

FINAL INDEPENDENT PROJECT EVALUATION

IMPROVING ACCESS TO LEGAL AID FOR WOMEN IN WESTERN AFRICA

1819U

December 2021



Credits (left-right, top-down): Kolda News (workshop in legal aid center, Kolda, Senegal), BBC/Glenna Gordon (Monrovia Central Prison, Liberia), Legal Aid Board Sierra Leone (Legal Aid Board's attorneys in Freetown Court, Sierra Leone), Reuters (COVID rules check on market in Monrovia, Liberia)

This independent evaluation report was prepared by an evaluation team consisting of Ms. Camille Massey, External Evaluator, and Mr. Patrick Burgess, Legal Aid Expert. The Independent Evaluation Section (IES) of the United Nations Office on Drugs and Crime (UNODC) provides normative tools, guidelines and templates to be used in the evaluation process of projects.

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CONTENTS

| | |
|---|-----|
| CONTENTS | iii |
| ABBREVIATIONS AND ACRONYMS | iv |
| MANAGEMENT RESPONSE | v |
| EXECUTIVE SUMMARY | vi |
| SUMMARY MATRIX OF FINDINGS, EVIDENCE AND RECOMMENDATIONS | x |
| I. INTRODUCTION | 1 |
| BACKGROUND AND CONTEXT | 1 |
| EVALUATION METHODOLOGY | 3 |
| LIMITATIONS TO THE EVALUATION | 5 |
| II. EVALUATION FINDINGS | 6 |
| RELEVANCE | 6 |
| COHERENCE | 8 |
| EFFECTIVENESS | 10 |
| IMPACT | 14 |
| SUSTAINABILITY | 18 |
| EFFICIENCY | 21 |
| HUMAN RIGHTS, GENDER EQUALITY AND LEAVING NO ONE BEHIND | 23 |
| III. CONCLUSIONS | 26 |
| IV. RECOMMENDATIONS | 27 |
| V. LESSONS LEARNED AND BEST PRACTICES | 30 |
| ANNEX I: TERMS OF REFERENCE | 33 |
| ANNEX II: EVALUATION TOOLS: QUESTIONNAIRES AND INTERVIEW GUIDES | 41 |
| ANNEX III: DESK REVIEW LIST | 45 |
| ANNEX IV: STAKEHOLDERS CONTACTED DURING THE EVALUATION | 48 |
| ANNEX V: OVERVIEW OF PROJECT COMPONENTS AND PROJECT EXTENSION | 49 |
| ANNEX VI: EVALUATION MATRIX | 51 |
| ANNEX IV:PROJECT RESULTS FRAMEWORK | 55 |

ABBREVIATIONS AND ACRONYMS

| Abbreviation or Acronym | Full name | Abbreviation or Acronym | Full name |
|-------------------------|---|-------------------------|--|
| CSO | Civil Society Organisation | ToC | Theory of Change |
| DIFID/UKAID | United Kingdom Agency for International Development | ToR | Terms of Reference |
| EU | European Union | UNDA | United Nations Development Account |
| LAP | Legal Aid Provider | UNODC | United Nations Office on Drugs and Crime |
| NHRI | National Human Rights Institution | UNDP | United Nations Development Programme |
| OHCHR | Office of the United Nations High Commissioner for Human Rights | UN Women | United Nations Entity for Gender Equality and the Empowerment of Women |

MANAGEMENT RESPONSE

| Recommendations ¹ | Management Response ² |
|---|----------------------------------|
| 1: Resource mobilization: UNODC Justice Section, supported by the Gender Unit of the Office of the Executive Director, should advocate donors to recognize legal aid for women, and legal aid in general, as an essential service in the poorer and/or post-conflict contexts. | Accepted |
| 2: Programming: UNODC Justice Section should design a regional, modular, multi-year, multi-partner regional intervention on legal aid for women, centred around civil society legal aid providers as an essential service. | Accepted |
| 3: Follow up: UNODC Justice Section should design a follow up programme prioritising Liberia and Senegal for a start in 2022. | Accepted |
| 4: Synergies with connected programmes and projects: UNODC Justice Section should closely link any programme or project on legal aid to broader interventions aiming to reform the law enforcement, judicial and penitentiary systems. | Accepted |
| 5: Grant administration for legal aid providers: UNODC Justice Section should continue the practice of core grants to legal aid providers. | Accepted |
| 6: Advocacy: In the countries where they are active in the area of justice reform, UNODC Country Team, supported by UNODC Justice Section should advocate for domestic normative framework on legal aid, including specific provisions on legal aid for women. | Accepted |

As per UNODC evaluation guidelines, recommendations are addressed to UNODC. However, given the joint nature of the project, recommendations could be implemented in close collaboration with UN Women and OHCHR.

¹ This is just a short synopsis of the recommendation, please refer to the respective chapter in the main body of the report for the full recommendation.

² Accepted/partially accepted or rejected for each recommendation. For any recommendation that is partially accepted or rejected, a short justification is to be added.

EXECUTIVE SUMMARY

INTRODUCTION

This report presents the outcomes of the evaluation of the United Nations Office on Drugs and Crime (UNODC) and United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) project funded by United Nations Development Account (UNDA) on Improving Access to Legal Aid for Women in Western Africa (1819U). It aims to ensure accountability towards the project stakeholders, equip them with learning, and inform decision making about possible future comparable initiatives.

PROJECT DESCRIPTION AND OBJECTIVES

The project aimed to improve women's access to Legal Aid services in Liberia, Senegal, and Sierra Leone through three components: 1. Legal aid normative framework (legislative, regulatory, policy, institutional); 2. Legal aid provision; 3. Empowerment of women to use legal aid. The project was funded by UNDA, with a total budget of 619,000 USD. It was implemented by UNODC Justice Section, with UN Women as an implementing partner, and several legal aid providers in the three countries as sub-grantees. Its stakeholders include UNODC and UN Women in cooperation with the United Nations High Commissioner for Human Rights (OHCHR), UNDA (administered by United Nations Department of Economic and Social Affairs (UN DESA)) as the donor, legal aid providers, the judiciary and the Governments in these countries.

PURPOSE, SCOPE AND METHODOLOGY OF EVALUATION

The evaluation tested the theory of change of the project to analyse the relevance, coherence, effectiveness, impact, sustainability and efficiency of the project. It was conducted remotely by an evaluation expert and a legal aid expert, based on the review of over 40 documents, interviews and focus group discussions with 35 persons, and direct observation of online project-funded events.

MAIN FINDINGS

Relevance: Legal aid is a dramatically underfunded and underserved area of rule of law efforts by both governments and donors in the three countries covered. Women have less access than men to the limited legal aid services available, whereas they require these services in criminal, civil and administrative matters, where they do not have a level playing field with men in patriarchal societies. In their legal proceedings, women rely on a handful of dedicated and motivated legal aid providers – but these legal aid providers are often self-funded and have not benefitted from long-term institutional support. This is particularly the case in Liberia and Senegal, which unlike Sierra Leone do not have comprehensive legal aid legislation and policy. Yet, the three governments have shown interest in legal aid for women, and the project seized this window of opportunity. The project was thus relevant, and adequately partnered with legal aid providers devoted to women rights holders, to boost their capacity and reach to more users including the most remote and vulnerable ones, relevantly with needs that were well documented before and during the project through research and baseline assessments. In doing so, the project responded to the legal aid providers' urgent needs for core funding and institutional development.

Coherence: The project was in line with United Nations standards and norms, strategic documents and guidance: it directly supported SDGs 5 and 16, United Nations standards on legal aid, and gender equality strategies. It targeted women in contact with the law, who constitute a vulnerable and often left-behind group; while doing so, it indirectly addressed several articles of the Universal Declaration of Human Rights and dovetailed with peacebuilding efforts in Liberia and Sierra Leone. It followed an internally coherent theory of change based on the programmatic concept on supporting legal aid for women, developed by UNODC, UN Women and OHCHR.

Effectiveness: This was done chiefly by financing legal aid providers to expand on their offer and delivery of legal services to women. They could increase their intake and referral of clients for emergency and high

priority cases, such as criminal affairs, victims of domestic violence and sexual abuse, and women in places of deprivation of liberty (police custody, and prison both for pre-trial detention, and serving sentences). They could also supplement this offer with other types of services: legal representation and advice for civil cases, in particular divorce and inheritance, as well as support in administrative processes.

The training was mostly appreciated for the legitimacy it conferred to the legal aid providers (LAPs), and for some legal aid delivery tools and technology transferred. Training, outreach initiatives, and advocacy events brought legal aid providers together with law schools, duty bearers and decision makers from the ministries, the judiciary, the law enforcement, and local governance bodies. The LAPs, who were already connected with some of these actors, consolidated and expanded their networks. They gained recognition and access to the authorities which are in the best position to deliver justice for women. The project, especially thanks to its extensions, supported the legal aid providers through their adaptation to the COVID-19 pandemic: they could fund and adopt new tools for remote support to their users, and scale up their operations to respond to increased demand in times of lockdown or severe application of prevention measures.

The advocacy and outreach components of the project, although envisaged as distinct components by the theory of change, were mostly blended during project implementation with support to legal aid providers: advocacy mostly took place through legal aid providers within their institutional development; outreach initiatives, which confronted legal aid delivery and their partner duty bearers with immediate needs, led to intake and referral of clients on the spot. The component on support to legal aid providers thus became the driver and centrepiece of all project outcomes. It deepened the relationship between the legal aid providers and the duty bearers, particularly in prisons and police stations. It channelled legal education and information on legal aid in remote regions. It established partnerships with some traditional and community leaders. It became the vehicle to advocate for policy and legislative changes.

The most contrasted outcome of the project, arguably, is the normative framework – the set of policies, laws and regulations framing legal aid provision for women. In Sierra Leone, this framework pre-existed the project, and was already progressive and compliant with international standards. The project did not work on changing it, but rather on strengthening its implementation, with success. But in Liberia and Senegal, this framework was not in place when the project started, and by the end of the project it advanced modestly. By the end of the project, a sound national policy was adopted in Liberia, and draft laws were ready in Liberia and Senegal – but they are not adopted yet. This outcome may be modest, but it has a lot of potential because it was achieved mostly by the LAPs with the support of the project – rather than as a result of direct advocacy by the United Nations agencies involved. The expertise of the LAPs as partners for law- and policy-making is better recognized.

Impact: For women who used legal aid provided by the project's grantees, this approach yielded very tangible impacts. Hundreds of them received legal, social, psychological and at times medical support, gained access to the justice system, obtained a fair (or at least fair) judicial process, or were released from custody, unlawful detention or expired imprisonment sentence. Severe human rights violations were prevented, identified and/or remedied. This was particularly important for women victims of sexual crimes or domestic violence: without legal support, and often without legal representation, their chances of even accessing justice, let alone obtain redress or protection would be minimal. Many such cases are otherwise dropped, undocumented, or dealt with by traditional courts which are inadequate to handle cases of violence against women. The benefit of the project was particularly felt in remote regions, which legal aid providers did not have the means to cover steadily before.

For the duty bearers who were in direct contact with the project, it had a double impact. On the one hand, they realized the worth of legal aid for women for a more effective, efficient and adequate judicial process. On the other hand, they were supported to better implement the existing legal framework, or to prepare themselves for the time when a standard-based legal aid system would be adopted. The operations of legal aid providers also enabled to identify the causes of some human rights violations and a times to progress towards better prevention, particularly in the penitentiary system.

Sustainability: However, these encouraging results did not fundamentally change the chronic and structural under-funding of legal aid in the three countries covered, particularly Liberia and Senegal which do not yet possess an updated legal framework on legal aid. Public funding for legal aid is minimal compared to the needs, and prioritizes defendants – who are in the vast majority men – whereas witnesses and victims – which constitute the majority of women in contact with the law – are left out. The legal aid needs of women continue to rest upon the self-funded and/or voluntary work of civil society legal aid providers in Liberia and Senegal, while in Sierra Leone the Legal Aid Board is a public entity. In the three countries, the legal aid provided had to immediately downsize and re-prioritize their activity at the end of the project, in the absence of long-term continued support. The drawback was particularly pronounced in Liberia and Senegal, due to the dire lack of state funding for their operations.

