plan 2010–2015: challenges and opportunities*. London: Overseas Development Institute.

[21] https://www.oecd.org/derec/sweden/46143903.pdf, https://www.oecd.org/derec/netherlands/Gender-sense-sensitivity.pdf

HISTORY AND OVERVIEW OF THE IDLO GENDER STRATEGY

1.5 History

The impetus for development of an IDLO Gender Strategy came in the form of a 2013 Rapid Assessment requested by the recently arrived IDLO Director-General, who identified the lack of an explicit gender dimension even in IDLO's work that was clearly gender-related. The overall IDLO Strategic Plan 2013–2016 had a clear gender component (Goal 2.1). However, the Rapid Assessment found IDLO to be generally weak on gender mainstreaming and made five specific recommendations:

1. Shift to a more strategic approach.
2. Articulate a clear results framework.
3. Establish responsibilities and processes for implementation.
4. Strengthen partnerships.
5. Enhance knowledge capture and dissemination of innovative model

Direct responses to this assessment included the hiring of a Senior Gender Adviser in mid–2014 tasked with drafting a Gender Strategy and developing tools to support implementation.

IDLO's Strategic Plan 2013–2016 was centered on three goals:

- Goal 1: Build confidence in the justice sector by supporting legal and institutional reforms and promoting good governance;
- Goal 2: Enhance access to justice by enabling governments to uphold human rights and empowering people to claim them; and
- Goal 3: Facilitate innovative legal approaches to support sustainable development and economic opportunity.

A specific goal (Goal 2.1) committed IDLO to uphold the rights of women and girls. In addition to identifying gender equality as a core institutional value and guiding principle, the Strategic Plan committed IDLO to "promoting gender equality through non-discriminatory gender-responsive laws, and institutions, enhancing women's access to justice and increasing their legal empowerment to achieve sustainable development," stating that IDLO will "seek to develop a coherent program to assist women and poor and marginalized communities to access justice and protect their legal rights."

The Gender Strategy – developed in 2014, adopted in May 2015, and extended by the Director-General to cover 2017–2018 with the addition of Annexes presenting gender tools, was aligned with the IDLO Strategic Plans for 2013–2016 and 2017–2020. The Theory of Change described in the Inception Report of this evaluation is diagrammatically presented in Annex 1.

EVALUATION METHODOLOGY AND LIMITATIONS

1.6 Methodology

The essence of the approach employed is that a logical chain is established from evidence to EQ answers (or "Findings" – the terms are used interchangeably) to Conclusions to Recommendations. Each EQ is approached in several Key Dimensions to ensure that the EQ answer is built up from verifiable evidence; each Conclusion is linked to EQ Findings, and each Recommendation is linked to Conclusions. In addition, as called for in the ToR, the Evaluation Team offers an overall quality assessment of the implementation of the Gender Strategy based on the standard OECD DAC criteria of Relevance, Effectiveness, Efficiency, Impact and Sustainability, as well as the added criterion of IDLO's added value.

Evaluation Matrix

To structure the data collection and analysis, the team has prepared a detailed evaluation matrix in consultation with the Evaluation and Gender Teams at IDLO. The matrix is built around five EQs grouped in two clusters and addressing different levels of the intervention logic. Each EQ addresses specific quality criteria in the standard OECD DAC evaluation methodology employed by most international development organizations.

Cluster 1: Strategic framework and design

1. EQ 1: Internal coherence and IDLO institutional environment. To what extent was the Gender Strategy internally coherent and did IDLO create an institutional environment conducive to achieving its goals? (Relevance, Efficiency)
2. EQ 2: External coherence and overall strategic framework. To what extent was the Gender Strategy externally coherent and did IDLO align with key global trends and policies? (Relevance)

Cluster 2: Implementation and effects of IDLO support

3. EQ 3: Contribution to progress at the country level I. To what extent have IDLO's engagement, activities and project interventions contributed to tangible progress towards empowering women and girls to claim and realize their rights? (Effectiveness, Impact prospects, Sustainability prospects)
4. EQ 4: Contribution to progress at the country level II. To what extent have IDLO's engagement, activities and project interventions contributed to tangible progress towards legal, policy and regulatory frameworks that are gender-responsive? (Effectiveness, Impact prospects, Sustainability prospects)
5. EQ 5: Contribution to progress at the country level III. To what extent have IDLO's engagement, activities and project interventions contributed to tangible progress towards developing accessible institutions capable of delivering fair justice outcomes for women? (Effectiveness, Impact prospects, Sustainability prospects)

Evidence

A desk-based exercise, this evaluation has relied on two data sources:

- Interviews (both via phone and in person) with IDLO staff based in Rome, The Hague, Geneva and New York, and in the field. This included members of the Senior Leadership Team, Regional Program Managers, Country Program Managers, and project staff, in addition to the Gender Team. Representatives from two significant IDLO donors – the Swedish International Development Agency and the Dutch Ministry of Foreign Affairs – were interviewed as well.

- Document analysis: Project-related documents reviewed included proposals; quarterly, semi-annual, and final reports; and mid-term and final evaluations. IDLO-wide documents reviewed were strategy papers, Annual Reports and Management Plans, as well as research reports and policy papers available on the IDLO website. The Gender Tracker project database was used for information on the IDLO gender portfolio.

Limitations

Several limitations deserve mention:

- The IDLO Gender Strategy was adopted in May 2015 and the evaluation period ends in March 2018. In an area such as gender equality where results and impact are inherently long-term in nature, the fact that this time period is both very short and very recent is a significant constraint. Many projects reviewed started only within the last twelve months. This is very early in a project cycle, let alone a higher-level strategy cycle, to do an evaluation.

- The documentation available – from proposal through monitoring and mid-term reports through to final evaluation – is sparser than would be desired. However, there is no reason to believe that gaps are systematic or that the documentary evidence base is somehow biased. Because independent evaluations tend to be more objective, and address outcomes and impact more thoroughly, than project reports, this evaluation has focused on more projects that have been evaluated than those that have not. Several important evaluations, for example, in Honduras, Liberia and Uganda/Tanzania, are ongoing or in the planning stage.

- As this is a desk-based exercise, the evidence base cannot yield the sorts of insights that can be obtained from field visits. Significant among these are field-level partner and beneficiary views.

- It was originally envisaged to use internationally recognized country-level gender indices to judge progress at country level. However, the evaluation period proved too short, and the full implementation of the Gender Strategy too recent, to make this feasible.

THE IDLO GENDER PROJECT PORTFOLIO

1.7 Overview

The information source on the IDLO gender portfolio is the Gender Tracker Database, based on an approach used by bilateral donors under the OECD DAC reporting, and similar to that used by the World Bank and other donors. The Gender Tracker ranks projects as follows:

- 3 if gender is a principal objective,
- 2 if gender is a significant objective,
- 1 if it is a collateral objective, and
- 0 if it is not an objective (neither a goal, objective, outcome, output, or activity).

If a project is scored zero, the project team, with support of the Senior Gender Adviser, drafts a Gender Integration Plan outlining actions to be taken and modifications (including to the Theory of Change) to be made in order to ensure gender sensitivity and responsiveness. As far as the evaluators are aware, this trigger is unique among donor agencies, and it would be interesting in the future to see what difference this makes to the overall gender focus of the portfolio.

As shown in Table 1, the Gender Tracker Database for August 2018 shows that, out of the 64 projects that had received a gender score (five had not been scored), 33 (52 per cent) scored 0, 13 (20 per cent) scored 1, 7 (11 per cent) scored 2, and 11 (17 per cent) scored 3.

In budgetary terms, projects scoring 0, 1, 2, and 3 represented 52, 14, 22, and 13 per cent, respectively of the 150 million euro total. This suggests that gender mainstreaming is still a work in progress at IDLO. Unfortunately, the project list is not sufficient to establish that this is due to the overhang of projects formulated before the Gender Strategy was in place: we only have 15 projects that started in 2015 or before, of which 8 scored zero. We have 53 projects that started 2016 and after, of which 25 scored zero; one has a Gender Integration Plan in progress. There may be an improving trend, as some internal and external persons interviewed thought. However, there are some likely opportunities missed in the post-2015 projects, e.g. several on commercial law and mediation that could integrate gender.

The arithmetic average Gender Tracker score for the 64 projects which have been rated is 0.75 out of 3; the budget-weighted score is 0.95, the difference reflecting the fact that projects scoring high (e.g. GBV projects) tend to be larger than those without a gender component.

In Annex 2, we provide brief profiles (“capsules”) of the projects that have been examined, by country, together with the documents that have been consulted. The donor, project budget, and implementation period are given. Where evaluations are available, findings are briefly summarized.

Table 1. The IDLO Gender Project Portfolio

	Gender Tracker (GT) Score						
Region	0	1	2	3	NA	Total	Budget-weighted average GT score
Asia							0.69
Number of projects		5	2	1	3	0	11
Budget (million euro)		55.446	1.380	3.000	14.580	0	74.425
Eastern Europe and Central Asia							0.13
Number of projects				16	2	0	0	2	20
Budget (million euro)				13.541	0.064	0	0	0.064	13.669
Global						0.99	
Number of projects	2	0	1	0	2	5	
Budget (million euro)	1.422	0	1.321	0	0.122	2.865	
Latin America and the Caribbean						2.00	
Number of projects	0		0	2	0	1	3
Budget (million euro)	0		0	21.122	0	0.133	21.255
Middle East and North Africa							1.77
Number of projects					2	0	0	3	0	5	
Budget (million euro)					0.301	0	0	0.431	0	0.732	
Sub-Saharan Africa							1.22
Number of projects	8	9	3	5	0	25	
Budget (million euro)	7.098	17.709	6.870	4.043	0	35.721	
TOTAL							0.95
Number of projects	33	13	7	11	5	69	
Budget (million euro)	77.808	19.153	32.313	19.054	0.319	148.647	

Note: The IDLO Gender Tracker was first applied in 2017, hence no data are available on projects which ended before that year which can serve as a baseline. Nevertheless, the Rapid Assessment conducted already flagged that relatively few projects prior to 2017 had a gender component – whether stand-alone or mainstreamed.

FINDINGS

The following boxes present preliminary answers to the EQs.

EQ 1: Internal coherence and IDLO institutional environment

To what extent was the Gender Strategy internally coherent and did IDLO create an institutional environment conducive to achieving its goals? (Relevance, Efficiency)

Brief answer

The answer to this EQ is generally positive. No issues of internal consistency between the Gender Strategy and overall IDLO strategy arise. The work of the Gender Team has ensured good clarity of what the Gender Strategy entails. All staff interviewed; whether based in the field or at headquarters and Branch/Liaison Offices, were supportive of the Gender Strategy. Gender tools developed and associated training, although they came fully onstream late in the evaluation period, have in the course of their development led to demonstrable improvements in the gender orientation of IDLO's work. However, a critical assessment of the tools indicates that, while they are a step in the right direction, further work is needed to deepen the guidance beyond a generic level. Such work could include sharing examples of good practice, indicators and monitoring, providing guidance on data sources, and so on. The small Gender Team, with a large and growing portfolio to support, has to constantly balance competing priorities. Weaknesses in indicators and monitoring, as well as risk assessment, have been consistently identified in project evaluations consulted and are not limited to gender. (In response, IDLO has developed new monitoring guidelines; in addition, a knowledge management and learning initiative is underway.) These translate into slow institutional learning and are in part a product of IDLO's continuing project rather than programmatic orientation; albeit one that has improved over the evaluation period. Institutional constraints to achieving Gender Strategy are ultimately not internal, but external: dependence on project-by-project finance, the counterpart scarcity of unallocated funding that could finance programmatic Gender Strategy implementation and further development.

Full answer

This EQ has been explored in multiple dimensions: institutional clarity, alignment with the IDLO Strategic Plan, coherence with internal and donor priorities. To summarize, the internal coherence of the Gender Strategy is high. There has been substantial progress towards creating a favorable institutional environment for managers and staff. There is scope for further progress, including improving the gender tools that have been developed and strengthening the historically weak (though improving) area of monitoring, with implications for institutional learning. Commitment to the Gender Strategy at all levels is high and both the Gender Strategy and the Gender Team are adding value to the work and contributions of IDLO to advancing gender equality in the area of rule of law. The impetus for development of a Gender Strategy was informed by a 2013 Rapid Assessment requested by the recently arrived Director-General,

who identified the lack of attention to gender even in IDLO's work that was clearly gender related, such as in Afghanistan.

The Gender Strategy is closely aligned with overall IDLO strategy. As also developed under EQ 2, Interviews with major donors, as well as a light review of their gender strategies, indicate a high degree of alignment.

At the same time, IDLO is largely dependent on project funding, and both the IDLO Strategic Plan and Gender Strategy are best viewed as enabling instruments that can cover a wide range of actions (as well as providing a stronger basis for improved M&E).

The staff interviewed – whether based in the field or at headquarters and Branch/Liaison Offices – appeared to be well informed about the Gender Strategy. All interviews pointed to genuine management commitment to the Gender Strategy. Field staff were also supportive and saw the Gender Strategy and the support of the Gender Team as adding value. They also, as a group, genuinely see the Gender Strategy as a valuable tool to pursue IDLO's goals related to gender equality, justice, and rule of law. Field staff are in part supportive of the Gender Strategy because they see in it opportunities for stimulating donor interest in IDLO-proposed projects.

To support implementation, a series of tools and guidance notes have been developed and disseminated by the Gender Team. This includes a Gender Tracker according to which all projects are assigned a score from 0 to 3 depending on the degree to which gender is an objective or focus, similar to the approaches used by OECD donors and by the World Bank. A critical assessment of the tools indicates that, while they are a step in the right direction, further work is needed to continue deepening the guidance, including examples of good practice, indicators and monitoring and so on. (See also tools discussed under Key Dimension 11)

There is clear guidance on responsibilities at all stages of the project cycle, which lies mostly with program team, with support from the Gender Team for advice and so on.

While steps have been taken during the evaluation period to strengthen internal learning, the review of project reports and evaluations undertaken in answering EQs 3–5 repeatedly identifies weak monitoring as a problem – as did the other donor gender evaluations cited above. The adoption of the IDLO Strategic Plan and Results Framework represents a recognition of and response to this gap, as does the recent work of the Research and Learning Group (in which both the Gender Team and Evaluation Team are situated). Reasons include IDLO's roots as a training NGO more attuned to analyzing activities and outputs, rather than outcomes and results and the fact the M&E at the project level responds to varied donor requirements. Review of project frameworks reveal a frequent focus on numbers of staff trained. The pressures of project implementation and the search for funds, especially given that many IDLO projects are short-term in nature, reduces the time available for reflection and learning. IDLO has not had the core funding to do ex-post follow-up evaluations and studies. Another area identified as in need of improvement by a number of evaluations (in Kenya and Somalia, for example) was risk assessment and mitigation strategies; program staff interviewed expressed the view that, while risk assessment/mitigation is a continuing challenge, program development tools developed in recent years have addressed the weakness.

EQ 2: External coherence and overall strategic framework

To what extent was the Gender Strategy externally coherent and did IDLO align with key global trends and policies? (Relevance)

Brief answer

The IDLO Gender Strategy is broadly consistent with the strategies of other major players. It is an enabling instrument, permitting IDLO to implement a wide range of donor-financed actions. However, at some expense of diversification, and because it reflects donor priorities, the portfolio is weighted towards GBV. The work of the Gender Team, in both developing and operationalizing the gender tools and training, has made a significant contribution to mainstreaming gender in IDLO in accordance with international good practice. However, IDLO continues to be considered stronger at implementing stand-alone gender projects – which are relatively few in number – than mainstreaming of the overall portfolio, which would require a more programmatic, less project-oriented approach. That having been said, mainstreaming has become stronger over the evaluation period thanks to the Gender Strategy and application of tools developed by the Gender Team.

Full answer

This EQ has been examined in four dimensions: coherence of the Gender Strategy with major international organization and bilateral organization gender strategies; coherence with IDLO donor priorities; achievement of synergies between stand-alone project and broad reforms; and progress in mainstreaming.

The IDLO Gender Strategy is broadly consistent with those of other international organizations and bilateral donors, in part because there is little difference among major strategies.

As discussed under Key Dimension 14, the Gender Strategy, as an enabling instrument, is broad enough to permit most donor-financed actions related to gender and rule of law; it does not prioritize goals or areas of action in a way likely to be in conflict with donors' or potential international partners' priorities. During the process of extending the Strategy for 2017–2018, there were extensive consultations with donors, albeit largely informal and ad hoc. The written response rate to an invitation to comment sent to 25 donors near the end of the year was low.

IDLO's gender portfolio is weighted, both in terms of project count and financial terms, towards tackling GBV. GBV is also a major priority of the SDGs. IDLO has accumulated considerable project-team expertise on GBV but this emphasis may come at the expense of portfolio diversification and the exploration of innovative new areas. IDLO has also been somewhat active in gender aspects of civil and commercial law (including family law, inheritance, land rights, and access to justice for women entrepreneurs) but in monetary terms, GBV dominates.

The gender tools and protocols/processes described in EQ 1 Key Dimension 11 represent significant progress towards ensuring that gender linkages are taken into account, although more needs to be done. IDLO has demonstrated more success at implementing stand-alone GBV projects than at mainstreaming, which would require a more programmatic and less project

orientation. There are a number of challenges to achieving synergies between stand-alone projects and broad reforms at the country level. First, IDLO typically has only one or a few project/s of significant size in each country. Donors tend to focus on aspects of reform that they find especially important. There are few examples of donor support for broad justice sector reform to promote gender equality in the projects reviewed; the Netherlands and the Danish International Development Agency (DANIDA) in Kenya being the leading ones. The latter represents a case in which IDLO was able, through the existence of a Country Strategy, to combine DANIDA and Dutch support to incorporate gender into a broad justice reform. In other countries where IDLO has had a long presence spanning multiple projects, there is no country strategy, which would appear to limit opportunities for policy dialogue, monitoring, and achieving synergies across different components of the strategy.

The work of the Gender Team, in both developing and operationalizing the gender tools and training, has made a significant and crucial contribution to mainstreaming gender in IDLO. While there appear to be examples, in projects reviewed, of missed opportunities, but many of the projects reviewed predate the effective implementation of the gender tools, beginning in early 2018. Moreover, limited interviews (one donor, one IDLO headquarters staff member) suggest that IDLO is regarded as more successful and implementing gender-specific projects than mainstreaming.

The introduction of mandatory gender analysis and Gender Implementation Plans as needed are welcome steps forward. However, analysis of the IDLO project portfolio as of August 2018 indicates a significant legacy effect, reflecting the period when gender mainstreaming was not required.

EQ 3: Contribution to progress at the country level I

To what extent have IDLO engagement, activities and project interventions contributed to tangible progress towards empowering women and girls to claim and realize their rights? (Effectiveness, Impact prospects, Sustainability prospects)

Brief answer

While there was considerable emphasis on awareness-raising at the level of actors in justice-sector institutions, it is only recently that many projects have engaged in broad, community-based awareness raising. NGOs and CSOs have been involved in all projects, but implementing partners have for the most part been public institutions such as Ministries of Justice. The capacity of such institutions to respond to women and girls' demanding their rights, along with the skills of their staff, has been strengthened, but there is only limited evidence that women's effective demand for justice is actually increasing. Among the reasons are the recent vintage of the Gender Strategy, the fact that gender tools only came onstream in early 2018, and the fact that monitoring over the evaluation period tended to concentrate on inputs and activities rather than results (in response to which, as mentioned under EQ 1, a results-monitoring framework has recently been developed).

Capacity building and training, the two main areas of IDLO action, are upstream actions, and impact in terms of women's demanding their rights lies downstream. Such impact can be expected only in the longer term, and it is far too early in the implementation of IDLO's Gender Strategy to criticize it for lack of downstream results.

Full answer

This EQ has been approached in three dimensions, namely IDLO's success in: (i) promoting women's awareness of their rights and means/processes for claiming them, (ii) strengthening institutions, including civil society organizations, helping to empower women to claim their rights, and (iii) contributing to women increasingly demanding justice. The first two may be considered upstream preconditions for the downstream impact of (iii). IDLO's performance is judged to have been mixed in (i) and (ii) in the countries in which it is active, but there is no real evidence, to date, for (iii).

Most projects focused on strengthening justice-sector institutions, such as Ministries, court systems, police, prosecutors, women's shelters and so on. While there was considerable emphasis on gender awareness-raising at the level of justice sector actors, IDLO did not generally engage, until recently, in broad public awareness raising activities (the Supporting Access to Justice in Afghanistan (SAJA) program, with a large legal awareness component, was a notable exception). Nor, with a handful of exceptions, was there much field-level engagement with traditional and customary justice actors. The awareness raising in justice institutions could have contributed to progress in making the processes by which women and girls may claim their rights more gender-sensitive, although indicators of success were not tracked. More recently, IDLO actions have had a stronger broad awareness-raising component; e.g. in Myanmar, where there is greater emphasis on community-level outreach; in Honduras where neighborhood and community-level awareness raising is being promoted in a municipal anti-violence policy; and in Uganda and Tanzania, where the DREAMS project works at the community level to raise women and girls' awareness of their rights related to HIV/AIDS.

Most of IDLO's institution-strengthening actions aimed at Ministries of Justice (and Women), Attorney General Offices, and police forces and women's shelter systems have aimed to increase capacity to respond to women and girls claiming their rights. With the major exception of Uganda/Tanzania, where IDLO's implementing partners are long-established national NGOs, IDLO has worked mostly through public authorities. Nonetheless, NGOs – both national (e.g. the women's shelter network in Afghanistan) and community-based – have been involved in most of the projects reviewed (e.g. participating in needs identification and project planning, serving on working groups, and participating in training).

There have been some disappointments in the form of resistance to gender equality in implementing policy and administrative reforms and strengthening gender equality. Kenya and Somalia are countries where resistance can be confirmed by evaluations. This suggests that country analysis and project/program preparation have not always adequately taken the political, social and cultural gender context into account, a problem which should be better addressed since March 2018 with the introduction of systematic Gender Analyses in project preparation. It also suggests that sufficient attention was not always paid to the institutional

context, namely the priority attached by decisionmakers and stakeholders to gender equality, a matter of ownership.

There is very little evidence, apart from perhaps in Afghanistan, that there has been a tangible impact of IDLO activities in terms of women and girls actually demanding their rights. There are several reasons for this. The Gender Strategy, having been adopted in 2015, is of recent vintage; moreover, the set of implementation tools was only fully disseminated, along with staff training, from early 2018. Downstream effects of more gender-responsive approaches are likely to take time to materialize. Moreover, as pointed out elsewhere, monitoring over the evaluation period tended to concentrate on inputs and activities rather than results, in response to which a results-monitoring framework is currently being developed.

IDLO projects focus largely on training and capacity building of justice-sector institutions, albeit with increasing attention to community awareness raising as mentioned above. With this concentration on upstream activities and the supply side of the formal justice system, there is not much evidence emerging from project reports and evaluations regarding impact on ultimate beneficiaries' increasingly demanding justice.