Efficiency: In addition, the project operated on a limited budget compared to the magnitude of the needs and the vast geographic coverage. The project did benefit from efficient and agile project management based on strong delegation to the field. It also drew on sound division of labour and complementarity between UNODC and UN Women – UNODC administering the project and leading the advocacy component, while UN Women administered the grants to legal aid providers for service provision and outreach to the rights holders. Partnering with established and competent legal aid providers was also an excellent, high added-value investment, which made the most of the resources at hand. But with all its efficiency, the project could not overcome the mismatch between the available resources and immense needs: the funding of the project was sufficient to pilot and demonstrate the worth of investing in legal aid providers, but it was insufficient to durably impact the level of women’s access to justice in the three countries.

MAIN CONCLUSIONS

The project was well fitted within the United Nations’ approach to legal aid worldwide, and the United Nations’ interventions in the respective countries. It was extremely relevant and tailored to the needs of its partners and end beneficiaries. Because it had the flexibility to evolve during implementation and centre all components around legal aid providers, it retained this high relevance, without losing internal coherence.

The theory of change of the project was fully realised at input and output levels: the financial resources of the UNDA mechanism, and the assets of UNODC, UN Women and legal aid providers were invested soundly and efficiently, drawing on complementarities.

At outcome level, things are more contrasted but show very strong potential. The capacity of legal aid providers to provide adequate, gender-sensitive, accessible legal aid to women in need was greatly strengthened. So was their capacity to advocate for policy and legislation. They are gradually transforming, standing currently at an intermediary stage between isolated service providers, and well-connected nexus leaders for legal aid provision to women. In terms of institutional development, the legal aid providers in Sierra Leone are more advanced, due to previous support and to a more advanced normative framework. Although the normative framework is slow to catch up, there is progress. If legal aid providers have sufficient funding to continue advocacy in parallel with outreach and legal aid delivery to women, they will be able to carry on pushing for a suitable framework. As they are better connected, they can now count on some allies in the executive and the judiciary.

At impact level, the theory of change was only partly realized. While it lasted, the project did achieve significantly more and better offer of gender-sensitive legal aid for women. The project also affected the demand side of legal aid for women: thanks to awareness raising and expanded delivery of legal aid services, it created reliance for many women in need of legal services. With positive precedents, it also created, in some communities, the expectation that this need could be met. However, this expectation will likely be disappointed if there is no follow up, especially in Liberia and Senegal: without continued core funding, and in the absence of realistic prospects for sufficient state funding in the short to medium run, legal aid providers cannot be expected to maintain their level of operation.

The project proved that, if it retains flexibility and is centred around legal aid providers, the programmatic design envisaged by UNODC and its partners works. Without follow up and scaling up, the project would

remain an excellent, replicable experiment, and a positive precedent – but its effects in the three countries covered will remain limited in time.

MAIN RECOMMENDATIONS

As per UNODC evaluation guidelines, recommendations are addressed to UNODC. Given the joint nature of the project, recommendations could be implemented in close collaboration with UN Women and OHCHR.

1. RESOURCE MOBILISATION

UNODC Justice Section, supported by the Gender Unit in the Office of the Executive Director, should advocate donors to recognize legal aid for women, and legal aid in general, as an essential service in all countries, and particularly in the poorer and/or post-conflict contexts.

2. PROGRAMMING

UNODC Justice Section should design a regional, modular, multi-year, multi-partner regional intervention on legal aid for women, centred around civil society legal aid providers as an essential service.

3. FOLLOW UP

UNODC Justice Section should design a follow up programme prioritising Liberia and Senegal for a start in 2022.

4. SYNERGIES WITH CONNECTED PROGRAMMES AND PROJECTS

UNODC Justice Section should closely link any programme or project on legal aid to broader interventions aiming to reform the law enforcement, judicial and penitentiary systems.

5. GRANT ADMINISTRATION FOR LEGAL AID PROVIDERS

UNODC Justice Section should continue the practice of core grants to legal aid providers.

6. ADVOCACY

In the countries where they are active in the area of justice reform, the UNODC country team, supported by the Justice Section should advocate for domestic normative framework on legal aid, including specific provisions on legal aid for women.

MAIN LESSONS LEARNED AND BEST PRACTICE

The project established several replicable good practices, mostly stemming from an approach to legal aid for women centred on legal aid providers. It chose to operate through established legal aid providers who already prioritized, or even only targeted women. Therefore, the project did not need to interfere in the mission, vision and values of its grantees: it could operate through essentially core funding of legal aid providers, which proved a high added-value investment. The relationship with them was fluid, and it legitimized them in the eyes of duty bearers. Another good practice was to invest in direct, practical implementation of the key aspects of the legal aid system promoted through advocacy. Instead of pushing for policy and legislative changes first, and only then working on its implementation, the project prepared the ground and created bottom-up incentives for future adoption of the relevant framework.

The key lesson learned of the project is that, without a more ambitious, long-term programmatic vision and funding, support to providers of legal aid for women cannot be sustainable. It will sow seeds and demonstrate the worth of the approach. But it would be unrealistic to expect prompt and sufficient state funding, let alone funding through the payment of fees by vulnerable users, to finance legal aid for women before several years. The evaluation found that a programmatic vision backed by sufficient funding would be indispensable for sustainability – and an extremely worthwhile investment for donors.

SUMMARY MATRIX OF FINDINGS, EVIDENCE AND RECOMMENDATIONS

| Findings | Evidence | Recommendations ³ |
|--|--|--|
| <p>Related findings: 1, 2, 3, 7, 12, 13, 14, 15</p> <p>Legal aid an essential service whose relevance goes far beyond the direct assistance to vulnerable women and girls and is a highly cost-effective investment in peace, rights and democracy. Legal aid providers play a major role in the functioning of the judicial chain, promoting and protecting rights of poor and vulnerable women and pushing back against abuse of power, corruption and impunity. Yet, in the poorest countries and countries in transition, legal aid is unlikely to be adequately supported by the government in the medium run. CSOs deliver the bulk of legal aid services, and they are generally self-funded and voluntary: this is at odds with their key role, which is as essential as for instance fire protection or police. Core donor support is therefore a necessity in the short to medium run.</p> | <p>Document review (project documentation, United Nations publications, online resources)</p> <p>Interviews</p> <p>Focus Group</p> <p>ToC workshop</p> | <p>1. Resource mobilization: UNODC Justice Section, supported by the Gender Unit in the Office of the Executive Director, should advocate donors to recognize legal aid for women, and legal aid in general, as an essential service in the poorer and/or post-conflict contexts.</p> |
| <p><i>Related findings: 1, 2, 3, 5, 7, 12, 13, 15</i></p> <p>The role of legal aid providers is to deliver free essential services to vulnerable rights holders such as the poor, women in contact with the law, and persons living in remote areas, who are by definition unable to pay for or procure those service. In those country contexts legal aid providers are often the advocate for the rights of vulnerable women and girls. The project has demonstrated the potential for impact of a model of legal aid support centred on civil society legal aid providers, as well as its cost efficiency. Building on the conceptual publications already developed by UNODC, UN Women and OHCHR, and on the evaluated project, a programmatic toolkit is now needed to reproduce this model and its good practices.</p> | <p>Document review (project documentation, United Nations publications, online resources)</p> <p>Interviews</p> <p>Focus Group</p> <p>ToC workshop</p> | <p>2. Programming: UNODC Justice Section should design a regional, modular, multi-year, multi-partner regional intervention on legal aid for women, centred around civil society legal aid providers as an essential service.</p> |

³ Should include the specific target group of implementing recipient(s) at UNODC.

| | | |
|--|---|--|
| <p><i>Related findings: 6, 8, 9, 10, 13</i></p> <p>Senegal and Liberia, compared to Sierra Leone, present the most concerning weaknesses in terms of legal aid framework, sustainability of funding, and sustainability of LAPs. Yet, LAPs are a major contributor to police and judicial reform through their consistent presence at police stations and courts. Their role includes not only service provision but also monitoring, liaising and intervening at the level where institutionalized abuse of power, corruption and the decay of the rule of law take place. The LAPs are unmatched in educating and empowering individuals and communities. They need a bridging programme until advocacy bears fruits in terms of finalisation of the legal aid framework (Senegal) and public funding of legal aid (both countries).</p> | <p>Document review (project documentation, United Nations publications, online resources)</p> <p>Interviews</p> <p>Focus Group</p> <p>ToC workshop</p> | <p>3. Follow up: UNODC Justice Section should design a follow up programme prioritising Liberia and Senegal for a start in 2022.</p> |
| <p><i>Related findings: 6, 11, 14</i></p> <p>Legal aid for women is an integral part of a functioning, human rights-compliant, equitable and accessible system of law enforcement, judicial and penitentiary. Informing programming in this area with gender-sensitive legal aid data and considerations would multiply the effects of these programmes. Likewise, joint advocacy by parallel programmes will increase the likelihood of adoption and budgeting of standard-based policies laws, regulations on legal aid with emphasis on women.</p> | <p>Document review (project documentation)</p> <p>Interviews</p> <p>Focus Group</p> | <p>4. Synergies with connected programmes and projects: UNODC Justice Section should closely link any programme or project on legal aid to broader interventions aiming to reform the law enforcement, judicial and penitentiary systems.</p> |
| <p><i>Related findings: 4, 5, 8, 10, 12</i></p> <p>The impact and sustainability of LAPs will rely, in the foreseeable future, on multi-year funding, to maintain their staff and basic equipment, keep their core priorities, expand to more remote areas, and adjust their focus to changes and needs of rights holders and duty bearers in a relevant yet strategic manner. This approach only will provide certainty, therefore meaningful planning and programming, but also legitimacy to the LAPs, allowing them to institutionally develop from the state of isolated institutions to nexus leaders for gender-sensitive, human rights compliant, equitable and accessible elements of the justice chain.</p> | <p>Document review (project documentation, online resources)</p> <p>Interviews</p> <p>Focus Group</p> <p>ToC workshop</p> <p>Observation of online project trainings/events</p> | <p>5. Grant administration for legal aid providers: UNODC Justice Section should continue the practice of core grants to legal aid providers.</p> |

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|--|---|---|
| <p>Related findings: 6, 8, 9</p> <p>The project demonstrated that, while the advocacy capacity of the LAPs increased, and the worth of legal aid for women is better understood, the legal aid frameworks are either incomplete, not yet adopted, or underfunded. Document review and interviews suggest most countries with low revenue and/or post conflict situations share this challenge. When relevant laws are adopted, the practitioners do not know them well and do not use them: they need to be sensitized, trained and engaged from the start the advocacy process. This way they are better prepared to implement the law and create positive precedents and experiences once the framework is in place.</p> | <p>Document review (project documentation)</p> <p>Interviews</p> <p>Focus Group</p> | <p>6. Advocay: In the countries where they are active in the area of justice reform, the UNODC country team, supported by the Justice Section should advocate for domestic normative framework on legal aid, including specific provisions on legal aid for women.</p> |
|--|---|---|

As per UNODC evaluation guidelines, recommendations are addressed to UNODC. However, given the joint nature of the project, recommendations could be implemented in close collaboration with UN Women and OHCHR.

BACKGROUND AND CONTEXT

OVERALL CONCEPT AND DESIGN OF THE EVALUATED PROJECT

The project aimed to improve women's access to Legal Aid services in Liberia, Senegal, and Sierra Leone. It was funded by the United Nations Development Account (UNDA).⁴ The budget was 619,000 USD. It was implemented from 21 May 2018 to 30 June 2021 (initial implementation phase until 31 December 2019, and two extensions, including to respond to the COVID-19 pandemic, until 30 June 2021), by UNODC Justice Section, with the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) as an implementing partner, and several legal aid providers in the three countries as sub-grantees. Its stakeholders include UNODC and UN Women in cooperation with the United Nations High Commissioner for Human Rights (OHCHR), UNDA (administered by United Nations Department of Economic and Social Affairs (UN DESA)) as the donor, legal aid providers, the judiciary and the Governments in these countries.