The emphasis of project monitoring on indicators measuring upstream activities (e.g. numbers trained) rather than downstream impact (e.g. increased awareness of rights) means that not much evidence emerges from project reports and evaluations regarding impact in the form of ultimate beneficiaries' increasingly demanding justice. The monitoring framework that is now being developed will presumably address this, although IDLO's M&E practice, a sound one in an area where change is inherently long-term in nature, is to look at impact and sustainability prospects, not progress to date.

EQ 4: Contribution to progress at the country level II

To what extent have IDLO engagement, activities and project interventions contributed to tangible progress towards legal, policy and regulatory frameworks that are gender-responsive? (Gender Strategy Goal 2; Effectiveness, Impact prospects, Sustainability prospects)

Brief answer

IDLO has contributed to legislative drafting and the adoption of national-level policy papers; in addition, many IDLO projects have contributed to better procedures and protocols at the Ministry or agency level that make justice more gender-responsive. However, while IDLO has engaged in technical policy dialogue on how to best implement existing strategies, it appears from the evidence to have been less often involved in the high-level country political dialogues in which broad national policies related to gender and rule of law are debated. Even at technical level, attitudes and political ownership have sometimes been limiting factors. Sustainability prospects are variable: projects require authorities to provide only staff availability and do not address the systemic shortage of government resources for the justice sector. Data on retention of trained staff in relevant duties have not been available in project documentation consulted. IDLO has, in some cases, contributed to better availability of administrative data relevant to

gender, for example with respect to individual agencies or courts. However, there did not appear to be examples of advice, guidance and work that would improve the quality of the data needed for gender informed national policy- and decision making. This is a key aspect of gender mainstreaming that warrants greater effort in the future. The international community is making progress on clarifying the types of data needed for policy makers in the context of the indicators and targets associated with the SDGs – for example the ongoing work on target 5 related to discriminatory laws.

Full answer

The first dimension considered is IDLO engagement in country-level policy dialogue. "Policy Dialogue" refers to an ongoing process in which development partners engage national authorities, preferably with the participation of civil society, in strategic discussions on needs, priorities, responses, progress and so on. Most IDLO policy dialogue has been more at the technical, project-based level; although there are counterexamples, such as in Jordan and Tunisia, where IDLO facilitated working groups with a high degree of government participation, as well as Uganda, and Tanzania. With the exception of Kenya, where IDLO has long been involved in country-level policy dialogue related to constitutional reform, no strong evidence emerged of IDLO contributions at the country level to broader national policy debates about gender, rule of law and sustainable development. IDLO appears to have not contributed much to high-level dialogue at country level as carried out by organizations such as UN Women, the World Bank, the EU, and major bilateral donors (presumably in part because of the vast difference in size and budget). Project documentation reviewed systematically does not refer to policy dialogue.

The second dimension explored is IDLO contribution to the elaboration of gender and rule of law policies. While In a number of countries, IDLO's contribution to the elaboration of government gender and rule of law strategies where they already exist has been substantial and significant at the technical level, IDLO has been less involved in the formulation of high-level strategies. There have been exceptions – notably in Kenya (broad contribution to gender equality strategy in the context of implementing constitutional reform), but also in Tunisia (support for translating gender equality provisions in the new Contribution into legislation) and Somalia (drafting a policy on prosecution of sexual offences). By contrast, in Liberia, project documentation is explicit in stating that Promoting Increased Accountability elaborated various aspects of implementing an existing strategy; it did not contribute to strategy formulation strictly speaking.

Gender-responsive reform of legal, policy, and regulatory frameworks depends on attitudinal change, a long-term process, and IDLO gender projects have often been implemented in contexts that were not conducive to gender equality. References to political and institutional challenges have been found in multiple project reports and evaluations.

Tangible progress also requires adequate government investments. The evidence reviewed is that virtually all project inputs and activities – including office premises, transportation costs, per diems, and honoraria for high-level participants in training, workshops, and working group meetings – were externally financed. Government commitments were in-kind: allocating staff time to project participation, including the time of high-level counterparts in technical assistance projects. From project reporting and evaluation, staff time allocations have been satisfactory; but neither project reporting nor evaluations critically addressed the issue of government

engagement – for example, addressing the concern that, once technical advisers leave, the effects will dissipate. One exception is Afghanistan, where there has been strategizing about maintaining project momentum on support for EVAWs following handoff to government. The fact that IDLO country offices often struggle to identify future counterpart funding, even in Kenya where IDLO has long been present, suggests that institutional resource allocations to maintain reform momentum and ensure continued implementation, have not been forthcoming.

Information on trained staff retention is not systematically available, although issues of staff turnover have occasionally reported (notably in Afghanistan and Kenya). Apart from Myanmar, where there was follow-up on trainees use of skills and knowledge acquired, there is no information on this topic in documents consulted on application. Self-assessments by trainees (at the conclusion of the workshop or training) uniformly report that skills have been enhanced, but there is likely self-reporting bias. In Mongolia and Myanmar, there was success in training of trainers, with trained beneficiaries having a cascade effect by becoming themselves trainers. The situation in government institutions appears to be less successful; in both Myanmar and Somalia, the capacity of government offices supported was assessed by project evaluations to be still weak.

Improved legal, policy, and regulatory frameworks also depend on better gender-disaggregated and sensitive data available to policymakers and decision-makers. Monitoring mechanisms exist at both the country (i.e. government) and project level. These results could track progress and be used to inform government policy- and decision making as well as adjustments in project implementation. SAJA in Afghanistan improved data availability at the technical administrative level of tracking GBV cases. Similarly, information management at the Family Decision of the Kenyan High Court and in Court “E” in Liberia improved, but this cannot be considered making data available for policy- and decision making above the court management level. Gender indicators in the national context would be expected to relate to legal needs and the extent to which these are satisfied, measures of legal empowerment, as well as data about infringements of legal rights – such as the prevalence of GBV in various forms, land rights, inheritance and so on. The types of data needed for policymakers are outlined in the relevant targets and indicators agreed to by governments in the context of the SDGs.

EQ 5: Contribution to progress at the country level III

To what extent have IDLO engagement, activities and project interventions contributed to tangible progress towards developing accessible institutions capable of delivering fair justice outcomes for women? (Effectiveness, Impact prospects, Sustainability prospects)

Brief answer

While IDLO can contribute to only a limited extent given the scale and scope of problems hindering women's access to gender-responsive justice, projects reviewed have contributed either directly (some) or indirectly (all) to improving women and girls' access to justice. Capacity building and training actions have improved gender-sensitivity and related skills among justice sector actors. However, IDLO gender projects have often been implemented in contexts resistant to attitudinal change, a process that is long-term in nature and which includes resistance at the institutional level. Moreover, IDLO is often operating in countries where all components of the justice system are profoundly impaired by lack of adequate budget, impairing access to justice not only by exclusion but also by their sheer user-unfriendliness. Many are conflict-affected or fragile. With a few exceptions, IDLO has concentrated on formal justice-sector institutions, whereas for many women, informal and traditional justice social institutions will be their first and often only recourse.

Full answer

Access to justice is a multi-dimensional concept. Among the prerequisites for access to fair justice for women are the presence of an adequately resourced legal aid system, a functioning alternative dispute resolution system, effective enforcement of judgments, a credible judicial review process, and access to legal information. As the overlap of Key Dimensions indicates, many aspects have already been covered in looking at legal, policy, and regulatory frameworks in EQ 4.

Since justice for women is very broad, IDLO can only contribute to a limited extent, and the question is where its comparative advantage lies. In Afghanistan, IDLO strengthened the capacity of the Attorney-General's Office to effectively prosecute GBV cases. An increase in gender-related crimes reported suggests that women are increasingly turning to formal justice institutions, although the project final evaluation also cited the ambiguity of rising numbers of cases prosecuted (which could reflect either more women demanding justice or a rise in the number of crimes committed). Widespread underreporting of crimes against women was described above. IDLO also supported the Afghanistan Legal Aid and Advocates Network, improving the quality and availability of legal aid services, although project reporting does not include information on changes in the number of cases handled, the proportion of clients who are women, and so on. Other projects promoted women's access to justice more indirectly, for example in Kenya strengthening the Family Division of the High Court, on which women depend to enforce their legal inheritance rights, and in Uganda/Tanzania, where the DREAMS project increased young women's and girl's awareness of their legal rights related to HIV/AIDS and the possibilities for demanding them. At the same time, there are constraints on progress in access

to justice. IDLO gender projects have often been implemented in context resistant to attitudinal change, a process that is long-term in nature. References to challenges faced have been found in project reporting and evaluations from Afghanistan, Kenya, Mongolia, Myanmar, Somalia, and Uganda/Tanzania. Most IDLO actions have been limited to formal institutions (although long before the evaluation period, IDLO produced high-quality research papers on informal justice). Yet this is a significant opportunity missed, because for many women, informal or traditional justice systems are the first, and often, only available recourse.

Some information described in more detail under EQ 4 is relevant to access to justice. Based on the discussion under Key Dimensions 45–47, it is unlikely that justice systems in most of the countries reviewed here are receiving financial resources needed to finance the staff costs and infrastructure necessary to function with reasonable efficiency. While access to justice is often considered largely in terms of the availability of legal aid, equally important are physically accessible infrastructure, a reasonable case disposition rate and a reliable enforcement system. IDLO is often operating countries where all components of the justice system are profoundly impaired by lack of adequate budget. Two instances have been found in which IDLO substantially contributed to the efficiency and effectiveness of courts: Court "E" in Liberia and the Family Division of the High Court in Kenya. Both actions improved women's access to justice but are small relative to overall, system-wide improvements needed.

CONCLUSIONS

The conclusions are grouped into the following clusters as summarized in Table 2.

Table 2. Overview of the conclusions

Strategic framework and design	C1: Strategic alignment
	C2: An enabling instrument
Implementation and effects	C3: Processes
	C4: Role of the Gender Team
	C5: Tools
	C6: Monitoring and evaluation
	C7: Focal area I: GBV
	C8: Focal area II: Capacity building and training
	C9: Strategic/programmatic orientation
	C10: National context
	C11: Civil society and customary justice

Cluster 1: Strategic framework and design

Conclusion 1: Strategic alignment

IDLO has explicitly introduced a gender focus to its work as outlined in the Gender Strategy 2015–2018. This is well aligned to the IDLO's overall strategy as well as to the broad international policy framework. The addition, in March 2018, of specific gender tools and tracking of performance may be expected to help further mainstream gender in the work of IDLO.

This conclusion is based on EQ 1.

Conclusion 2: An enabling instrument

The Strategy is an enabling instrument, positioning IDLO to implement actions across a broad front in line with donor priorities.

This conclusion is based on EQ 1.

Cluster 2: Implementation and effects

Conclusion 3: Processes in place

Only a short period of time has elapsed since the Gender Strategy and associated processes to implement it have been put in place. By the end of March 2018 (the end of the evaluation period), the Gender Team developed an approach and tools to ensure that the IDLO Gender Strategy informs all project design and implementation. This is now operational. All new projects require a gender analysis, and those that are found to have no gender component are required to critically reconsider gender and make appropriate adjustments.

This Conclusion is based on EQs 1 and 2.

Conclusion 4: Role of the Gender Team and IDLO Senior Leadership

The small Gender Team has been critical to both the development, dissemination and implementation of the strategy. As a team comprising just one higher level staff for most of the period, recently becoming two higher level staff and one junior staff, the team has worked hard and successfully to engage IDLO employees, including senior management and field colleagues, develop tools, and pursue outreach, such as training, technical assistance, technical field missions and backstopping among others. While the role of the Gender Team cannot be underestimated, it should also be acknowledged that change in organizational culture and push towards gender programming has been strongly driven by IDLO's Senior Leadership Team.

This Conclusion is based on EQs 1 and 2.

Conclusion 5: Tools available

The tools developed – guidelines on gender analysis, mainstreaming gender in the project cycle, revised project development documents and reporting templates to use at all points of the project cycle, and a Gender Tracker to score all projects on their gender orientation – are significant achievements to support operationalization of the Gender Strategy. The Tracker replicates approaches established at other international development organizations and will allow future comparisons of performance across different parts of IDLO and with other agencies. The guidelines and templates are a good start but require further development to provide more useful guidance to staff and teams.

This Conclusion is based on EQ 2.

Conclusion 6: Monitoring and evaluation

While gender-responsive project monitoring improved over the evaluation period, it remained weak, as did mechanisms for eliciting and disseminating lessons learned. This is a critical weakness: looking ahead, improved attention to monitoring and results will be needed for IDLO to show what difference its projects and activities have made to the lives of women and justice on the ground. While gender-sensitive evaluation has received growing attention at IDLO, evaluation as a whole remains too dependent on donor project financing, meaning among other things that there are no resources available for ex-post follow-up studies.

This Conclusion is based on EQs 3–5.

Conclusion 7: Focal area I: GBV

In practice, a key area of focus of IDLO gender projects has been GBV. These projects typically focus on the supply side of gender justice (training and capacity building of justice sector staff and institutions), with more recent projects also engaged in legal empowerment, access to justice institutions, and broad awareness raising. While promoting an important goal of the SDGs, the focus on GBV appears to reflect IDLO's donor preferences rather than an internal strategic choice. However, other areas of activity include work with justice professionals, gender aspects of constitutional reform, women's inheritance and land rights, access to justice for women entrepreneurs, and access to HIV-related legal and health services.

This Conclusion is based on EQs 3–5.

Conclusion 8: Focal area II: capacity building, training and technical assistance

While some contributions to legislative drafting, constitutional reform, and policy advisory work have been noted, IDLO's gender actions remained very strongly oriented towards capacity building and specifically training, with some associated technical assistance in the form of expert support and advice.

This Conclusion is based on EQs 3–5.

Conclusion 9: Strategic/programmatic orientation

Across IDLO, the decentralization of finance mobilization to country managers tends to bias the portfolio towards continuation of existing projects. While significant progress has been made by IDLO headquarters toward more strategic, programmatic and financial mobilization to pursue the Gender Strategy agenda, financing and implementation remains largely dependent on entrepreneurial, opportunistic country-level initiatives. However, except for Kenya, IDLO does

not have country strategies which could provide the framework for implementing the Gender Strategy and a basis for discussions with government and development partners.

This Conclusion is based on EQs 1–5.

Conclusion 10: National context

Many IDLO projects are in conflict-affected or fragile settings and/or in contexts where prevailing political, institutional, and socio-cultural attitudes are hostile to gender equality. While IDLO does have a comparative advantage in its experience of working in difficult contexts, any assessment of impact or outcomes needs to take contextual constraints into account.

This Conclusion is based on EQs 3–5.

Conclusion 11: Civil society and customary justice

While NGOs and CSOs have been involved in most IDLO projects, IDLO's main partners and interlocutors have been public authorities. There has traditionally been an emphasis on the supply-, rather than the demand side for gender-responsive justice, which has shifted to some extent recently, but could be further deepened and extended. Also to be noted is that IDLO's current programming on customary and informal/traditional justice systems is limited, and can be further strengthened, thus addressing the fora where disputes are resolved in many settings.

This Conclusion is based on EQs 3–5.

OVERALL ASSESSMENT

Based on the EQ answers and conclusions above, this section offers an overall assessment of the IDLO Gender Strategy, both as a strategy and in implementation, according to the standard OECD DAC criteria.

1.8 Relevance

No issues of internal consistency arise; the Gender Strategy 2015–2018 is fully in line with the IDLO's overall strategy. Nor is there any question that the Gender Strategy is externally aligned with the SDGs, donor priorities, and beneficiaries' need for improved gender justice. An example of the Gender Strategy's relevance at the global level is the Memorandum of Understanding with UN Women and IDLO's important role in the High-level Group on Justice for Women, whose preparations for the 63rd Session of the Commission on the Status of Women in March 2019 and the High-level Political Forum in July 2019 are informed by a report commissioned by IDLO. A weakness of the relevance of the strategy as implemented to needs on the ground is the relative inattention to customary and informal/traditional justice systems, often the first and only recourse of poor women. Alignment with donor priorities has also come at some expense of portfolio concentration, namely in the area of GBV. While this is undeniably a key area, and one strongly represented in the SDGs, justice for women requires a broader focus. Similarly, with its historically grounded expertise in justice sector institutional capacity building and training (i.e. the supply of gender justice), IDLO has not engaged sufficiently in the sort of downstream awareness raising and civil society strengthening that would augment the demand for gender justice.

Internal relevance is demonstrated by the fact that IDLO continued to implement the Strategy during a significant funding downturn in 2016 and, in fact, donor semi-earmarked funding for Gender Strategy implementation in some degree compensated for the loss of resources. While more needs to be accomplished, the Gender Strategy has proven to be an asset in IDLO's attempt to shift donors from a project-by-project financing approach to one more aligned with strategic and programmatic goals.

The work of the Gender Team in developing and operationalizing the gender tools has made a significant contribution to mainstreaming gender in IDLO in accordance with international good practice. While this evaluation has identified the need for further progress on mainstreaming, this has improved over the evaluation period, and further progress will a more programmatic, less project-oriented approach.

A number of projects analyzed present examples in which political and security situations shifted during project implementation. In gender, projects have reacted flexibly, maintaining relevance in the face of changed circumstances. While there has been progress over the evaluation period, a number of project evaluations have called for better risk assessments at project design stage, including proposed mitigation measures. Sometimes the degree of institutional ownership and "buy in" to gender sensitive reforms was overestimated, leading to poor implementation of IDLO-advised policies (an efficiency issue, as well). In some cases, for example, in gender-sensitive reform of judicial institutions in Kenya (which predated the introduction of Gender Analysis), policy dialogue would appear to have been inadequate and initial needs assessment to have paid inadequate attention to baseline institutional conditions.

1.9 Efficiency

The work of the Gender Team has ensured good clarity of what the Gender Strategy entails. All staff interviewed – whether based in the field or at headquarters and Branch/Liaison Offices – were supportive of the Gender Strategy. Buy-in to the Gender Strategy by senior leadership has been good and has strengthened staff commitment. The main internal objective of the Gender Strategy was to define an already implicit gender dimension in IDLO's mandate and catalyze its application in various aspects of IDLO's work, such as programming, and that objective has been achieved. Gender tools developed and associated training, although they came fully onstream late in the evaluation period and require further development, have led to demonstrable improvements in the gender orientation of IDLO's work. The context for Gender Strategy development and implementation suffered, however, from IDLO's project-driven nature, too oriented towards near-term donor responsiveness and not enough towards for long-term foundational work.

The small Gender Team, with a large and growing portfolio to support, has functioned with exceptional efficiency to carry on developmental work while supporting field implementation. At the same time, human resource constraints have meant that neither was done under ideal circumstances with full efficiency. Similarly, field staff coping with implementation issues while constantly looking for additional project funding, often in the shape of what amount to Phase II projects, has insufficient time to serve as a laboratory developing and experimenting with ideas, including for strengthening the gender dimension.

Institutional constraints to achieving Gender Strategy goals are ultimately not internal, but external: dependence on project-by-project finance, the counterpart scarcity of unallocated funding that could finance programmatic Gender Strategy implementation, improved M&E and knowledge management/learning, and further development. Although improvements were made over the evaluation period and a knowledge management and learning initiative is addressing the gap, institutional learning at IDLO was slow over the evaluation period; in part a product of IDLO's continuing project rather than programmatic orientation. That the Gender Strategy has aroused donor interest in programmatic support is a sign that it has potential to relieve this situation.

1.10 Effectiveness

The gender skills and awareness of justice sector institution staff, and along with it the capacity of such institutions to respond to women and girls' demanding their rights, has been strengthened, but there is little evidence that this is actually taking place, for reasons discussed below under Impact. The difficult country contexts within which IDLO works, and weak M&E systems, and the difficulty of measuring progress are, in part, to blame. IDLO has contributed to legislative drafting and the adoption of national-level policy papers; in addition, many IDLO projects have contributed to better procedures and protocols at the Ministry or agency level that make justice more gender-responsive. However, while IDLO has engaged in technical policy dialogue on how to best implement existing strategies, it appears from the evidence to have been less often involved in the high-level country political dialogues in which broad national policies related to gender and rule of law are debated. Even at technical level, attitudes and political ownership have sometimes been limiting factors.

IDLO's Gender Strategy is implemented in difficult environments. Many projects lie in conflict-affected or fragile zones. Most are in areas where the social, cultural, and political context is deeply hostile to

gender equality. A number of examples have been found of instances in which IDLO-implemented reforms and capacity improvements failed to translate into evidence of results. Indeed, IDLO has developed a comparative advantage in working in difficult terrain; a comparative advantage that may be attractive to donors in the near term but carries with it many challenges and must be considered in light of the fact that rule of law work requires long-term strategic development. The short-term nature of many IDLO gender projects, and their emphasis on delivering activities (especially training), also reduces IDLO's effectiveness in delivering results.

The issue of tangible differences for target beneficiaries is discussed below under Impact prospects.

Impact prospects

As developed in detail in answering EQs 3–5, impact prospects must be conditioned on where in the upstream–downstream continuum they lie. Many projects have produced gender results – and, to some extent, impact – at the upstream level (e.g. in terms of capacity built or persons trained). The prospects for downstream impact in the form of improved gender justice for women who are the ultimate intended beneficiaries are less certain. Several factors explain this. First, a neutral factor is that, as stated above in discussing limitations of the evaluation, it is too early in the implementation of the Gender Strategy to look for impact in this inherently long-term area. Second, and tending the assessment towards pessimism, are the difficult contexts in which IDLO works. Some are countries in which entrenched patriarchal attitudes make progress difficult. In answering EQ 3, for example, we have found no country-level evidence of women increasingly demanding justice. IDLO's increasing work on broad awareness raising and with civil society as well as on survivor-centered strategies, legal empowerment and social accountability, detectable in the projects examined and figuring in the Recommendations of this evaluation, may help to address this. Some of the countries reviewed are conflict-affected or fragile. In almost all, justice-sector institutions do not have budgetary resources adequate to function well. Finally, if projects are to have impact, M&E must be capable of detecting it. In answering EQ 2, we have found that, not only M&E weak in general, but is more oriented towards activities and outputs, not results or impact.

Sustainability prospects

If the impact of the IDLO Gender Strategy is a long-term prospect, sustainability is a longer-term one. The assessment of sustainability prospects is essentially identical to that of impact assessments. Impact of training and capacity building are likely good at the level of individual beneficiaries, but no real evidence has been found in this evaluation regarding retention of trained personnel in relevant duties. Institutional settings, whether in the form of insufficient resources or entrenched resistance to gender equality, are not conducive to sustainability; nor, in some settings, is the political and social context. Institutional ownership has been found to be mixed.

IDLO's added value

IDLO has added value though its active involvement in advocating, by itself and with other organizations, for the development of a specific goal on the rule of law. With SDG 16 now in place, IDLO is working towards its simplification, including through its participation in the Pathfinders initiative for peaceful, just and inclusive societies. The most tangible evidence lies in its partnership with UN Women and co-leadership of the High-level Group on Justice for Women. At the same time,

other international organizations are also active in rule of law and development. There has been undoubted value added generated in IDLO's consistent policy advocacy activities in the form of high-profile interventions of the Director-General and statements given by members of the Offices of the Permanent Observers in New York and Geneva, respectively. These policy advocacies draw from research and knowledge generation activities of the Gender Team and other teams.