In the three countries, women face similar challenges relating to extreme poverty, discrimination, patriarchal hierarchies, early marriage, gender-based and sexual violence, female genital mutilation and domestic violence. They are often left behind as their rights are not always well recognized, or they face obstacles in claiming and accessing them.⁵ In each context women face challenges in relation to rights following divorce and inheritance, due to strong patriarchal structures. Women victims of rape and sexual assault are often treated as the guilty party and police and prosecutors are hesitant to complete investigations, particularly where the perpetrator is a family member. Although sexual crimes must legally be dealt with by the courts there is great pressure for women to agree for 'traditional solutions' in which perpetrators remain free and the victim is often shamed. Women have few financial resources to pay for legal assistance and often remain in prison after their sentences have expired. Free legal aid that specifically targets them is often their best, if not only chance to claim redress and realize their judicial rights. In Liberia a legal aid policy has been developed but no national system exists. In Senegal legal aid services are provided through the Bar Association and Ministry of Justice but these are not independent nor sufficient. Sierra Leone has one of the most progressive legal aid laws and services by the Legal Aid Board reach many areas of the country but demand far outstrips supply.

The project purpose was to increase the gender equity of the justice systems in the three respective countries. To this end, the project sought to create the following outcomes:⁶

- Outcome 1: Gender-responsive legal aid normative framework (legislative, regulatory, policy, institutional) and corresponding targeted national budgets;
- Outcome 2: Enhanced capacity of legal aid providers (LAPs);
- Outcome 3: Empowerment of women to know and demand their rights to through legal aid.

These outcomes aimed to contribute to SDGs 5 and 16. The project intended to mainstream international standards on legal aid (which stem from a human rights approach) into the legal aid system of the respective

⁴ UNDA is a United Nations Secretariat mechanism aimed at enhancing capacities of developing countries in the priority areas of the United Nations Development Agenda.

⁵ UNFPA country reports: Sexual and Gender-based Violence in Liberia, Sierra Leone, Senegal <https://liberia.unfpa.org/en/topics/sexual-and-gender-based-violence>; <https://sierraleone.unfpa.org/en/node/6135>

⁶ For a detailed description of the project, see Terms of Reference in Annex I.

countries. Examples of activities which materialized a human rights approach include a rights-based and standards-based baseline assessment of the legal aid system in each country; trainings for LAPs on the specific needs of women to realize their rights, and identification of/remedy to individual cases of human rights violations in places of deprivation of liberty by LAPs. Because the project was based on the existing legal regime of the respective countries and created avenues for women to exercise their legal rights, it assumed a do-no-harm approach.

PURPOSE AND SCOPE

Purpose: According to its Terms of Reference (ToR), the purposes of the evaluation are the accountability of the project and its decision makers to stakeholders; informed decision making; and knowledge/learning.

Programmatic scope: The evaluation covers all interventions of the project as envisaged by the initial project document (as subsequently amended). The evaluation analysed the changes triggered by the project vis-a-vis the Project Agreement March 2018-June 2021, and re-programmed activities responding to the COVID-19 pandemic (corresponding to the project extension to June 2021). The evaluation analysed the ToC of the project through the OECD/DAC evaluation criteria,⁷ plus coherence, human rights, gender and leaving no one behind, in line with UNEG evaluation guidelines.⁸

Geographic scope: The evaluation covers the three countries of the project - Liberia, Senegal and Sierra Leone - at central level (particularly as regards the normative framework of legal aid) and at local level (particularly as regards support to the provision of legal aid, and empowerment of women in using legal aid). No geographic sampling was done, as national-level aspects do not require sampling, and because LAPs and CSOs working with communities for women empowerment were all included in this evaluation, irrespective of their location.

Temporal scope: The project lasted 3 years: the original duration of 21 May 2018- 31 December 2019 was extended until the end of June 2021, due to the Covid-19 pandemic. The evaluation therefore covers the actual duration of the project, from 21 May 2018 to 31 June 2021.

COMPOSITION OF THE EVALUATION TEAM

Camille Massey, Evaluation Expert and Coordinator, started her career implementing human rights and rule of law programmes. She has practiced project, programme and strategic evaluation in the areas of rule of law, human rights and democracy since 2006. She served as evaluator within the internal oversight functions of the OSCE and the Council of Europe, then became a consultant. She regularly performs and leads independent evaluations for about a dozen international organisations and agencies. She holds a master's degree in international development and international public affairs from Sciences-Po Paris.

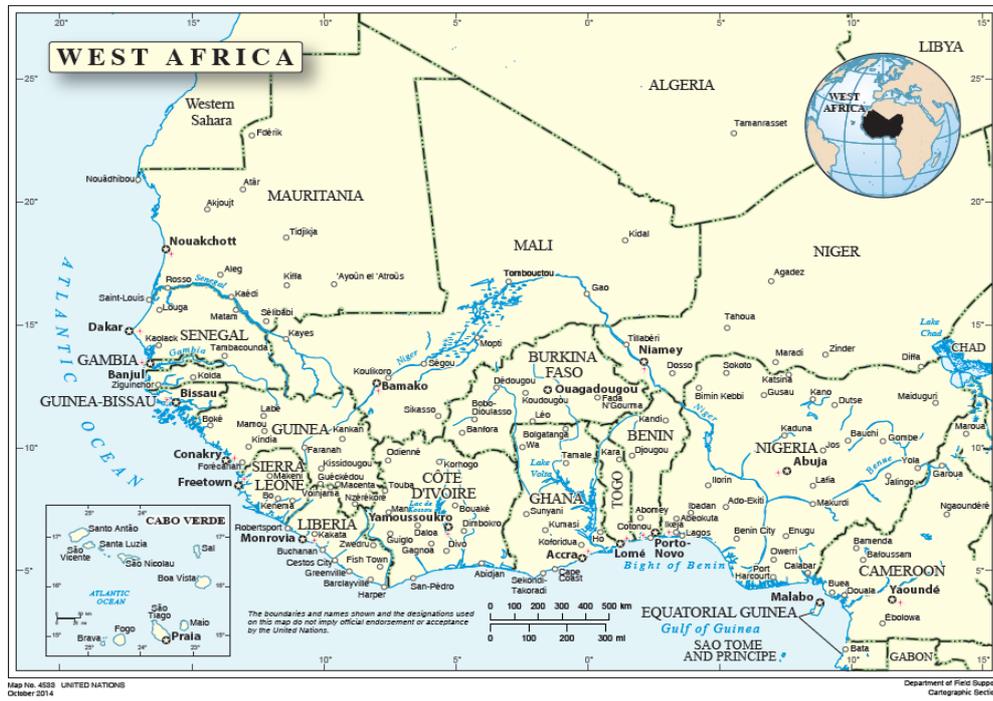
Patrick Burgess, Legal Aid Specialist is an Australian barrister who has been working in the field of legal aid and human rights for over 30 years. Previous positions have included Director of Human Rights for two United Nations Peacekeeping missions to Timor Leste, Member of the UN Team of Experts drafting the UN Model Law on Legal Aid in Criminal Justice Systems and Member of the UN Expert Team drafting the UN Model Criminal Procedure Code. He has assisted a range of governments to create national legal aid systems as well as regularly consulting to UN and other donors on legal aid programs in developing country contexts.

⁷ <https://www.oecd.org/dac/evaluation/daccriteriaforevaluatingdevelopmentassistance.htm>

⁸ United Nations Evaluation Group, "UNEG norms and standards for evaluation", United Nations, New York, 2016
<http://www.unevaluation.org/document/detail/1914>

MAP OF PROJECT COUNTRIES

Figure 1: United Nations Map of West Africa



EVALUATION METHODOLOGY

The evaluation is guided by the theory of change (ToC) of the project: it tests the realisation of this ToC at each level, and the adjustments that were made during the implementation. The evaluation then gauged the contribution of the project to these changes. To this end, it collected, analysed and triangulated several types of data.

a. Document review

The evaluation team reviewed a wide range of documents, including:

- Documents internal to the project, such as contractual documents, reports, training documents. All internal documents were reviewed, therefore sampling was unnecessary;
- Documents external to the projects such as national legislation and policies, and publications. They were sampled based on availability and representation of national authorities, international actors, and CSOs.⁹

b. Theory of change online workshop

During the inception phase, the evaluation team prepared the visual representation of a detailed ToC, to unpack the chain of changes and the internal/external assumptions linked to each level. The evaluation team discussed this and validated it during a workshop with most of the project staff. The evaluation methodology took this detailed ToC as the point of departure for formulating the evaluation matrix and questionnaires.¹⁰

⁹ For a full list of documents reviewed, see Annex III Desk Review List.

¹⁰ The visual representation of the detailed theory of change is presented in Annex V.

c. Semi-structured interviews and focus group

During the data collection phase, stakeholders were sampled purposefully based on their involvement in the project, knowledge of results and availability, while maintaining balance between different points of view (Government/civil society/project implementers). They were interviewed via telephone and Zoom online platform, using semi-structured interview guides tailored to each type of stakeholders - duty bearers, staff, civil society partners, and rights holders. 30 interviews and one focus group (five LAP participants) were held with 23 women and 12 men.¹¹ The evaluation team asked the CSOs and LAPs to propose their recent or current beneficiaries for phone interviews. Two such interviews were held anonymously, following a strict protocol, and with the possibility to opt out at any point in time.

The evaluation held one online focus group with all LAPs who participated in the project. It followed a semi-structured guide. The evaluation held remote, follow-up individual interviews with all LAPs (15 persons from eight organisations, including six men and nine women).

d. Direct observation

The evaluation team observed three regional workshops (COVID impact webinar; Regional workshop on Improving Access to Legal Aid for Women; Presentation of Training Manual on Legal Aid for Women, which focused on online training of trainers) which took place between the evaluation launch and the project end. On these occasions, the evaluation team noted the level of participation of the various stakeholders (LAPs, NHRI representatives, United Nations Officials) and their feedback in order to assess their satisfaction (linked with the Effectiveness criterion, at outcome level), as well as the reported use of new tools and knowledge acquired (linked with the impact criterion at impact level). The participants were informed of the observation, but the evaluators did not intervene. The tone of interventions and level of interaction showed that the observation did not influence the activity, especially as it was conducted online, which already made it more formal than in-person events.

The team purposefully sampled the Online Training of Trainers on Legal Aid for Women, as this was the topic of the observed presentation, and reviewed it entirely as if taking the training: this was done to both assess the quality of the training tool from the perspective of the legal aid expert, and assess its coherence and relevance to the theory of change, from the perspective of the evaluation expert.

e. Data analysis

The evaluation team used contribution analysis to respond to each evaluation criterion. To this end, the team triangulated documents, interviews and focus group in three steps:

- Step 1: Establishing the outputs delivered by the projects. This was done mostly through document review and direct observation, then further validated by interviewees and focus group participants.
- Step 2: Analysing the changes that occurred at outcome level. Namely, the team identified the changes that occurred between the start and the end of the project (i) in policy, legislation and institutions; (ii) in LAPs' institutional development, types and quantity of legal services delivered; (iii) in the information and knowledge made available to women in contact with the law.
- Step 3: Establishing the changes that occurred from the perspective of the rights holders (women in contact with the law/users of legal aid), at impact level. This was done through interviews with LAPs, review of their documentation, and exemplified with the testimonials of two rights holders.

Finally, the evaluation team established the absence or presence of contribution from one level of change to the other (as documented in Steps 1 to 3). This was done by:

- Establishing whether one step constituted a necessary condition for the next (though not necessarily a sufficient condition, as other factors may have contributed);

¹¹ The list of interviews is presented in Annex IV.

- Testing the plausibility of contribution at each step, using cause-effect analysis, chronology of changes, and testing the assumptions of the ToC. All data sources were mobilised for this exercise.

Keeping with the ToC approach, the evaluation team connected each evaluation criterion with a level of the ToC: inputs and outputs (and corresponding assumptions) were analysed through efficiency questions; outcomes (and related assumptions) were analysed through effectiveness questions; impacts (and related assumptions) were analysed through impact and sustainability questions. The overall ToC was analysed in terms of relevance and coherence.