RECOMMENDATIONS

1.11 Strategic recommendation

Recommendation 1

As a broad enabling instrument that is well aligned to IDLO's overall strategy, the Gender Strategy does not require extensive revision for the post-2018 period. This would require Gender Team staff time that can better be applied to various other priorities, as outlined elsewhere in this evaluation. Moreover, too-frequent strategic adjustments risks confusion among staff and stakeholders and could divert the organization from advancing in already-agreed directions.

This Recommendation is derived from Conclusions 1 and 2.

- Feasible concrete first step: In order to reduce potential confusion, rename the existing Gender Strategy as the Gender Strategy 2015–2020 to clarify that it is aligned to the current IDLO Strategic Plan.

1.12 Recommendations related to implementation and results

Recommendation 2

Further development of the gender tools is required. These have been developed over a short period of time and largely amount to instructions to always take gender into account in programming, implementation, and M&E. What is needed to make these more operational is more specific information on international good practice and lessons learned, as well as guidance on likely data and information sources.

This Recommendation is derived from Conclusions 3 and 5.

- Feasible concrete first step: The Gender Team should review the current state of its tools, including conferring with regional and country teams on needs, and draw up a plan for revision, based on a distillation of knowledge and experience from IDLO, UN Women and elsewhere.

Recommendation 3

Improved gender monitoring is needed to build on IDLO's comparative advantage as an organization with substantial field experience as a project implementor. It is recognized that weak monitoring is not unique to the gender front of IDLO's operations – however, it is nonetheless critical to address as part of overall efforts to strengthen performance in this area. Nor, as found in the review of other donor gender evaluations cited above, is gender monitoring an issue only at IDLO.

Progress would entail further development and dissemination of guidance on gender indicators and results to be monitored. These need to be more oriented towards results, outcomes and impact; not limited to inputs, activities and outputs. The present development of an overall monitoring framework presents an opportunity for sharpening the gender aspect.

Experience and evidence gathered through gender M&E should be synthesized, on a regular basis, say annually, into lessons learnt that can be given to regional and country teams to improve project design

and implementation, but also to inform strategic thinking at the country level. This would also make a significant contribution to global knowledge on justice for women more broadly. The resources required to improve knowledge generation and management, starting with improved and more systematic M&E, should be a priority topic for discussion with IDLO's donor partners.

This Recommendation is based on Conclusion 6.

- Feasible concrete first steps: Improvements in gender monitoring should be studied in the context of the current initiatives to improve monitoring for results and put in place structures for knowledge management and learning. The findings on M&E of other donor strategic gender evaluations should be studied. In addition to providing insights to improve practices within current resource limitations, this can serve as the basis for discussion with donor partners.

Recommendation 4

IDLO should continue to strive for a more program- rather than project-oriented approach to tackling gender inequality at the country level. Gender Analysis should not only be at the project level. Assessments of the status of gender justice, while not aspiring to rise to the level of country gender strategies, could inform and serve as the basis for better country-level dialogue with government, major development partners, and civil society focusing on justice and Rule of Law. Such assessments would draw on existing data – for example, legal needs assessments, complemented by IDLO and other sources of data and knowledge.

This Recommendation is based on Conclusions 7–10.

- Feasible concrete first step: As part of revising the gender tools, Gender Analysis should be at the country level, i.e. it should not only be at the project level. This could be piloted with Gender Team support. This action would be complementary to Recommendations 2 and 3.

Recommendation 5

Consistent with the adoption of a more programmatic stance, IDLO should attempt to diversify its portfolio into additional key gender equality areas, building on the strength of its GBV and training/capacity building projects. Even if IDLO has a comparative advantage in these actions, comparative advantage needs to be considered in a dynamic sense. Existing small, innovative activities on economic empowerment and gender balance in justice-sector institutions can serve as the basis for such diversification.

This Recommendation is based on Conclusions 7–10.

- Feasible concrete first step: When discussing "traditional" (i.e. training and capacity-building) IDLO projects with donors/stakeholders, IDLO can seek to introduce innovative elements that have potential to expand into stand-alone activities and programs in the future.

Recommendation 6

In order to pay more attention to the demand for gender-responsive justice, in addition to the supply, IDLO should strengthen partnerships with civil society (including women's organizations) and continue to develop skills and experience in broad awareness raising as well as on other demand-side interventions such as survivor-centered approaches, legal empowerment and social accountability.

This Recommendation is based on Conclusion 11.

- Feasible concrete first steps: In addition to developing innovative new project ideas and partnerships, IDLO should seek to extend and strengthen the civil society components in existing and upcoming projects in which public authorities are the principal partner.

Recommendation 7

Given the reality of how most women experience justice in their daily lives, IDLO should build on its work on informal, customary and religious fora and mechanisms for the resolution of disputes. Since most disputes are resolved outside the formal system, restricting efforts to formal actors misses an important part of the justice landscape. IDLO has some valuable experience on this front, which could be brought more systematically into work advancing gender equality.

This Recommendation is based on Conclusion 11.

- Feasible concrete first steps: In developing innovative new project ideas and partnerships, IDLO should seek to extend and strengthen its work with informal justice actors – either as stand-alone activities, or as part of a plural legal landscape supporting both formal and informal justice. Evidence that this is happening already can be found in the post-evaluation period (January 2019) publication of a Policy Brief and a Practitioner Brief on informal justice.

ANNEX 1: THEORY OF CHANGE DIAGRAMS, GENDER STRATEGY GOALS 1–3

Goal 1: Women and girls empowered to realize their rights

Activities / actions

Country / regional / global activities

Awareness raising

Capacity building:
- Government agencies
- Justice institutions
- Parliaments
- Legal professionals
- CSOs
- Community structures
- Women

Technical assistance

Legal drafting

Policy dialogue

Internal assumptions / risks

Gender equality integrated in IDLO's strategies, plans and project cycle

Staff capacity to integrate gender built

Internal coordination, learning and exchanges on gender work strengthened

Gender tools developed and taken up

Organizational services and internal policies improved

Financial resources mobilized for gender equality

Expected results / outputs

Women's understanding of their rights and legal processes strengthened

Women's capacities and the influence to use law to protect their rights strengthened

Equal and effective participation of women in the community and political decision-making structures enhanced

CSO knowledge and capacity to implement gender laws and policies strengthened

CSO platforms and coordination mechanisms on GBV and discrimination supported

Legal professionals' and organizations' capacity to handle cases of GBV and discrimination strengthened

External assumptions / risks

Political will at beneficiary level

Political and security context permits progress

Socio-economic and cultural context permits progress

Institutional context permits progress

Policy-making institutions effectively apply increased capacity

Support delivered efficiently

Support flexibility adjusts to evolving priorities and conditions

Lessons learnt derived and applied

Outcomes

Women and girls' capacity and influence to fight discrimination and access to justice strengthened

CSOs supported to promote women's legal empowerment and access to justice

Communities' capacity to promote women's rights and participation strengthened

Impact / goal

Women and girls empowered to claim and realize their rights

Goal 2: Legal, policy and regulatory frameworks are gender-responsive, with a focus on fragile, conflict and difficult situations

Activities / actions

Awareness raising

Capacity building:
- Government agencies
- Justice institutions
- Parliaments
- Legal professionals
- CSOs
- Community structures
- Women

Training

Technical assistance

Legal and policy drafting

Policy dialogue

Expected results / outputs

Legal provisions to address specific gender constraints and gaps adopted or strengthened

Legal and regulatory barriers to women's rights, such as to land and natural resources, food security, entrepreneurship, and health eliminated

Institutional capacity to implement laws, policies, regulations, and processes on gender equality increased

Effective mechanisms, e.g. gender mainstreaming systems and intra-agency coordination, to promote and protect women's rights set up

Analysis on laws that facilitate or hinder gender equality strengthened

Measures for the effective participation of women in law, policy, and regulatory reform and in peace processes developed and implemented

Evidence-based policy and implementation on gender equality supported

Outcomes

Legal actors supported in combating discriminatory laws and the adoption of gender-responsive laws, policies, and regulations

Legal actors supported in the effective implementation of gender-responsive laws and policies

Participation of women in legal, policy, regulatory, and justice reform enhanced

Impact / goal

Legal, policy, and regulatory frameworks are gender-responsive, with a focus on conflict, fragile and difficult situations

Internal assumptions / risks

Gender equality integrated in IDLO's strategies, plans and project cycle

Staff capacity to integrate gender built

Internal coordination, learning and exchanges on gender work strengthened

Gender tools developed and taken up

Organizational services and internal policies improved

Financial resources mobilized for gender equality

External assumptions / risks

Political will at beneficiary level

Political and security context permits progress

Socio-economic and cultural context permits progress

Institutional context permits progress

Policy-making institutions effectively apply increased capacity

Support delivered efficiently

Support flexibility adjusts to evolving priorities and conditions

Lessons learnt derived and applied

Goal 3: Women and girls empowered to claim and realize their rights

Activities / actions

Awareness raising

Capacity building:
- Government agencies
- Justice institutions
- Parliaments
- Legal professionals
- CSOs
- Community structures
- Women

Training

Technical assistance

Legal and policy drafting

Policy dialogue

Internal assumptions / risks

Gender equality integrated in IDLO's strategies, plans and project cycle

Staff capacity to integrate gender built

Internal coordination, learning and exchanges on gender work strengthened

Gender tools developed and taken up

Organizational services and internal policies improved

Financial resources mobilized for gender equality

Expected results / outputs

Women's understanding of their rights and legal processes strengthened

Women's capacities and influence to use the law to protect their rights strengthened

Institutional capacity to implement laws, policies, regulations, and processes on gender equality increased

Equal and effective participation of women in community and political decision-making structures enhanced

CSO knowledge and capacity to implement gender laws and policies strengthened

CSO platforms and coordination mechanisms on GBV and discrimination supported

Legal professionals' and organizations' capacities to handle cases of GBV and discrimination strengthened

External assumptions / risks

Political will at beneficiary level.

Political and security context permits progress

Socio-economic and cultural context permits progress

Institutional context permits progress

Policy-making institutions effectively apply increased capacity

Support delivered efficiently

Support flexibility adjusts to evolving priorities and conditions

Lessons learnt derived and applied

Outcomes

Women and girls' capacity and influence to fight discrimination and access to justice strengthened

CSOs supported to promote women's legal empowerment and access to justice

Communities' capacity to promote women's rights and participation strengthened

Impact / goal

Women and girls empowered to claim and realize their rights

ANNEX 2: COUNTRY/PROJECT CAPSULES

Afghanistan

IDLO has been present in Afghanistan since 2002, and in terms of budget and length of engagement, IDLO's largest program has been in that country.

The Supporting Access to Justice in Afghanistan (SAJA) project (US Department of State Bureau of International Narcotics and Law Enforcement Affairs (INL), $14.6 million, September 2014–March 2017) had four 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 cases; (iii) improving the capacity of Women Protection Center (WPC) shelters and their association, the Afghan Shelters Network; and (iv) increasing public awareness of women's rights, legal rights and access to justice of target beneficiaries.

The last three components specifically addressed gender concerns. Elimination of Violence Against Women (EVAW) units were established in key provinces and Gender Justice Advisers provided training to the prosecutors 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. The project final evaluation concluded that, despite improved capacity of prosecutors to deal with VAW, institutional weaknesses at the Ministry of Justice continued to hamper them in their work and that not all stakeholders have internalized the attitudinal changes necessary to successfully combat GBV. The final evaluation judged sustainability prospects to be mixed: EVAW units were strong compared to other units in the Attorney General's Office, but prosecutor turnover was high and there was no evidence of knowledge transfer from trained individuals within EVAW units to other units. EVAW prosecutors did not feel that their cases would be well handled if they left the EVAW unit. However, the number of cases handled grew over the period, indicating greater capacity of the units and establishment of the units also created a greater role for the AGO in gender justice.

With project support, the network of WPCs successfully implemented a series of guidelines, resulting in a higher level of services to beneficiaries. However, the final evaluation found, a structural problem was that, despite some attention to income-generating activities, there was no strategy in the deeply patriarchal Afghan context to manage the transition from life in the shelter to a new life in the outside world.

The weakest area of the project, the evaluation concluded was the effort to raise public legal awareness, which over-emphasized mass media such as radio. In the event, few clients sought help at WPCs because they had learned of their existence over the radio; more effective was sending out Ministry of Justice staff out to speak to local communities.

Documentation available/provided:

- Factsheet, June 15, 2017
- Quarterly reports, Q4 2014–Q3 2017
- Project proposal, July 2, 2014
- Mid-term evaluation, September 2016
- Final report, April 30, 2018

- Final evaluation, July 2, 2017
- Final Evaluation Brief, October 2017

A follow-on project, SAJA-II (INL, $16.5 million, October 2017–February 2020) is currently being implemented to build on the accomplishments of SAJA. Training and mentoring for EVAW prosecutors are being expanded from the six core provinces covered by SAJA to 18 surrounding provinces, in addition to which, mobile training teams are being supported. Capacity of WPCs and the Afghan Shelters Network is being strengthened across a broad front, from improved caseworker skills to management skills, the use of the IDLO-provided database to track cases through the justice system. Specific protocols to address the need to develop skills for life on the outside are being developed. Protection of the confidentiality of WPC beneficiaries is being improved and a Victim Witness Assistance Program implemented to protect and counsel women bringing cases to court. The legal regulation of WPCs is being strengthened.

Documentation available/provided:

- Factsheet, December 13, 2017
- Project proposal, August 14, 2017
- Quarterly reports, Q4 2017–Q2 2018

SAJA was implemented in parallel with the Afghan Justice Institutions Strengthening project (Netherlands government, 3 million euro, August 2015–March 2018) aiming to strengthen the Afghan justice-sector institutions in topics related to civil and commercial law with a specific focus on women's rights. Only a final evaluation is available, which criticized lack of a structured risk assessment strategy, extremely ambitious targets given the Afghan context and limited financial scale, and lack of a sound results framework to facilitate M&E. Despite the stated intention of placing special emphasis on gender issues, the evaluation saw little evidence of this in implementation. Better coordination with SAJA could have resulted in a more realistic and efficient coverage of the gender aspects and, ultimately, greater impact on gender justice.

Documentation available/provided:

- Final evaluation, January 2018

Burundi

The project Researching the Impact of Land Tenure Registration on Land Disputes and Women's Land Rights in Burundi (Stichting ZOA, 78,100 euro) June 2015–February 2018) is a small research project examining the impact of ZOA's community-based Land Tenure Registration processes on land dispute levels with the aim to identify ways to safeguard and strengthen women's customary rights to land in the Land Tenure Registration process. The approach implemented was a combination of a household survey (administered five times during the project), in-depth focus groups, and analysis of case files on land disputes that turned violent as property deeds.

Jordan

The project Women Entrepreneurs' Access to Justice (EBRD, $200,000, March 2017–September 2018) aimed to create an enabling environment for women entrepreneurs by understanding the barriers

they may face in accessing justice and resolving disputes that affect their businesses. The project called for a baseline assessment followed by national workshops and dialogue with local stakeholders to identify opportunities for improvement. The assessment identified (i) the types of disputes and claims that businesses owned by men and women bring to court, accompanied by (ii) a gender analysis of the judiciary and alternative dispute resolutions methods, and (iii) a review of law school curricula to understand whether gender-responsive education, especially in relation to commercial law, is provided. Although initially covering Egypt and Jordan, the project was renegotiated to cover only Jordan.

Documentation available/provided:

- Factsheet, May 24, 2017
- Inception report, October 27, 2017
- Expression of Interest, December 22, 2016

Global

Among the projects currently most important to the implementation of the Gender Strategy 2017–2020 is the project Strategic Investment in Rule of Law Programming (Government of the Netherlands, 1.3 million euro, January–December 2018). This is an umbrella, headquarters-support program that aims to support progress towards achieving SDG 16 through improved programming, monitoring, analysis, learning, knowledge management, and reporting. Research and their dissemination through workshops is covered. There is a particular component on gender: the development of gender tools, support to field offices and capacity-building workshops are all within the purview of the IDLO Gender Team. Short-term Outcome 3 is Strengthened Capacity to Integrate Gender Equality and Women's Empowerment within IDLO's Programs and Share Best Practices and Lessons, to Support the Collective Effort of Partners to Achieve Gender Justice.

During the evaluation period (i.e. in the first quarter of the project's implementation), multiple outputs were produced:

- In late March, IDLO's Gender Team organized a workshop on Implementing IDLO's Gender Strategy and Tools at the IDLO headquarters in Rome. In addition to presenting the Gender Strategy and Action Plan in overall terms, the workshop included detailed discussions on the gender tools related to gender analysis and integration of gender, as well as the new gender-sensitive templates developed for use throughout the project cycle. The session was attended by approximately 40 IDLO employees.
- In conjunction with the workshop, the Gender Team piloted an interactive learning session on International Human Rights Frameworks and Programming Tools to Address Violence against Women at IDLO's headquarters in Rome. The session was attended by 15 IDLO colleagues, mainly those working on GBV programming.
- One week later, an event on Women Justice Professionals and Gender Equality: Contributions, Challenges and Ways Forward was organized. The event was attended by 30 experts in the area.
- During Q1 2018, work continued on the first draft of the Theory of Change/Results Framework developed during Q4 2017, with consultations, brainstorming sessions and presentations involving both internal and external stakeholders such as IDLO's major donors (including the

Netherlands, Italy, Sweden, and the U.S.). A second draft Theory of Change/Results Framework was produced and subsequently submitted to the IDLO Senior Leadership Team for validation in March 2018.

- The Gender Team was strengthened with the hiring of a Gender Officer in February 2018.
- Terms of Reference for the present Gender Strategy evaluation were drafted.

Post-evaluation period (i.e. Q2 2018) outputs included a Gender Strategy and Tools training workshop delivered by Gender Team experts in the context of the Strengthening the Criminal Justice Chain in the North of Mali project (see below); capacity-building workshops conducted as part of Gender Team technical support visits to the Somalia, Kenya, and Mali field offices; convening in May of the Inaugural Meeting of the High-level Group on Justice for Women together with UN Women and the Task Force on Justice in The Hague; development of the High-level Group Report on Justice for Women and drafting of an issue paper on women justice professionals, i.e. Women Delivering Justice: Contributions, Barriers, Pathways.

Documentation available/provided:

- Factsheet, June 25, 2018
- Revised proposal, March 31, 2018
- Quarterly reports, Q1–Q2 2018

Honduras

IDLO is currently implementing a project Reducing Homicide through Access to Justice (INL, 5.4 million euro, July 2015–July 2020) aiming to reduce homicides and prevent violence through strengthened access to justice for women, children and other victims of domestic and intra-familial violence in target neighborhoods of San Pedro Sula, one of the most violent cities in the country. Building on the results of a previous IDLO-implemented EuroSocial project (a one-stop-shop for women victims of violence), this is a large, umbrella project covering several dimensions, not all directly related to gender. Specific outcomes targeted were (i) Access to justice services for women, children and other victims of domestic and intra-familial violence in target neighborhoods enhanced and legal awareness of the communities in target neighborhoods increased; (ii) Skills and capacity of justice providers to deliver justice services improved; (iii) Access to justice and legal services for detainees and prisoners improved; (iv) Development of framework for rehabilitation, reintegrative services and non-custodial sentencing options for prisoners supported; and (v) Development of juvenile justice framework in target neighborhoods supported. Among the principal 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. IDLO is providing technical assistance and capacity-building to municipal officers for more effective support and monitoring of gender and human rights. This is combined with an awareness-raising campaign for violence prevention, which develops and disseminates information on the services provided to victims.

Documents available/provided:

- Factsheet, Honduras Reducing Homicide through Access to Justice, March 22, 2018

- Revised Logic Model, July 2016
- Project Proposal, May 20, 2015
- Quarterly reports, Q1 2015–Q2 2018

Kenya

IDLO has been deeply involved in all aspects of Kenyan constitutional reform, chiefly as a provider of technical assistance. IDLO contributed to improved drafting of legislation and amendments of existing legislative and administrative documents. This demand-driven approach has ensured close alignment with government needs and priorities, promoting ownership while encouraging efficiency.

The project Justice Sector Reforms to Enhance Access to Justice (Government of the Netherlands, 1.2 million euro, January 2017–June 2019), aligned with the Judiciary Strategic Plan, seeks to enhance access to justice and fair justice outcomes for all Kenyans, particularly vulnerable groups, through strengthened institutional capacity to administer justice by the judiciary. The project has been implemented in the turbulent context of the August 2017 general elections subsequently nullified by the Supreme Court and re-held in November with a boycott by the opposition and significantly reduced turnout.

While all aspects of the project have some implicit gender linkage, the component with one of the most explicit ties to gender is in the area of family law. IDLO is providing technical support towards development of a simple tool on inheritance and related family law matters for use by the judiciary and court users with the Family Division of the High Court. The tool simplifies the legal framework touching on inheritance, and to outline the necessary processes for the various court engagements on inheritance and succession matters, as well as related family law matters. The simplified nature of the tool ensures that not only members of the judiciary, but court users, as well, will be able to access information on their rights in inheritance matters, empowering women with knowledge on inheritance and related family law matters.

Documentation available/provided:

- Project proposal, January 25, 2017
- Quarterly reports, Q1 2017–Q1 2018
- Annual report 2017, March 30, 2018
- IDLO Kenya Country Program Development Engagement Document: Support to Human Rights, Access to Justice, and Equality 2016–2020, December 15, 2015
- Quarterly and Semi-annual progress reports, Q2 2016–Q1 2018

Increasing Access to Gender Justice in Kenya commenced at the end of 2013 but carried on into the evaluation period with a revised end date of January 2016. It was one of the components of the umbrella project Support to Kenyan Constitution Implementation Process with a Focus on Devolution and Gender Reforms (DANIDA, 3.25 million euro), which 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. Unique among projects considered here, this project amounted to DANIDA support for

an IDLO Country Strategy 2016–2020. The project provided technical assistance to the Family Division of the High Court for gender-sensitive revision of family law, particularly laws of inheritance; support to the Judiciary Taskforce on Sexual Harassment for policy development; and support to the Deputy Chief Justice and the Judicial Training Institute in development and implementation of gender-related policies and guidelines.

A project final evaluation found that the project lacked a coherent theory of change, that monitoring was more oriented towards activities and outputs rather than results, and that initial risk assessment was inadequate. The evaluation concluded that, while IDLO made a significant contribution to strengthening the policy and administrative framework for gender justice, progress ultimately depended on political will, which was largely lacking in the area. Hence, new policies and frameworks developed with IDLO support remained largely unimplemented. Sustainability prospects were judged to be mixed. The evaluation's recommendations were to strengthen M&E, produce an updated risk analysis and mitigation strategy, and develop a sustainability plan.