LIMITATIONS TO THE EVALUATION

| Limitations to the evaluation | Mitigations measures |
|---|--|
| <p>Due to the COVID pandemic, face-to-face interviews could not be held, which reduced human interaction. Group meetings are often more effective in-person, and it is easier to judge when some individuals are shy and withdrawn, and to take appropriate steps for balancing that out. The evaluators were also unable to visit and make judgements relating to the sites at which the legal aid services are provided, the equipment, resources, administrative support setup etc.</p> | <p>Online focus group completed by interviews with LAPs and interviews with users partly mitigated this limitation. The diversity of interviewees further compensated the limitations to in-depth interviewing.</p> |
| <p>It was difficult to obtain a lot of information from rights holders about the quality of legal aid services, and about their level of empowerment and awareness, because making contact with legal aid users is difficult after their case is resolved, especially online. Every legal case is different, making cumulative judgements about cases difficult. Besides, the beneficiaries of any legal aid service are in majority poor and very often with low levels of education: they may not be able to form an informed independent opinion about the potential for success of their case or whether a lawyer or paralegal is doing a good job working on it. Peer review of LAPs' performance is not possible in the context of the current evaluation, as it would require a deep investment for even an assessment of a single lawyer's performance.</p> | <p>Trusted civil society LAPs have dealt with a range of legal aid beneficiaries and are aware of the challenges faced by many of them. They were therefore a good source of information about the common challenges faced and can also help to direct the evaluators to a small number of beneficiaries whose cases represent issues faced by a larger group.</p> <p>Interviews with LAPs by the thematic expert mitigated these challenges, as he was able to benchmark against many similar interviews undertaken during his career.</p> <p>Some judges/Ministry of Justice officials in each legal aid system and some NHRIs were interviewed to gather their perception of legal aid services provided.</p> |

Table 1: Overview of limitations and mitigation measures

II. EVALUATION FINDINGS

RELEVANCE

| EVALUATION QUESTIONS | |
|--|---|
| Evaluation Question | Indicators/sub questions to respond to each question |
| 1. To what extent was the intervention design relevant to the needs and aspirations identified in the three countries? | 1.1 To what extent was the theory of change of the project, in particular the targeting of stakeholders and chain of changes, relevant to the needs and aspirations of the direct and indirect beneficiaries? |
| | 1.2 To what extent was the theory of change of the project in line with the strategic objectives of the three countries' domestic authorities? |

Finding 1: The topic, target groups and geographic coverage of the project were relevant to the context and identified needs.

Legal aid as a thematic area: According to its ToC, the project intended to provide women in Liberia, Senegal and Sierra Leone with more, better, and gender-sensitive legal aid. Its immediate target groups were LAPs, national authorities engaged in policy- and law-making on legal aid, and judicial practitioners. Its end beneficiaries were women and girls in contact with the law.

As a thematic area, legal aid had been **underserved by governments**, despite recent efforts particularly in Sierra Leone, as confirmed by the baseline assessments. Public funding for legal aid is grossly insufficient: for example, the European Union estimated in 2014 that in Senegal, the budgetary needs for legal aid were 15 times more than the budget allotted.¹² This trend is unsurprising: worldwide, the less developed countries tend to spend less on legal aid, not only in absolute terms, but also as a proportion of their budget.¹³

Legal aid is also **underserved by the UN and other international partners** in the region, including by UNODC. The UNODC Sahel Programme Progress Report 2017¹⁴ foresaw only a small number of activities dedicated to this issue: some advice on a draft law in Mauritania, a few events in several countries, and one regional workshop, but no dedicated project. The EU is not funding any similar projects in the countries concerned.¹⁵ The evaluated project is therefore a novel experience bringing legal aid for women closer to the core of the United Nations' country strategies. LAPs all explained how this differed from funding provided by other donors, which they considered indicative of the approach to women in the criminal justice system. One LAP exemplified: *"it's the extra, the small thing done, not core to the strategies of the donors."*

¹² European Union, "Sénégal – Programme National Indicatif pour la période 2014-2017", European Union, Brussels, 2014

¹³ As a matter of comparison, see European Commission for the Efficiency of Justice (CEPEJ), 2020 Evaluation cycle report, Council of Europe, Strasbourg, 2020, p. 39: *"countries with a GDP per capita above 20 000 € have the highest percentage of budget allocated to legal aid in relation to the GDP per capita and the largest amounts per inhabitant. This shows that wealthier countries spend more on legal aid by any parameter examined, which differs from the trends in budgetary spending on courts and prosecution services."* <https://rm.coe.int/evaluation-report-part-1-english/16809fc058>

¹⁴ UNODC, "UNODC Sahel Programme Results and Activities // Progress Report June 2017", United Nations, Vienna, 2017

¹⁵ European Union, "Liberia – National Indicative Programme for the period 2014-2020", European Union, Brussels, 2014

European Union, "Sierra Leone – National Indicative Programme for the period 2014-2020", European Union, Brussels, 2014

Target groups: The end beneficiaries and most direct beneficiaries of the project have also been underserved, although their **needs are immense**. Within the judiciary and in the Ministries of Justice, decision makers and practitioners have been supported on other aspects by their governments and by international donors, but seldom on legal aid over the past five years, as shown by rapid review of the UN, EU, DIFID/UKAID and USAID strategic and programmatic documents.

Gender equality and the empowerment of women have received growing attention of governments and international donors in all three countries during the past decade. This is illustrated by UN System-wide Action Plan (UN-SWAP) on Gender Equality and the Empowerment of Women since 2012, the adoption of a government strategy on gender equality in Sierra Leone¹⁶, the creation of an Observatory of Women’s Rights in Senegal,¹⁷ and various institutional mechanisms, legal and policy measures. However, women (especially those in contact with the law) have not been specifically targeted as a group by measures on access to justice, especially not by legal aid.

Women in contact with the law are therefore an underserved group within an underserved thematic area, and they are particularly at risk of being left behind in legal and judicial matters, as developed under the criterion “leaving no one behind”. As a combined result of the lack of legal aid, the poverty levels among women, and limited legal education among women, these women seldom benefit from the services of legal practitioners. For instance, in Sierra Leone, research showed that 48% women in pre-trial detention and 36% convicted women in prisons had not benefitted from the services of a lawyer.¹⁸

Countries covered: The project envisaged a regional approach covering three countries in West Africa within constrained resources. The evaluation interviewees and the review of the project’s budget confirmed that three countries were a maximum to be covered with the available resources. Liberia, Senegal and Sierra Leone are very different from one another. In particular, all interviewees considered that Senegal stands out, due to its francophone background and its heritage of a judicial system based on “continental law” (as opposed to “common law” systems). However, **the three countries present common points** with respect to legal aid for women:

- When the project started, they all had some normative framework¹⁹ on legal aid such as national policy or law, or at least policy aspirations aiming to increase legal aid provision. The project built upon this framework, or the intention to create one. An important assumption (existence of enabling normative frameworks) was rightly identified in ToC.
- They have limited budgets, thus insufficient effective legal aid provision, especially for women.
- They have active LAP networks made up of dedicated and active civil society organisations. This satisfies an important assumption of the ToC.
- They were fitted for a pilot, as UNODC and UN Women had built networks with decision makers within the Executive and Judiciary branches, thanks to earlier or parallel projects. Likewise, UNODC and/or UN Women had established partnerships based on mutual trust and recognition with some LAPs. This also satisfies assumptions rightly identified by the ToC (Government demand, previous or parallel project results).



¹⁶ <https://evaw-global-database.unwomen.org/fr/countries/africa/sierra-leone/2010/national-gender-strategic-plan-2010-2013>

¹⁷ <https://evaw-global-database.unwomen.org/fr/countries/africa/senegal>

¹⁸ Cyrus Vance Centre for International Justice, Advocaid, “Women wahala na prison – causes and consequences of women’s imprisonment in Sierra Leone”, 2020 <https://advocaidsl.org/wp-content/uploads/2020/08/Final-Woman-wahala-na-prison-web-version-.pdf>

¹⁹ Throughout this report, the term “normative framework” designates the set of domestic legislation, regulations, policies and the institutions created by them.

SUMMARY - RELEVANCE

The project was highly relevant to the countries' contexts: in all three countries there was a government demand for support in the field of legal aid, particularly targeting women. In addition, the project correctly identified the acute needs of the target groups. Its ToC addressed a gap in government and donor funding and attention.

COHERENCE

| EVALUATION QUESTIONS | |
|---|---|
| Evaluation Question | Indicators/sub questions to respond to each question |
| 2. To what extent was the intervention design coherent and relevant to the strategic objectives of the United Nations | 2.1 To what extent was the theory of change of the project relevant to implementing the Sustainable Development Goals in an inclusive and human rights-oriented fashion in the three countries? |
| | 2.2 To what extent was the theory of change of the project in line with the strategic priorities of UNDA, UNODC and UN Women, particularly in terms of equity, inclusion and human rights? |
| | 2.3 To what extent was the theory of change of the project coherent, both initially and as a result of new activities in response to the COVID-19? |

Finding 2: The theory of change of the project was closely in line with the strategic priorities and guidelines of the UN as a whole, UNDA, UNODC and UN Women.

The project is fully **coherent with the mandates of UNODC** in line with the United Nations Convention against Transnational Organized Crime (UNTOC), United Nations Convention against Corruption (UNCAC), and the United Nations drug control treaties, all closely related to SDG 16. It is also coherent with the mandate of its funding source, UNDA, especially in light of SDG 16. As recalled in the United Nations General Assembly Resolution A/71/534 of 7 October 2016, UNDA aims to build “new capacities for developing countries to implement the 2030 Agenda and the Addis Ababa Action Agenda”. The project contains a strong capacity building aspect which targets at the same time LAPs, judicial practitioners, and women and their communities. It thus falls perfectly within the mandate of UNDA. Finally, the project is coherent with the implementation of the United Nations Standards and Norms in crime prevention and criminal justice, which constitute practical instruments complementing binding international instruments, including UN Conventions, and guiding their implementation.²⁰

Within the Addis Ababa Action Agenda, “**equal access to fair justice systems**” is a core element of SDG 16.²¹ The ToC envisaged that, as a result of the three project components, better/more adequate and more

²⁰ United Nations, “Compendium of United Nations standards and norms in crime prevention and criminal justice”, United Nations, New York, 2026, https://www.unodc.org/documents/justice-and-prison-reform/English_book.pdf

²¹ United Nations, “Addis Ababa Action Agenda of the Third International Conference on Financing for Development”, United Nations, New York, 2015 https://sustainabledevelopment.un.org/content/documents/2051AAAA_Outcome.pdf

accessible legal aid would be provided to women (project impacts), thus contributing to a more equitable justice system (overall purpose). This is fully in line with SDG 16: strong and inclusive (therefore gender-inclusive and gender-sensitive) legal aid is an integral part of sound, effective, efficient, equitable and accessible judicial institutions. It is also **a necessary complement to criminal justice reform**, supported by the United Nations and other technical and financial partners of Liberia, Senegal and Sierra Leone: for several years, the United Nations (in particular UNODC) have invested significant efforts to increase “the accessibility, efficiency and accountability of criminal justice systems” for the purpose of combating various forms of crime throughout the criminal justice chain (from law enforcement to execution of sentences).²² Any effort to increase the efficiency and effectiveness of the criminal justice chain is likely to result in an increased number of persons in contact with the law.²³ This trend, in turn, needs to be balanced: in order to ensure equity and respect for human rights, efforts must specifically target defendants, victims and witnesses. Legal aid is the instrument of choice for this balancing effort. The project is therefore complementary with other efforts deployed by UNODC to support law enforcement and justice systems.

The project is also **complementary to other ongoing efforts** towards gender equality, implemented by UN Women through earlier and parallel projects, as noted by the three annual project reports and by interviewees from UNODC, UN Women and LAPs. It is also well embedded within the peacebuilding efforts of the United Nations in Liberia: this aspect is developed in Lessons Learned.

The project is coherent with the rights-based approach embodied by the United Nations, as developed in the Human Rights findings section of this report. It is coherent with the leave no-one-behind approach, because its beneficiaries are by definition vulnerable, and tend to be excluded from judicial processes. This aspect is further developed in the Leaving No One Behind findings section of this report. The project contributes directly to SDG5 and United Nations’ second System-wide Strategy on Gender Parity (SWAP 2.0). This report’s findings on Gender elaborate on the project’s coherence with this strategic guidance.