Documents available/provided:

- Quarterly and Semi-annual reports, Q3 2016–Q1 2018
- Evaluation report, February 2017

Kyrgyzstan

In Kyrgyzstan, under the Judicial Strengthening Program (USAID, $6.6 million, September 2011–March 2018), IDLO developed strong cooperation with the Association of Women Judges in Kyrgyzstan, which has a mandate of enhancing civic education, addressing pressing issues related to the judicial profession, and advancing the role of women in the Judiciary. In September 2015, the JSP provided technical and financial support in the organization and carrying out of the first national conference of the Association, which focused on the topic of "Access to Justice for Children." The conference included participation of over 30 women judges, and nearly 50 participants in total. IDLO, with further support from USAID or other donor/partners continued to provide support to the women judges and the Association as it expanded its activities and operations.

In 2017, IDLO encouraged and facilitated the Association of Women Judges to participate in cross-over and related work of IDLO supported by INL to encourage professionals within the General Procuracy to create a Women Prosecutors Association. IDLO supported the formation of a Working Group to study gender equality in the General Procuracy, including performing a Gender Audit with the support of two gender experts financed by IDLO. The longer-term goal was to form an association of female prosecutors. The Gender Audit was produced, but no further information is available/has been provided.

Liberia

The project Promoting Increased Accountability for Sexual and Gender-Based Violence in Liberia (INL, $2 million, September 2015–April 2018) focused on enhancing efficiency, transparency and accountability of the County Criminal Court "E" (a court designed exclusively to deal with sexual offences) in Montserrado County and improving access to justice and protection mechanisms for victims of sexual and gender-based violence (SGBV). Components included strengthening the capacity of Criminal Court E, the Office of Jury Management, the Registry in managing the bail process,

providing educational opportunities to female members of the Liberian National Police, and improving services to victims of SGBV. The latter includes mapping existing services, identifying potential service providers, providing training, developing a strategy document, and raising public awareness of service availability.

Outputs included training of Circuit Judges, a case management system focusing on the bail process, standard operating procedures for the court, support to improved coordination of service providers, training of Women and Children Protection Services officers, and Case Liaison Officers and Victim Liaison Officers; and support to the Ministry of Gender Children and Social Protection on revision of the National Action Plan for the Prevention and Management of Gender-Based Violence in Liberia.

Documents available/provided:

- Factsheet, May 30, 2018
- Narrative proposal, September 18, 2015
- Quarterly reports, Q4 2015–Q1 2018

Also with INL support, IDLO started implementing in early 2018 a project Strengthening the Capacity of Police and Other Law Enforcement Agencies to Effectively Respond to Trafficking in Persons that aims to strengthen the capacity of the Liberia National Police and other law enforcement agencies to effectively respond to trafficking in persons in Liberia through training, with a particular focus on women police officers. The project will also seek to build awareness of trafficking among the general public and law enforcement professionals. Finally, IDLO will work to enhance collaboration between police and other stakeholders, especially women and children. No documentation is available/has been provided on this project.

Mali

Mali, a country which nearly disintegrated in 2012, represents one of the harshest environments in which IDLO has worked. The project Strengthening the Criminal Justice Chain in the North of Mali (Government of the Netherlands, 5 million euro, December 2015-2020) is being implemented in the north of Mali, a topographically harsh area with poor security. By creating Consultation and Coordination Groups with state criminal justice chain actors, CSOs and local and traditional authorities, the project aims to improve the quality and accessibility of justice. Other activities are capacity building and improvement of material conditions and awareness raising for the local population. There was extensive analysis at the project design stage and the mid-term evaluation found that the project was closely aligned with the Mali justice sector strategy. Given the poor security environment, coordination with the UN MINUSMA force was important and not straightforward to achieve. Engagement with CSOs was geographically variable. In general, performance of CSOs solicited through calls for proposals was judged to be mediocre. At the time of the mid-term review, over 800 justice sector professionals (80 per cent male) had been trained, with more success in technical aspects (e.g. crime scene management) than broader conceptual areas. Some evidence indicated an improvement in efficiency. National ownership was judged to be only partial and sustainability is weakened by the national policy of rotating justice sector workers from the North to the South of Mali. However, through the project IDLO has established itself as a key player in rule of law reform in this key country. With respect to gender, it is important to note that a Gender Integration Plan was developed for the project. The evaluation found that this plan significantly increased the project's gender-responsiveness.

Documents available/provided:

- A crisis of confidence, competence, and capacity: Programming advice for strengthening Mali's penal chain
- IDLO Evaluation Brief: Midterm evaluation of the IDLO-implemented project "Strengthening the criminal justice chain in the North of Mali (SCJC)"

Mexico

The project Supporting the Rule of Law: Strengthening Security Sector Capacity to Consolidate Criminal Justice System Reform (INL, $18.7 million, October 2017–September 2020) aims to strengthen the capacity of the security sector capacity to consolidate the new accusatory system of justice. It involves three levels of capacity building via training: (i) preventive police at municipal level to increase professionalism, (ii) first responders to strengthen their ability to play their role in the criminal process, and (iii) procedural police at state level to ensure adequate implementation of the criminal justice system. This is an ambitious training program, aiming to reach almost 9,000 police officers at all levels.

Documents available/provided:

- Factsheet, October 20, 2017
- Proposal and budget, no date
- Gender Integration Plan, September 20, 2017
- Quarterly Reports, Q4 2017 and Q1 2018

Mongolia

The project Combating Gender-Based Violence in Mongolia: Strengthening Justice Sector Capacity (INL, $400,000, September 2015 – August 2017) strengthened the Mongolian response to domestic violence through improved mechanisms, coordination, and capacities of relevant service providers and criminal justice sector actors. The project was revised to focus specifically on coordination of criminal justice sectors (judges, police, prosecutors, bailiffs and wardens). Training curricula/handbooks were produced, and training of trainers and training activities ensured that capacity built was be disseminated throughout the justice and service provision systems.

Documents available/provided:

- Factsheet
- Project proposal, August 31, 2015
- Quarterly reports, Q4 2015–Q3 2017
- Final report, February 2018

Building on the previous project, a follow-on project Strengthening the Domestic Violence Response in Mongolia (INL, 338,000 euro) currently aims to "support the recent positive developments with practical measures that will further promote coordination among justice sector actors." No documentation is available/provided on this project.

Myanmar

Under the project Implementing Four Rule of Law Centres (Phases I and II) and Supporting Capacity Development Mentoring with Justice Sector Institutions (UNDP and USAID, December July 2015–December 2016), IDLO provide a range of support to justice sector development in Myanmar. The first phase of the Four Rule of Law Centres Initiative, running from July 2015 to June 2016, provided training to lawyers, law teachers, and civil society representatives; and support strengthened public legal awareness and opportunities for multi-stakeholder dialogue and knowledge sharing on local justice issues through community outreach activities. In Phase II, the project offered law course curriculum was revised to include specific sessions and activities focusing on women's equality issues, such as inheritance rights, divorce law and GBV. As part of current curriculum revision process, IDLO mainstreamed gender throughout the Rule of Law Centres' curriculum.

Documents available/provided:

- Executive Summary, Rule of Law Centres: Options and Recommendations for Phase II (July 2016–December 2017), April 1, 2016
- Factsheet, Myanmar Implementing Four Rule of Law Centres (Phases I and II) and Supporting Capacity Development Mentoring with Justice-sector institutions, October 14, 2016
- Interim Report January–June 2017, Implementing Rule of Law Centres (Phase II) in Myanmar, June 2017
- Final Report, Implementing Rule of Law Centres (Phase II) in Myanmar January–December 2017, January 31, 2018

Through its Justice Sector Institutional Capacity Development project, IDLO is supporting the training departments of the Union Attorney General Office and Office of the Supreme Court of the Union with their capacity development systems through training needs assessment, providing training of trainers to current trainers, and supporting a curriculum review of existing institutional training programs. No documentation is available/provided on this project.

In partnership with the British Council, a 399,000 euro project, MyJustice: Strengthening Local Capacities for Improved Access to Justice for Women, was implemented in the period February 2018–May 2019. Specific objectives are to strengthen women and girls' awareness of their rights, particularly with regard to SGBV, and to improve availability and strengthen linkages to related services. Under the first phase of the project, IDLO designed a comprehensive capacity development program with community-based organizations to implement rights information and SGBV awareness initiatives to support women, girls and their communities. During the second phase of the project, IDLO identified and supported community-based organizations to implement initiatives to strengthen community awareness of SGBV and strengthened pathways to service organizations.

Documents available/provided:

- Factsheet, Myanmar MyJustice: Strengthening local capacities for improved access to Justice for women, March 5, 2018
- Project proposal and budget, MyJustice, no date
- Quarterly Report, 1 February–30 April 2018, MyJustice, May 24, 2018

Somalia

The project Enhancing the Capacity of the Legal Profession in Somalia for the Delivery of Justice (INL, $850,000, August 2014–August 2015) contributed to access to justice through strengthening the Somali Bar Association (SBA) and strengthening the knowledge and skills of selected lawyers on substantive law, procedural law, lawyering skills and on the principles of women and juvenile justice. In addition to increasing legal skills overall, the project had a specific focus on conveying principles of justice as they apply to women and juveniles.

The project final evaluation concluded that the project was highly relevant and aligned with government strategy, that training was of good quality, and that implementation was efficient given the high logistical costs of operating in an unfavorable environment. The flexibility of IDLO to implement under fluid and difficult conditions was noted. The 44 per cent of trainees who were women represented half the female membership of the Somali Bar Association. The effectiveness of training delivered to female participants was limited to the fact that they had had no previous exposure to international law. During the course of project implementation, ties were forged with UNDP and UN Women.

At the same, time, the SBA was in a nascent state at the time of the project, lacking administrative, organizational and financial resources, in addition to legal standing, to function effectively on a sustainable basis. Despite having provided transformative support to SBA governance and infrastructure, the institution remained in need of continuing support. Training delivered, while it may have contributed to individual skills development and in some degree to increased access to justice, did not address these fundamental weaknesses.

The project Strengthening Linkages Between Formal Justice System and Traditional Dispute Resolution System To Improve Access To Justice in Somalia (Phase II) (INL, $921,000, September 2014–January 2016) built on previous IDLO support to the Traditional Dispute Resolution (TDR) Unit of the Ministry of Justice. The basic purpose was to produce a Policy Consultation Paper on TDR (adopted April 2016) and extend work done under Phase I in four districts to sixteen newly liberated districts through the training of elders.

New TDR Unit staff were recruited and trained by an IDLO expert in traditional justice; however, TDR capacity was still judged very weak at the end of the project and it was concluded that, while knowledge had been imparted at the individual level, there had been no institutional learning as such. With respect to gender, the final evaluation noted that, although awareness was raised, there was "some resistance," presumably to principles of gender equality before the law. Weakness in Project Cycle Management and particularly in monitoring were noted, as well as the absence of suitable risk management strategies to deal with what turned out to be multiple unanticipated security-related difficulties.

Documents available/provided:

- Final evaluation report, Enhancing the Capacity of the Legal Profession in Somalia for the Delivery of Justice, September 2016
- Final evaluation report, Strengthening Linkages Between Formal Justice System and Traditional Dispute Resolution System To Improve Access To Justice in Somalia (Phase II), November 2017

Tunisia

The project Enhancing Women's Protection Against Gender-Based Violence (Government of Italy, 250,000 euro, December 2015–December 2017) supported the Ministry of Women, Families, and Children in implementing the provisions of the Tunisian Constitution in relation to women's rights and the eradication of all forms of GBV. It aimed to accomplish this by developing a legal reform agenda to serve as the platform for a gender advocacy program. As part of developing the agenda, IDLO built the capacity of the Ministry in legislative drafting related to gender equality, women's rights and GBV. Based on an assessment of the situation regarding women's shelters, IDLO brought together regional experts and supported the drafting of protocols/guidelines for existing shelters and those to be created. Skills training was also delivered to service providers.

Significant achievements, in addition to training Ministry staff on gender-responsive legislative drafting and advocacy as well as responding to GBV, was delivery in September 2017 of an Options Paper to support implementation of the Law on the Elimination of all Forms of Discrimination and Violence Against Women enacted by the Parliament in July 2017. This paper was drafted in consultation with an inter-agency and stakeholders' group that included the Ministry of Women, Families, and Children, the Ministry of Relations with Constitutional Bodies, Civil Society and Human Rights, the UN Office of the High Commissioner for Human Rights, the United Nations Population Fund (UNFPA), and UN Women. Shelter manual of procedure was developed, covering standards for the administration of the shelters and the services delivered, safety regulations, and identifying staff profiles and roles. A shelters workshop, the first of its kind in Tunisia, was organized in November 2018 to share international experiences and good practices.

Documents available/provided:

- Factsheet, March 22, 2017
- Narrative proposal, October 27, 2015
- Progress report, November 2015–August 2017, October 30, 2017
- Final report, April 9, 2018

In partnership with the Center of Arab Women for Training and Research, IDLO implemented a pilot research project to support the effective participation of women justice professionals in justice delivery and policy making. In the context of this pilot project, the study "Étude sur la participation des femmes dans le secteur de la justice en Tunisie" was produced. No documentation is available/has been provided. The study was presented in a regional conference on women judges in Sousse, Tunisia in November 2017.

In the Middle East and North Africa region, building on the work in Tunisia, and supported by the European Bank for Reconstruction and Development, IDLO also convened another regional workshop of women judges (together with the International Association of Women Judges, the Union of Moroccan Women Judges and the Supreme Judicial Council of Morocco) to discuss the possibility of creating a regional women judges' platform in the Southern and Eastern Mediterranean Region.

Uganda and Tanzania

The DREAMS project Integrating Legal Empowerment and Social Accountability for HIV Services for Adolescent Girls and Young Women (ViiV Healthcare, $1.4 million, November 2016–November 2018) aimed to strengthen the capacity of AGYW and their communities to hold service providers accountable for the delivery of quality HIV-related social, legal and medical services. It combines legal empowerment and social accountability strategies. It is implemented at local (in two selected districts of each of the countries), national and regional levels.

National partners are two experienced NGOs – the Legal and Human Rights Centre in Tanzania and the Center for Health, Human Rights and Development in Uganda – which support community-based organizations and partners in district-level activities. Activities include (i) developing pools of local paralegals (including adolescent girls and young women) trained in HIV-related aspects of the law, strengthening the capacity of local health committees to ascertain and address the concerns of AGYW through community score card processes that involved a range of actors, (ii) providing training to local health service providers, police and justice actors, and (iii) bringing local concerns into policy dialogues at the national levels.

Documents available/provided:

- Factsheet, November 16, 2016
- Semi-annual report, November 2016–May 2017
- Semi-annual report, November 2017–May 2018

ANNEX 3: DOCUMENTS CONSULTED

Note: Country- and project-level documents are listed in the Country/Project Capsule section.

IDLO strategic documents

- Gender Strategy 2015–2016
- Gender Strategy 2015–2018
- IDLO Strategy 2020
- IDLO's gender justice strategy: Rapid Assessment
- Key Findings: 2013 Rapid Assessment

IDLO Gender Tools

- How to Do a Gender Analysis. Internal Guidance Note, November 2017.
- Quick Reference Guide: Mainstreaming gender in program development, implementation, monitoring, and evaluation. Internal Guidance Note, November 2017.
- Templates: Concept Note, Proposal, Progress Report, Final Report

IDLO–UN Women partnership

- Background paper, Inaugural meeting of the High-level Group on Justice for Women, May 28–29, 2018, The Hague
- Meeting Report: inaugural meeting of the High-level Group on Justice for Women, May 28–29, 2018, The Hague

IDLO Annual Reports

- Annual Report 2015
- Annual Report 2016
- Progress Report 2017

IDLO Management Plans

- Management Plan 2015
- Management Plan 2016
- Management Plan 2017
- Management Plan 2018

IDLO internal documents

- Gender Expert Funds Aug18 (002) – INTERNAL
- IDLO Gender Projects, through August 2018

- Consultation Process on the Updated version of the Gender Strategy 2015–2018 (and post-2018) Gender Strategy
- Gender Strategy 2020 External Consultation: Internal Notes
- IDLO 2020 Results Framework FINAL DRAFT.xlsx
- IDLO–UN Women Memorandum of Understanding, 11 April 2017
- IDLO Workforce April 18.pptx
- Workshop Description, Agenda, List of Participants, IDLO Workshop "Addressing Gender-Based Violence in Justice Sector Programs: A Sharing and Learning Workshop for Program Staff of the International Development Law Organization (IDLO)," October 2018.
- Gender tracker Database PI 2018.xlsx

IDLO research and policy reports

- Accessing Justice: Models. Strategies, and best practices on women's empowerment, 2013.
- Fact Sheet Women and Girls, October 2017.
- Women's Professional Participation in Afghanistan's Justice sector: Challenges and opportunities, n.d.
- Transition and continuing professional development in Afghanistan and beyond: Ten lessons from IDLO's Justice Training Transition program experience, n.d.
- Women Delivering Justice: Contributions, Barriers, Pathways, November 2018.
- HIV legal handbooks for Uganda and Tanzania, July 2018.
- Research Concept Note, Barriers and Pathways to Women's Participation and Empowerment in the Kenyan Justice Sector, February 2018.
- Equal rights, equal treatment, ending AIDS: Strengthening and expanding HIV-related legal services and sights, November 2017.
- Women, food, land: Exploring rule of law linkages, March 2017.
- Advancing the Right to Health – The Vital Role of Law, January 2017.
- Realizing the right to food: Legal strategies and approaches, September 2015.
- Children's equitable access to justice: Central and Eastern Europe and Central Asia, May 2015.
- Women delivering justice: Contributions, barriers, pathways. Internal draft, 1 November 2018

IDLO gender advocacy interventions

- 9 Oct 2018. The Sixth Committee of the 73rd Session of the United Nations General Assembly, Agenda Item 86: The rule of law at the national and international levels. Statement of the IDLO. Delivered by Patrizio Civili, Permanent Observer to the UN, New York.
- 28 Sep 2018. 73rd Session of the United Nations General Assembly: Statement of the IDLO, "Stand up for SDG16+". Delivered by Irene Khan, Director-General, IDLO.

- 27 Sep 2018. 73rd Session of the United Nations General Assembly: Friends of the UN Inter-agency Task Force on the Prevention and Control of NCDs. Statement of the IDLO. Delivered by Irene Khan, Director-General, IDLO.
- 27 Sep 2018. 73rd Session of the United Nations General Assembly: High-level meeting on the prevention and control of NCDs. Statement of the IDLO. Issued by Irene Khan, Director-General, IDLO.
- 24 Sep 2018. 39th Session of the Human Rights Council: Annual discussion on the integration of a gender perspective throughout the work of the Human Rights Council and that of its mechanisms. Statement of the IDLO. Delivered by Nina Engels, Office of the Permanent Observer to the UN, Geneva.
- 5 Mar 2018. 62nd Session of the Commission of the Status of Women: General discussion, Challenges and opportunities in achieving gender equality and the empowerment of rural women and girls. Statement of the IDLO. Delivered by Irene Khan, Director-General, IDLO.
- 13 Dec 2017. United Nations Preparatory (stocktaking) Meeting in the Intergovernmental Conference to Adopt a Global Compact for Safe, Orderly and Regular Migration, Action Group 1: Human Dimensions. Statement of the IDLO. Delivered by Judit Arenas, Deputy Permanent Observer, IDLO.
- 14 Nov 2017. Launch of CEDAW General Recommendation No. 35 on Gender-based Violence Against Women, updating General Recommendation No. 19. Statement of the IDLO. Delivered by Mr. Héctor Guerra, Office of the IDLO Permanent Observer to the United Nations and other International Organizations in Geneva.
- 4 Oct 2017. High-Level Meeting on the Implementation of the Global Plan of Action to Combat Trafficking in Persons. Statement of the IDLO. Delivered by Judit Arenas, Deputy Permanent Observer to the United Nations, New York.
- 15 Sep 2017. 36th Session of the Human Rights Council: Annual Discussion on the Integration of a Gender Perspective throughout the Work of the Human Rights Council and that of its Mechanisms. Statement of the IDLO. Delivered by Hector Guerra, Office of the Permanent Observer to the United Nations and other International Organizations, IDLO
- 4 Jul 2017. Donor Roundtable Meeting on the Women's Access to Justice Flagship Initiative: "Addressing Impunity Against Women and Girls Through Effective Women's Access to Justice in Diverse Country Contexts." Statement of the IDLO. Delivered by Mr. Patrizio Civili, Permanent Observer to the UN, New York.
- 8 Jun 2017. 35th Session of the Human Rights Council: Interactive Dialogue with the Working Group on the Issue of Discrimination Against Women in Law and in Practice. Statement of the IDLO. Delivered by Hector Guerra, Office of the Permanent Observer to the United Nations, Geneva.
- 21 Mar 2017. Commission of the Status of Women, General Discussion (Item 3). Statement of the IDLO. Delivered by Judit Arenas, Deputy Permanent Observer to the United Nations, New York.

- 3 Oct 2016. Written comments of the IDLO to the Draft Update of General Recommendation No. 19 (1992): Accelerating Elimination of Gender-Based Violence against Women. Geneva, Switzerland.
- 2 Sep 2016. 33rd Session of the Human Rights Council: The Causes and Consequences of Violence Against Indigenous Women and Girls, Including Those with Disabilities. Statement of the IDLO. Delivered by Hector Guerra, Senior Advocacy Officer, Office of the Permanent Observer to the United Nations and other International Organizations in Geneva, IDLO.
- 4 Jul 2016. 32nd Session of the Human Rights Council: annual full-day discussions on the human rights of women. Statement of the IDLO. Delivered by Charlotte Horekens, Office of the Permanent Observer to the United Nations, Geneva.
- 24 May 2016. Italy–Africa Ministerial Conference: Africa and the Rule of Law. Statement of the IDLO. Delivered by Irene Khan, Director-General, IDLO.
- 22 Mar 2016. 60th Session of the Commission on the Status of Women. General Debate. Statement of the IDLO. Delivered by Federica Scala, Legal Adviser, IDLO.
- 7 Mar 2015. 59th Session of the Commission on the Status of Women. Statement of the IDLO. Delivered by Cianna O'Connell.

Donor Partner gender strategies

- Canada's feminist international assistance policy, 2017.
- DANIDA Strategic framework for gender equality, rights, and diversity in Danish development cooperation, August 2014.
- USAID gender equality and female empowerment policy, March 2012.
- Handbook Sweden's feminist foreign policy, n.d.
- European Union Policy for Gender Equality in EU External Relations 2016–2020

Donor Partner gender evaluations

- Gender and development: An evaluation of World Bank support 2002–2008. Fast Track Briefing, October 2009.
- Gender equality in Swedish development cooperation, 2010.
- Gender sense and sensitivity: Policy evaluation on women's rights and gender equality (2007–2014) (Netherlands), July 2015
- Netherlands international gender policy: Whither the two-track strategy (Response), May 2016.
- Evaluation of EU Support to Gender Equality and Women's Empowerment in Partner Countries, April 2015.
- Asian Development Bank support for gender and development (2005–2015), May 2017.