Finding 3: The project’s original theory of change, although coherent and balanced in line with UNODC conceptual framework, had to adapt to practical realities by boosting LA delivery over other components.

The three components of the project’s ToC closely correspond to the United Nations’ Practitioners’ toolkit on women’s access to justice programming, which delineates these three pillars of programming for legal aid: normative framework, provision of services and empowerment.²⁴

During project implementation, **legal aid delivery by supported LAPs largely superseded the other two components**. The advocacy activities on policy and legislation advocacy did take place, but mostly through LAPs as advocacy partners sharing UNODC and UN Women’s agenda. Once the project completed the baseline assessment reports, direct advocacy by UNODC and UN Women with decision makers in the Executive branch gradually became secondary, as the bulk of advocacy took place during events such as trainings or regional/national workshops which gathered LAPs and judicial or government officials. The agendas, participants’ lists, and reports of these events confirm the interviewees’ (both LAPs and Government officials) perception in this regard.

Likewise, awareness raising and legal education as standalone activities gradually blended into outreach for the purpose of effective legal aid provision. All interviews with LAPs and government or judicial officials show that outreach led to immediate legal aid delivery, because every outreach activity put providers in direct contact with immediate, acute needs and demand. The COVID-19 pandemic further exacerbated these needs

²² UNODC, “2018 Annual report. United Nations”, Vienna, 2018. https://www.unodc.org/documents/AnnualReport/Annual-Report_2018.pdf

²³ This trend was witnessed in various UNODC projects, such as the Global Maritime Crime Programme. Very early in this programme, this observation prompted a recalibration of assistance, to target defendants serving sentences or experiencing pre-trial detention, for instance. UNODC, “Mid-term cluster independent in-depth evaluation - Global Maritime Crime Programme”, United Nations, Vienna, 2020 https://www.unodc.org/documents/evaluation/indepth-evaluations/2020/Mid-term_Cluster_Evaluation_Report_GMCP.pdf

²⁴ UNDP, UNODC, UN Women, OHCHR, A Practitioner’s Toolkit on Women’s Access to Justice Programming, United Nations, New York, 2018 <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2018/wa2j-complete-toolkit-en.pdf?la=en&vs=2654>

and accelerated this transition from a three-pronged approach towards a ToC centred on legal aid provision and the institutional capacity of LAPs. The project extensions channelled the outreach and normative framework activities through the core outcome of capable, gender-sensitive LAPs. Interviewees illustrated it with examples, such as: *“The extension really made a difference: it enabled us to open the hotline and equip the LAPs, which was essential for the continuity of services despite the pandemic.”*

This adaptation to the context is in line with the United Nations Agenda 2030 and the reform of the United Nations, which aim to bring the action of the United Nations closer to rights holders. It made the project ever more relevant as a pilot: on the long run advocacy is undertaken with and through LAPs, so supporting them is the absolute priority; likewise, outreach is senseless if it raises expectations which cannot be met by LAPs, so legal aid delivery is key to effective outreach. In the long run, though, stronger advocacy and outreach/women empowerment components with a broader range of actors will be necessary.

SUMMARY - COHERENCE

The ToC of the project was coherent with the policies and strategies of the United Nations in general, UNDA, UNODC and UN Women. While drawing extensively on conceptual tools of the United Nations, it avoided any dogma and adapted well to the realities in the field and the COVID-19 pandemic.

EFFECTIVENESS

| EVALUATION QUESTIONS | |
|---|--|
| Evaluation Question | Indicators/sub questions to respond to each question |
| 3. To what extent did the project create necessary conditions for enhanced legal aid services for women in the three countries? | 3.1 To what extent have gender-responsive and human rights-oriented legal aid legislation and policies promoted by the project been adopted, accepted and implemented? |
| | 3.2 To what extent did the project enhance the capacity of legal aid providers to provide quality, accessible, inclusive, equitable legal aid in the interest of the rights holders? |

Finding 4: The project expanded the existing capacity of LAPs to increase their legitimacy and solidify their networks.

In accordance with the ToC, increasing the depth and range of existing legal aid services would lead to significantly greater fulfilment of the rights of women. The project provided crucial (albeit limited) core funding to the LAPs, which enabled them to allocate their resources to service delivery, rather than fundraising. United Nations representatives explained that they selected partners which were already established as recognised providers of legal aid to women. Their approach was not to change their vision, or the nature of services provided, but to enhance them. All LAPs assess that **increasing the scale of their core activities** was the key result of the project. In Sierra Leone a civil society LAP exemplifies: *“The main impact of the project was to allow [our organisation] to do more work at full capacity, operating with at least 6 paralegals and 6 social workers.”* The flexible nature of the funding enabled the partners to cover some fixed costs. While relatively inexpensive, these had important results: for example, the Legal Aid Board in Sierra Leone purchased an air conditioner, which meant its staff could work longer and more efficiently every day. Another partner improved the regularity and reliability of communication with clients and collaborators by topping up staff’s mobile and data access services (which was particularly helpful under COVID-related social distancing rules). A LAP in Senegal summarized what interviewees and documents concurred to demonstrate: *“The project enabled our staff to work more, take more clients, establish more partnerships.”*

At a more granular level, LAPs could afford to be more ambitious about the number, but also **types of beneficiaries they targeted, and the corresponding institutional partners**. The funding for LAPs is particularly scarce in Senegal and Liberia: they constantly struggle to sustain their activities. The project made a considerable contribution by alleviating this pressure. In Sierra Leone, while the partner LAP receives government funding, it cannot ensure access to required services for all of those who need it. The project contributed to improving the LAPs' outreach and access to women who were hard to reach, such as women **in places of deprivation of liberty**.

In some of the project countries, the relevant prison authorities often fail to keep accurate records. As a result, sentenced prisoners are often not released after having served their full sentence, or persons in pre-trial detention miss their court hearing dates. The project helped its partners expand and systematize their work targeting such cases. They deepened and expanded innovative work with women prisoners: they held information sessions, intervened on women's behalf on legal and practical issues such as basic health and safety. They deployed paralegals to police stations and prisons to monitor the well-being of clients, guard against abuses and helped the women and children to remain in touch with their families. **In Liberia**, the partner LAPs could conduct over 500 visits to prisons thanks to the project: they performed monitoring, identification of rights holders in need LAP, and legal aid provision. These visits solidified the relationship between the LAPs and the penitentiary administration: **LAPs became an integral part of the carceral landscape** in the capital city and in regions close to the South border of the country.

Likewise, the core funding covered the costs of mobility, **widening the geographic footprint of LAPs to hard-to-reach areas** and expanding their network through joint outreach visits with national human rights institutions, judicial authorities, local authorities, police stations, etc. The public officials who witnessed the work of LAPs on these occasions now have a different perception of LAPs: they recognize them as credible and useful professionals. In Senegal, for instance, the LAP has gained systematic access to police stations in several areas of Dakar and in other regions: these police station commanders now systematically call the LAP when a woman or girl is placed in police custody, because it reduces their risks to commit a violation or face difficult situations with persons in distress. The same was observed in Liberia. The support to the "Boutiques de droit" legal aid centres also allowed new activities to be conducted that would otherwise have been unfunded, such as legal aid in administrative matters. An interviewee encapsulated this progress in one sentence: *"The [legal aid clinics] existed before, but now they are much more numerous, in more regions. And they are much better equipped in terms of know-how. More networked too."*

The **capacity building** element in the form of trainings was welcomed by the participants and had a positive effect. In terms of content, the feedback is mixed: some interviewees found that international trainers lacked understanding the local context, which made their advice less useful. But the issuance of training certificates by UNODC was found important in contexts where paralegals lack an opportunity for formal accreditation: the certificates were used in some cases to gain access to police stations, or legitimize paralegals with local service delivery (e.g. civil registry). The technical aspects of the trainings, including Zoom calls and electronic sharing of resources also had a capacity building effect, increasing the knowledge of participants on how to conduct similar sessions as required by COVID-19 prevention. Most importantly, there was a general feeling that capacity building activities increased the effectiveness of service provision by expanding and strengthening linkages between stakeholders.

The project thus had a significant **effect not only for the activities supported, but also on the institutional strength and the linkages** the LAPs were able to develop, exactly as envisaged by the ToC. Effective legal aid depends on strong networks and communication between those involved in a range of roles - the police, the judiciary, court officials, social workers and counsellors. The **trainings and outreach actions brought these actors together**, leading to better working relationships. The training also bridged the interpersonal and information gap between the LAPs and the courts including judges and registry staff. They reportedly sensitized the members of the judiciary to the plight of women victims and helped legitimize the work of the LAPs as indispensable for their support. Stronger relationships were established between the LAPs and the

NHRIs in Senegal and Sierra Leone.²⁵ The trainings and recruitment of paralegals among students also helped to open up relationships between the LAPs and universities. This led to discussions around the potential for university legal aid clinics in the future, and helped legal academics pass on information on legal aid to students, creating a potential for expansion and sustainability of efforts.

The program was particularly important to **network the LAPs in remote communities** as it enabled the partners to extend their activities into those areas based on needs, rather than pre-determined by funding constraints. For example, in Senegal the LAP opened a Boutique de Droit in the area of Kolda, 700 km from the capital Dakar, which launched a series of discussions and education sessions with the communities involving the **local governance/service provision bodies, police, prosecutors, courts and prisons**.

Finding 5: By blending women’s empowerment into legal aid delivery, the project enabled LAPs to expand their outreach and inform (potential) users.

No practical distinction can be made between legal aid service providers and community legal education providers. The LAPs provide the services of advice, assistance and representation, but they also are primary agents for increasing awareness. They are best informed of the legal issues that are most relevant to the poor, they are able to present those issues in an effective manner and have access to those that need the information. In communities and prisons, for example, the information sessions may be combined with service delivery in the form of advice to clients.

In all three country contexts, very often women do not know enough about their rights, particularly when they are poorly educated. Neither are they familiar with law, which would allow them to demand the fulfilment of those rights. If they are aware, they seldom know how or where to seek legal aid. The program assisted partners in **increasing LAPs outreach**, but also in empowering women by increasing their understanding of key elements of the domestic violence laws, criminal laws relating to sexual assault and rape, and civil laws relating to marriage and divorce: the staff and paralegals of LAPs travelled to communities where they held **information sessions with local groups**. In Sierra Leone, where the stronger policy and legislative bases ensures relatively stable funding to legal aid, a partner LAP was able to utilize project funding to create a dedicated public relations team to provide these information sessions. In Liberia and Senegal, the LAPs delivered trainings on basic rights and legal procedures in the prisons.

With the outreach activities, the LAPs were able to open up and deepen relationships with communities. They successfully engaged **formal, informal, and even religious community leaders**. For instance, the network activities extended to women neighbourhood leaders in Sierra Leone, or to Imams in Senegal. Interviewees and project reports concurred to see this as a success, as summarized by this quote: *“Some of our paralegals were imams and neighbourhood heads: they were respected already, and getting them on board was a great achievement.”* The LAP realized that to achieve credibility in remote villages it had to include local leaders, who were selected and trained as paralegals. This enabled them to maintain a continuity and remain available to provide basic legal knowledge to those who trust them.

While building awareness, these sessions went beyond a classical informational purpose: they helped **develop linkages and trust among stakeholders mobilized by the LAPs**. For example, in Senegal the ‘caravans of law’ were distinct from the simple information sessions. These sessions jointly mobilized traditional and religious community leaders, police, court officials, representatives of the justice houses and local government bodies such as the civil registry to participate together in the training, discussion and information-sharing, but also direct service provision. This constellation served their intended purpose of building the relationships between these institutional stakeholders and community leaders.

These sessions also helped **break down some barriers of exclusion and fear between the community members and officials**. Local community members reported to the LAPs that they had come to know public officials

²⁵ This was not possible in Liberia due to institutional challenges within the NHRI.

personally, so that they could approach them directly for assistance. The project's outreach activities may also have led to an increased recognition among the communities that the LAPs are a source of assistance that can be relied on. Future programs with a longer timeframe could test that hypothesis: the regular nature of the information services could inform communities that the LAPs are a constant source of assistance and not just a program from the capital that descends on their village and leaves.

In Sierra Leone, one of the important results was to enable paralegals and staff from the LAP **present legal information** not only to community members but also **to law enforcement and judicial officials in remote regions**. The Sexual Offences Law had been passed, but very few people were aware of it, including officials. The LAP could not secure a soft copy of the law, so a staff member obtained a hard copy, retyped the entire document and it was used in prison education and distributed to judges, prosecutors, police and community leaders as part of information sessions.

Many community information sessions took place in very simple settings, such as a few tables and chairs set out beneath a tree in the village. The challenges of **COVID-19** led the LAPs to seek new **ways of increasing knowledge safely through technology**. These included writing and delivering radio and television programs in which the new laws and other legal issues were discussed, social media interaction, telephone consultations, sms-callback programs in which poor clients would send a message and a LAP representative would call them, hotlines providing immediate feedback. By supporting the core activities of the LAPs, the project contributed to these dynamic changes that would have otherwise been impossible.

Finding 6: The project had limited effects on the legal, regulatory and policy framework of the counties concerned, but it expanded the capacity of the LAPs to advocate for normative changes.

The focus of the activities related to policy and legal change differed from the traditional approach in which there would be consultations with civil society and other stakeholders and then a program of advocacy conducted by United Nations officials. During the project implementation, some limited successes were recorded in terms of advocacy for new policy and law. More significant progress was made in the development of the understanding and empowerment of the LAPs to advocate for legal aid policy, law and effective implementation of the law. In accordance with the principle of delivery closer to rights holders, the program sought to build the capacity of LAPs, so that they would be empowered to push for policy and legal change more effectively.

In terms of policy and legal changes, Sierra Leone already had a relatively comprehensive law on legal aid, so the focus was more on the implementation of the law. The Legal Aid Board, supported by the project, boosted the potential for implementation by printing and distributing copies of the law on legal aid to judges, prosecutors, police, and communities, as well as informing them about this law.

Unlike Sierra Leone and Liberia, Senegal has not established special structures dealing with women during police investigations and in the courts. Some legal provisions fall short of international standards - 16 years as the legal marriage age²⁶ (18 for men) - while voluntary abortion is a criminal offense. The draft law on legal aid was completed during the project timeframe. However, at the time of the writing of this report it still had not been presented to Parliament. The work of the LAPs was focused on building a base for the future effective implementation of the law. The project helped LAPs link effectively with duty bearers in the police, prosecution service and courts. In this way they could sensitize those duty bearers and rights holders in parallel, about the acute needs and lack of services to those women in need. This is building momentum for legal and policy change, anticipating future legal changes.

In Liberia, LAPs learned from the training about models of legal aid and were able to advocate for the adoption of the new policy on legal aid, and for the preparation of the corresponding new law. The policy on legal aid

²⁶ See UNICEF Child Marriage and the Law: Technical Note for the Global Program to End Child Marriage, at p1. Core Elements of Child Marriage Legislation: <https://www.unicef.org/media/86311/file/Child-marriage-the-law-2020.pdf>

was developed in 2015 but it took several years of consultations before being approved in 2019. It includes a relatively comprehensive framework for the delivery of legal aid in criminal, civil and administrative cases, administered through a national Legal Aid Board. It also foresees a range of legal aid work conducted by paralegals, traditional chiefs and the National Human Rights Commission.²⁷ During the program period, with the assistance of expert consultants supported by UNDP, the draft law was completed.

The process of developing policy and law relating to legal aid is a long and complicated one. In addition, the challenge of developing the policy and law often fades in comparison to the difficulties of achieving their implementation. Many countries have relatively good laws, which make little practical impact, as they are not implemented in a meaningful way. Experience indicates that the **adoption of the law is in many ways the beginning of the process of change**. Significant effort is needed to educate the broad range of relevant stakeholders on the provisions of a new law. For example, during the program the LAP worked to increase the level of understanding and implementation of the Domestic Violence Act: a similar effort will be required over several years to move the legal aid process forward.

Some LAPs said it was extremely helpful to be introduced to their colleagues' work in similar contexts in other countries, when they interacted in meetings and training. However, there was very **little cross-country sharing in relation to the different policies and laws**. This was unfortunate as Sierra Leone has a progressive model of legal aid reflected in the national legal aid policy and law, and innovative means of implementation including a major role for paralegals in remote areas. Liberia and Senegal could learn through being exposed to these experiences, but the project did not result in significant or sustained contact regionally.

SUMMARY - EFFECTIVENESS

The project expanded the existing capacity of LAPs, built their legitimacy and helped solidify networks, all of which directly impacted the quality of access to aid for women in particularly vulnerable situations. Moreover, women's empowerment was blended into legal aid delivery, which helped LAPs expand their outreach and informed (potential) users. Due to local circumstances, the project had limited effect on the legal, regulatory and policy framework, but it expanded the capacity of LAPs to advocate for normative changes.

IMPACT

| EVALUATION QUESTIONS | |
|---|--|
| Evaluation Question | Indicators/sub questions to respond to each question |
| 5. To what extent did the project contribute to increasing women's access to legal aid services in the three countries? | 5.1 To what extent did the new legislation and policies facilitate women's access to legal aid in an equitable and inclusive manner? |
| | 5.2 To what degree did the CSOs receiving grants and legal aid providers supported under this project contribute to this change? |

²⁷ UNODC, UN Women, UNOHCHR, "Assessment Report: The Legal Aid System in Liberia" United Nations, Vienna, New York, Geneva, 2018

Finding 7: The project, through its partner CSOs, has increased access to impactful legal aid for some women, especially the most vulnerable.

Thanks to the project which funded their core activities, LAPs have considerably increased their intake of women legal aid users overall. Combined with expanded outreach, this generated greater understanding among women of the availability of legal aid advice services. The consequence was an **increased number of women seeking legal aid**. A LAP in Senegal provided an example which is in line with other countries and with documentation: *“We received 580 calls on the phone helpline, about 30 to 40% more than usual during such period.”* Overall, project reports cross-checked with LAPs during focus group and interviews show that partner LAPs experienced an increase of women users’ intake around 40% compared to before the project. Since there are virtually no other LAP targeting women in the three countries, and other LAPs mostly provide services to male offenders, this figure can be extrapolated at national level around a 30% increase.

According to LAPs, the users **particularly valued legal aid in criminal matters**, where women (being more often victims than offenders) require legal services to access justice but do not have access to State-funded legal aid that goes primarily to (mostly male) offenders. The project covered legal representation in criminal cases. This notably concerns sexual offence cases: legal aid helped direct sexual violence cases to criminal courts (as opposed to traditional courts which tend to respond to even more patriarchal and men-dominated norms than courts), in accordance with the law, while ensuring the court provided effective remedy for women victims.

The partner LAPs recognized that women who are financially, physically or psychologically abused lack the capacity to demand and fulfil their right to justice including appropriate legal aid. For instance, in the absence of sufficient State-funded legal aid, criminalization of rape in Senegal had entailed a decrease in access to judicial remedy, because victims in criminal courts need an **attorney and a medical certificate** – two things they cannot afford.²⁸ Through LAPs, some of the poorest, the most isolated, and the most vulnerable women gained access to criminal justice. The project budget enabled to pay for their **transportation to courts as victims and witnesses** (State mechanisms only pays for defendants). In Liberia, women victims or those involved in a dispute are often required to present themselves at the police station or in front of the court to file a complaint against a perpetrator. Once the complaint is filed, the police and the court would demand the victim to also cover **transportation costs** for the alleged perpetrator, in addition to their own costs – which they cannot afford. The LAPs covered these requirements for their users or obtained that their users be dispensed of these costs.

Expanded outreach, backed up by stronger networking with official authorities, assisted **not only women involved in criminal cases** (who may be required by the court to have legal representation). It also benefited **women facing civil matters** such as marriage and inheritance, as they needed to deal with the court registry. In Sierra Leone the paralegals of the Legal Aid Board conducted a wide range of education activities utilizing basic language legal materials in a greater number of remote areas because of program support. In Liberia, the LAPs were able to support community mediators who could help settle disputes, and also ensure that serious cases, such as sexual assault, were referred to the courts.

It is difficult to gauge the impact of the information sessions, and it is premature to talk about any systemic impact on rights holders, given the timeframe and the limited budget. Yet, the counterparts in all three contexts reported an increased understanding in the targeted communities and an accompanying increase in the **demand for more varied legal aid services**. The project therefore had a very **tangible impact at individual level for many women** who accessed a wide range of legal services:

- Administrative advice (e.g. forms and procedures at the civil registry or fiscal administration);
- Legal advice and representation in civil and administrative court cases;

²⁸ United Nations Principles and Guidelines on Legal Aid in Criminal Justice Systems. Guideline 9 Implementing the right of women to legal aid. United Nations June 2013. https://www.unodc.org/documents/justice-and-prison-reform/UN_principles_and_guidelines_on_access_to_legal_aid.pdf.

- Legal and psycho-social services for witnesses and victims in criminal cases, such as legal advice and psychological support;
- Legal representation in criminal cases for defendants and victims.

The women were able to undertake these processes more successfully than had previously been the case only because they were accompanied and assisted by a paralegal that was supported through the project, according to UN representatives, LAPs and judicial officials.

The project covered the costs of **regular visits to women’s prisons and other places of deprivation of liberty**. This had tangible effects on the realization of users’ rights: for instance, thanks to over 500 LAP monitoring visits to places of deprivation of liberty, 718 women **released from prison** in Liberia (including, but not only, detention related to non-observance of COVID regulations, as well as unjustified pre-trial detention or expired sentences, all of which is in violation of their rights). Due to deep-rooted social stigma, some of the released women were rejected by their communities. One of the partner LAPs in Liberia helped these women by accompanying them through their attempts to return to the village. The **information sessions to women prisoners** included the topic of reproductive health, and the paralegals were able to also intervene and secure basic necessities such as sanitary pads. In Senegal, tens of female inmates whose police custody was unnecessary (therefore unlawful) were released. LAP **field visits to police stations** also offered crucial advice to recently detained inmates and helped address shortfalls and advocate on their behalf early, especially if the reasons for the arrest were unclear. Improved relationships of LAPs with judges and prosecutors were instrumental in helping women.

One case illustrates the life-changing, and arguably life-saving impact of legal aid on one beneficiary. If expanded, this work could have huge potential for impact on access to justice for women, but also in terms of prevention of ill-treatment, because protracted and unnecessary pre-trial detention is one of the key factors of ill-treatment risks.²⁹ Ms. L, in the capital city of one of the three countries, lives with several slight mental and physical disabilities. She was pregnant when she was arrested during a police raid related to implementation of COVID-19 prevention measures. She could not pay the fine imposed on her, and possibly did not understand why she was arrested, or what she had to do to be released: she was brought to prison for failure to comply with police orders. Her entry in the prison was not recorded, she missed her hearing, and stayed in the prison for months, where she gave birth without medical assistance. Her health quickly deteriorated, and she was not able to tend sufficiently to her baby, whose limbs were attacked by rats. During one of the monitoring visits paid for by the project, the LAP identified violations of her rights, arranged for basic medical care, and obtained her release on parole in an emergency Court procedure. The LAP continued to provide L. with legal and psycho-social assistance. This case, although anecdotal, illustrates how, by enabling LAPs to provide services, the project has contributed to addressing multiple and very severe human rights violations.

The project also increased **the resilience and adaptation of legal aid services to COVID-19**. This is true across the board, and exemplified by a LAP: *“During the Ebola virus epidemic, we were completely taken by surprise, we stopped our operations. This time, we were prepared, and we had support. We expected that the demand would grow, with an increase in the number of domestic violence cases and improper application of COVID rules by the law enforcement. So, instead of reducing, we increased our services.”* In Sierra Leone, the LAP obtained that the Chief Justice re-opened certain courts for serious and urgent cases, thus contributing to limit the COVID-19-induced backlog of cases and denial of access to justice for women in the most pressing criminal matter. In the three countries, resort to new approaches (online/phone support) maintained or even expanded access during COVID-19 time.

²⁹ UN Subcommittee on Prevention of Torture (SPT), “Report on Benin, 11 March 2011, CAT/OP/BEN/1”, United Nations, New York, 2011.

Penal reform International and Association for Prevention of Torture, “Detention Monitoring Tool, Pre-trial detention - Addressing risk factors to prevent torture and ill-treatment”, PRI/APT, London/Geneva, 2015
<https://cdn.penalreform.org/wp-content/uploads/2016/01/factsheet-1-pre-trial-2nd-ed-v5.pdf>

The **quality of service used by the rights holders is very difficult to assess**, but the team found **no red flags** pointing to inadequate legal aid funded by the project, in line with the do-no-harm principle. Interviews demonstrated an **outstanding level of commitment** by LAPs, who received clients at their home when offices closed owing to COVID-19 prevention rules, have worked pro bono since the end of project, routinely work beyond normal working hours, and expose themselves to traumatic situations without questioning their engagement. The LAP volunteers and employees went beyond project requirements in outreach activities: they mobilized a wide range of actors and followed up on all detected cases. These occurrences do not guarantee quality, but they do demonstrate that partner LAPs employ all their efforts towards quality.

Finding 8: The project demonstrated the worth of legal aid to practitioners and created conditions for the implementation of a compliant legal aid framework, but it did not succeed to incentivize sizeable budgeting of legal aid for women.

One of the major challenges for legal aid programs is to build the understanding that an effective legal aid system cannot be achieved through empowering civil society actors alone. The LAPs provide immediate help to those in need. However, the **effect of that support depends also on other factors**. For example, if the police do not give access to those taken into custody, judges run trials for indigent accused who do not have a lawyer. If prison officials don't allow legal aid paralegals to have access and neglect the records, women remain in prison after their sentences. Such phenomena can limit the impact of increased offer of legal aid and improved performance of LAP.

The project did not vastly change the situation in this regard, but it did create several precedents proving the feasibility of legal aid projects that engage and connect civil society LAPs with duty bearers: as a result of cooperation with LAPs, **some duty bearers have modified their practice**: several police stations now systematically call LAPs in all three countries when they detain women; some prison administration staff started checking the grounds for detention and due release date in Liberia. In Senegal the project engaged LAPs, private lawyers from the Bar Association, police, prosecutors, judges, Ministry of Justice representatives, contributing to informal personal and institutional relations: this established the basis for a draft Memorandum of Understanding on the implementation of the legal aid law. In this way the necessary **building blocks for successful implementation are built while the law is still being developed** and debated. Likewise, judicial practitioners have become better aware of existing law and policies. Observing these small but meaningful changes, interviewed decision makers recognize that legal aid provision is in the mutual interest of justice users, the law enforcement, the judicial and the penitentiary system. They see that it limits violations and could, if scaled up, contribute to more efficient systems.

In essence, rather than advocating directly with decision-makers for legislative and policy changes, the project empowered the LAPs and their institutional partners to **work directly on the implementation of the existing or desired legislative provisions and policy commitments** – regardless of whether the legislative and policy framework was already adopted. This made the existing or desired framework more acceptable to decision makers, by de facto putting in place the basic conditions for implementation. **In parallel, the project supported the LAPs to advocate** legislative and policy changes, which happened (Liberia legal aid policy) or may come (Senegal draft law on legal aid) in the future. This two-tier approach may not have been explicitly planned. It rather stems from the realization by UNODC and UN Women, that the bulk of the limited financial and human resources would be better invested into LAPs themselves.

The other challenge is to convince governments of poor countries to dedicate a sufficient portion of severely constrained **budgets to legal aid for women**, to implement the existing or desired normative framework on legal aid. Although an expected outcome of advocacy, and an assumption for the project to reach impact, this **clearly did not materialize**. There is no report of increased state budget for legal aid, or of earmarked legal aid budget targeting women. For this to materialize, legal aid for women needs to be recognized by policy- and law-makers as useful and worthy of sizeable public expenditure. The precedents created by the project

contributed to demonstrating the worth of legal aid for women. However, the scale and duration of the project were not sufficient to impact the efficiency of the justice system, the operation of prisons, or the accountability of law enforcement visibly or statistically.

SUMMARY - IMPACT

While the project had a very meaningful impact on many target rights holders individually, and served as a demonstration of the usefulness of gender-sensitive legal aid targeting women, it did not succeed to durably change the funding structure of legal aid for women.

SUSTAINABILITY

| EVALUATION QUESTIONS | |
|--|--|
| Evaluation Question | Indicators/sub questions to respond to each question |
| 6. To what extent are the project impacts likely to continue after the end of the project? | 6.1 How likely is it that the state institutions and CSOs will use the tools, knowledge, capacity and awareness about women’s access to legal aid after the project? |
| | 6.2 How likely is it that women’s access to gender-sensitive and human rights compliant legal aid will continue to increase after the project? |

Finding 9: Despite better sensitization, the countries concerned are unlikely to fund and resource full implementation of international standards on legal aid.

Advocacy and capacity building remain crucial for establishing and strengthening national legal aid systems in Liberia and Senegal, and for strengthening the existing system in Sierra Leone. However, there should be no illusion: the steps towards these goals are unlikely to fulfil the needs of women in the three countries in the coming years. Even if such a system were to be established in Liberia and Senegal, they would still have to **rely on civil society LAPs** - as they do in Sierra Leone, where the Legal Aid Board is able to provide a substantial range of services, but still falls far short of some urgent needs of women. There is a **massive imbalance between supply and demand of free legal aid for women**. It will take considerable time and significant effort to bridge that gap.

On the demand side, the medium-term prospects for reducing **root causes of the need for legal aid** are bleak. The underlying weaknesses in the rule of law means that the vulnerable categories - including women - will be the last to benefit from any potential improvement in policy and law. Continued assistance to the legal aid services needs to be accompanied by improvements in the training and performance of police, so that rates of abuses, torture and ill-treatment are reduced, and access of the persons in police custody to legal services is guaranteed as early as possible. This is an extremely difficult objective to achieve in practice.

Societies in the three countries continue to struggle with high levels of **corruption** permeating the judicial system. This is also a problem that requires long-term efforts for amelioration. In the meantime, the perpetrators of serious violations against women victims may be able to pay their way to freedom, leaving the

victims with no recourse and higher threats to their personal security. Thus, there is a strong complementarity between the support to legal aid and anti-corruption efforts.

The **gender-biased traditional courts** will be likely to deal with cases such as rape and sexual assault even though they are legally prohibited from doing so, due to social pressures. Women involved as victims or parties in disputes also have very limited funds to travel to the courts: in the absence of support from the LAPs they will accept mediation in the traditional systems, even knowing they may be treated unfairly.

On the offer side, the only sustainable answer to the fulfilment and protection of the rights of women in relation to legal issues is a well-designed and fully funded national legal aid system that is supervised by an independent national authority and implemented through a range of LAPs. However, **even progressive legislation and policy are not followed by sufficient state funding** – a key assumption in the project’s ToC, which is **not fulfilled and is unlikely to be fulfilled** in the near future.³⁰ In this respect, Sierra Leone and Liberia offer useful comparison: according to baseline assessments, project reports and interviewees (including public officials), the financial situation of LAPs is slightly more favourable in Sierra Leone, but it is dire in Liberia despite the existence of a normative framework. Senegal LAPs are in a comparable situation as their peers in Liberia (with the difference that there is no new normative framework). In the short to medium run, it is therefore essential to expand the offer of legal aid services to women.

Since the demand for free legal aid services far outweigh the potential for supply, it is also critical that the **few resources that are available be directed at the most pressing needs**. The work with women who have been arrested and are in pre-trial detention are, in accordance with international standards, the LAPs’ first priority, along with services to women in prisons: these services will likely persist after the project - albeit diminished due to reduced funding.³¹ Improved relationships with police, regular access to clients in pre-trial detention, improved access to prisons, and demands for more accurate record keeping will also probably continue. These activities form the core target of emerging priorities.

United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems³²

- States should ensure that effective legal aid is provided promptly at all stages of the criminal justice process. (Article 27)
- States should, where appropriate, engage in partnerships with non-State legal aid service providers, including non-governmental organizations and other service providers. (Article 70)
- States should take applicable and appropriate measures to ensure the right of women to access legal aid... (Article 52)

Finding 10: The survival of LAP organisations as operational agents providing accessible legal aid remains uncertain in the absence of sustainable funding sources.

The LAPs in each of the three country contexts benefitted from trainings, expansion of their offer and delivery of services, and new or stronger linkages to communities, police, courts, prosecutors, judges, universities and communities. These improvements will likely endure after the project and can potentially grow through a virtuous cycle of knowledge and mutually beneficial relationships. However, without the project’s core funding, the LAPs will not be able to deliver services to the same extent. Moreover, payment for legal aid services is, according to international standards and experience, a distortion that corrupts and weakens legal aid systems as it leads LAPs to demand payments from those who qualify for free aid: LAPs will not, and should not rely on their users for funding. **Unless alternate sources and support can be identified, the breadth and depth of legal aid services for women will shrink in all three countries.** When the project finished, LAPs immediately found that they could no longer provide the services to the same level.

³⁰ Issues related to the prioritization of state funding within the justice system and the low level of payment of legal aid lawyers were already identified as key obstacles to the provision of, and access to legal aid in 2016 by a UNODC and UNDP survey. UNODC, UNDP, “Global Study on Legal Aid”, United Nations, New York, Vienna, 2016.

https://www.unodc.org/documents/justice-and-prison-reform/LegalAid/Global_Study_on_Legal_Aid_-_FINAL.pdf

³¹ United Nations Principles and Guidelines on Access to Legal Aid In Criminal Justice Systems General Assembly resolution 67/187, annex, adopted on 20 December 2012. https://www.unodc.org/documents/justice-and-prison-reform/UN_principles_and_guidelines_on_access_to_legal_aid.pdf

³² United Nations Principles and Guidelines on Access to Legal Aid In Criminal Justice Systems

There is no reasonable prospect of sufficient state funding for legal aid services in the near future in any of the three country contexts. Even in Sierra Leone which has the most developed legal aid system of those contexts, the premises, equipment, staff, training, case management systems and other elements crucial to service delivery cannot be provided, particularly when it comes to legal aid for women. LAPs suffer from **significant shortfalls in terms of essential office infrastructure** required for daily work - computers, mobile phones, petty cash to cover the 'top-up' payments for calls. Phasing out of donor support means that **these primary needs will remain mostly unfulfilled**.

The sector of *pro bono* work by private lawyers is a very small contributor to the needs of those who cannot afford to pay for legal help. Although it should be encouraged, *pro bono* legal work for the poor is often less effective than hoped. Providing legal aid services is a specialist area and **many private lawyers lack the required skills for it**: ability to communicate with poor, often illiterate community members; having deep knowledge of the particular areas of law (domestic violence, sexual offences and family law); knowledge of the traditional systems of justice are often beyond the scope of their usual work. In addition, *pro bono* lawyers may volunteer for a modest block of time, but legal aid cases often drag on, when they often require immediate action.

After the project ends, the beneficiary **LAPs are likely to find it hard to pay their staff, paralegals and attorneys**. Most partners found that the project enabled them to continue their work and maintain their staffing levels while it lasted. But at the end of the project, they all lost some of the staff as they could no longer afford them. Reimbursing victims for their transportation to the courts will also be problematic. These challenges are present in all three contexts, but to differing degrees, the situation in Sierra Leone being less acute. **The greatest concern is maintaining legal aid services in Senegal and Liberia**.

In Senegal, even though there has been an increase in the budget allocation for legal aid, the services provided by the state are very limited and only for some defendants, which are mostly men. There is no official means of providing help to women victims of gender-based violence through the traumatic and difficult process of making a complaint, being interrogated and proceeding through the courts. In practice the funds only extend to funding members of the Bar to defend those who are in pre-trial detention: legal aid is provided through the Bar Association who allocate private lawyers are paid for their work. This model of 'judiciaire' where private lawyers are paid for their time has proven more expensive in other African contexts such as South Africa and could centre the work in the capital. The justice system is weak in terms of legal aid assistance, and this is unlikely to change in the short or medium term, so the role that should be taken up by the duty bearers must be shouldered by non-government providers. For this they need substantial increases in funding.

Other interviews, especially with LAPs, also revealed the acuteness and urgency of the LAPs' needs in Liberia, where the human rights violations documented by the LAPs would not have been identified nor addressed without legal aid provision, and where the LAPs completely lack sustainable funding as long as the law on legal aid is not implemented. Although there is a significant amount of post-conflict donor funding, and the policy supporting legal aid has relatively strong support from the government, this funding is clearly sufficient for civil society LAPs in a context of extreme poverty and enormous demand for legal aid. A key partner LAP in Liberia reported they were able to assist women to exercise their right to justice in the courts during the period of the project but now must divert those clients to local-based mediation because they cannot cover the costs of going to court. The very survival of this LAP is at stake. This is a significant reduction to capacity as those have been trained and gained experience in the specialized work of conducting legal aid for poor women. Without assistance from trained LAPs, many women will not make the complaint, contributing to impunity.

SUMMARY - SUSTAINABILITY

Despite better sensitization to legal aid's importance, the countries concerned are unlikely to fund and resource full implementation of international standards on legal aid. The survival of LAPs as operational agents providing accessible legal aid remains uncertain in the absence of sustainable funding, which necessitates continued donor engagement.

EFFICIENCY

| EVALUATION QUESTIONS | |
|---|--|
| Evaluation Question | Indicators/sub questions to respond to each question |
| 4. To what extent have the UNODC and UN Women optimized their assets and comparative advantage towards achieving the objectives of the project? | 4.1 To what extent have the financial and human resources (inputs) been converted to outputs in a timely and cost-effective manner? |
| | 4.2 How functional and valuable were the partnerships established before and during the project between the relevant UN and local authorities, and between UNODC and UN Women? |

Finding 11: The project efficiently built on the added value of UNODC and UN Women respectively.

UNODC and UN Women had an existing partnership at headquarters level before the project, which greatly facilitated design and implementation. Both agencies **enjoyed credibility in the respective countries** as reliable partners holding in-house expertise on legal aid for women, because they co-authored the Practitioners' toolkit and had already advocated and advised at policy level. Public officials emphasized the added value of both agencies in this regard. UNODC had an established partnership with the Ministries of Justice, and experience of an earlier similar project in Liberia, and it enjoys agile project support capacities in headquarters. UN Women had vast experience and tailor-made rules on the administration of grants to NHRIs and CSOs promoting women's rights. The **division of labour fluidly built on these complementarities**: UN Women was in charge of CSOs relations, while UNODC worked more on policy advocacy and project management. OHRHC was envisaged as a closer partner in the project but was not in a position, at the time, to take up a set of activities. Instead, it added value by commenting and advising on publications and training materials.

The **administration of grants** by UN Women was mostly appreciated due to the personal dedication of the officers in charge. For some LAPs, this was a novel and formative experience. One of them summarized what others also said, and which is visible in reports: *"Reporting to the UN was a positive experience. It was not too time consuming, and it taught us and our partners to identify what needs to be reported, what results are. Everybody tends to report on activities, narratively – when what matters is the changes, the results."*

UNODC made good use of its forward leaning organisational culture with agility: the **project management style drew on strong, effective delegation** of responsibilities from the project oversight to project management and to project implementation in the field. This approach unleashed initiative, while financial and administrative oversight ensured a high level of accountability. The project reports are sufficiently detailed, including their financial aspect. Although some partners regretted what they perceived as heavy

administration of funds or logistics, those who could compare this experience with other donor relations found the project staff exceptionally reactive and responsive.

Finding 12: The project was cost- and time-efficient

Even after its extensions, the project drew on a **modest budget** (approximately six hundred thousand USD) **considering its geographic coverage, its ambition to achieve change in three components, and the extensive needs** it intended to tackle. The **duration** of the project, three years including extensions, was also **limited considering the ToC** which aimed for long-term capacity enhancements of the LAPs, policy and legislative products strengthening (Sierra Leone) or building (Liberia, Senegal) a legal aid system, and rights holders' empowerment. Accounting for the **strain posed by the pandemic, the project was timely** and achieved results in a short timeframe. In view of this, the project achieved surprisingly good results and presents a high potential for impact if it is followed up.

Funding existing LAPs which were already committed and had an established reputation with some duty bearers and rights holders **was very cost-efficient**. For a pilot regional project, this approach **multiplied the effects of small funding**. The United Nations agencies and the LAPs benefitted from their respective assets: expertise, legitimacy, government recognition, high quality human resources, conceptual resources (toolkit, other publications), and secure funding on the side of the United Nations; established routines and procedures, experience with targeted rights holders, established networks of local duty bearers and community leaders, exceptionally committed human resources for LAPs. Some LAPs combined existing partnerships with UN Women or UNODC and other donors: for instance, in Sierra Leone, one LAP leveraged funding from the United Kingdom, Ireland and UN Women to complement the UNDA project with legal education for particularly vulnerable women (women in detention, sex workers, small resellers on marketplaces). In Liberia, the earlier UNODC project "Promoting rule of law and governance in the criminal judicial system in Liberia" enjoyed partnerships with various institutions, including the Ministry of Justice, which facilitated swift mobilisation and uptake of the baseline assessment towards law making.

However, considering the mismatch between modest funding and timing, and an ambitious ToC, the project could only attain the reported results thanks to the exceptional personal commitment of its human resources and of its partners, chiefly LAPs. In this regard, the intensive involvement of UNODC headquarter staff, complemented with core funding for project staff in Dakar (UNV), were decisive.

Finding 13: The project's funding structure was adequate for a pilot, but would need to be complemented if it was to expand into a programme.

Being a part of the UN Secretariat, UNODC had stringent procedures for the selection of implementing partners, at the time the project was launched: these procedures did not differentiate between United Nations entities and other partners (such as CSOs or academic institutions for instance). The selection procedure thus involved checks on the financial, administrative, and auditing standards of UN Women which was unjustified from a risk management perspective (all United Nations Entities apply rules and procedures which comply with United Nations auditing standards) and created a disproportionate administrative burden. However, all concerned interviewees pointed to the extreme diligence and helpfulness of the staff mobilized during this procedure, both from UN Women and UNODC side, to minimize the working time spent on these procedures and ensure a timely launch of activities. By the end of the project, UNODC had adopted new rules which ensure that such situation does not reiterate.

The project displayed excellent **flexibility in adjusting to the COVID** pandemic. This includes **UNDA swiftly and easily approving** the related project extension and adjustments. Without this flexibility, some benefits of the project would have been lost, particularly the LAPs' ability to discharge their functions: the helplines, the phone and internet-based consultations with some legal aid users, as well as online cascade trainings ensured continuity of services. The extra time and costs invested in response to the pandemic were therefore good value for money.

Despite the efficiency obtained by cooperation between UNODC and UN Women, and between the United Nations and its LAP partners, the project remained very constrained by its limited resources. This issue is not only a matter of effectiveness (more resources leading to more results), but also a matter of efficiency: the critical mass of funding and critical length of time were not attained to optimize efficiency. **As some interviewees expressed it, the funding and timing were “enough for a foot in the door”.** Budget and time constraints limited the LAPs’ ability to establish permanent services in some remote regions: in these areas, a longer-term approach may have multiplied the effects of the project by entrenching into a routine the relations between LAPs, community leaders, community members and representatives of the local judicial or executive authorities.

The same trend is observed on the regional aspect of the project. With the available budget, three countries constituted the maximum coverage. Interviewees repeatedly pointed out that the regional exchange and networking were limited. While the COVID-19 pandemic certainly played a role, some interviewees considered that a broader range of countries would have offered a stronger stimulus to create networks of like-minded LAPs and foster mutual support – which in turn could have multiplied the effect of the project on the LAPs and increased the efficiency of the project. In the future, a larger budget for a follow up project would be a cost-effective investment.

SUMMARY - EFFICIENCY

The project made remarkably efficient use of its assets including financial resources, time, human resources, partnerships and political capital, despite considerable constraints. However, its budget did not reach the optimal scale to maximize these assets, particularly the potential for regional cross-fertilisation.

HUMAN RIGHTS, GENDER EQUALITY AND LEAVING NO ONE BEHIND

Human rights, gender equality and leaving no one behind are substantial for the design of the project, so they were mainstreamed throughout all evaluation criteria and questions in the evaluation, in three different ways: through ethical safeguards; during data collection; during analysis and reporting. The findings below synthesize the human rights, gender equality and leaving no one behind aspects of the above findings.

HUMAN RIGHTS

Finding 14: The project adopted a human rights-based approach, and offered human rights remedies to its end beneficiaries while it lasted.

The evaluation team found no indication that the project may have violated, or contributed to violating human rights, in line with UNODC Position Paper on the Promotion and Protection of Human Rights.³³ The project explicitly sought to improve the human rights situation of its target groups – women in contact with the law. In doing so, the project conducted a human rights-based analysis within the baseline assessments. The project involved OHCHR country, regional and headquarters’ offices in the review of the project document, baseline assessments, training tools and publications. The project thus mainstreamed a human rights analysis, and

³³ UNODC, “UNODC Position Paper on the Promotion and Protection of Human Rights” United Nations, Vienna, 2012 - https://www.unodc.org/documents/justice-and-prison-reform/UNODC_Human_rights_position_paper_2012.pdf

human rights-specific expected results in line with the note by the Executive Director on Drug control, crime prevention and criminal justice: A human rights perspective.³⁴

The project results contributed to improving the human rights situation of the target group, and effectively offered redress to victims of human rights violations who, without the project, may not have been identified or may have been identified much later (which would have led to further human rights violations). The rights concerned under the Universal Declaration of Human Rights include:³⁵

- Articles 1 and 2, Equality in dignity and rights: the project targeted left-behind rights holders (women in contact with law) in an effort (among others) to improve their human rights situation;
- Article 5, Freedom from torture or cruel, inhuman or degrading treatment or punishment, and Article 9, Freedom from arbitrary arrest, detention or exile: the project sought, and in many cases obtained, prevention of violations and/or redress (albeit partial at times) for cases of unjustified and/or illegal deprivation of liberty, and cases of ill treatment in places of deprivation of liberty;
- Article 10, Fair trial, and Article 11, Presumption of innocence: the very purpose of legal aid is to ensure fair trial (and thus presumption of innocence) to all parties to the trial, regardless of their sex, economic, or any other status. Legal aid for women fills a gap in the enjoyment of this right by the most vulnerable women.

GENDER EQUALITY

Finding 15: The project directly and explicitly contributed to implementing the United Nations agenda on gender equality and empowerment of women.

The project's target group is women and girls in contact with the law. The project is based on the analysis of the different causes that put women, compared to men, in contact with the law, their different experience, and the different consequences for them. This analysis took place well before the project design (with the elaboration of the Practitioners' Toolkit), during the project design (background and justification using expertise of UN Women, UNODC and OHCHR), and during implementation (baseline assessments, training tools and publications). The project is therefore essentially an initiative for gender equality and empowerment of women.

The project design contributes directly to SDG5 and United Nations' second System-wide Strategy on Gender Parity (SWAP 2.0). UNODC Strategy for Gender Equality and Empowerment of Women (2018-2021), under UNSWAP 2.0 commits UNODC: "Transformative results on gender equality and the empowerment of women are consistently included in programme and project documents, and stated programme results on gender equality and the empowerment of women are met. (...) Programme initiatives will include transformative gender equality results. (...) *this means that they will be aimed at moving beyond individual self-improvement among women and towards transforming unequal gender relations through contributing to changes in social norms, cultural values, power structures and the root causes of gender inequalities and discrimination.*" The entirety of the project's expected outcomes and impacts constitute transformative gender equality results: they go beyond improving the situation of individual women using legal aid. By enhancing the capacity of LAPs in the long run, improving the normative framework, and broadening the awareness of the rights and opportunities women can enjoy in their contact with the law, the project means to structurally modify all women's chances to access the justice system and be treated with equity and justice in their contact with the law – thus contributing to correct the structural gender imbalances in the functioning of the justice system.

³⁴ UNODC, "Note by the Executive Director on Drug control, crime prevention and criminal justice: A human rights perspective", United Nations, Vienna, 2010 - http://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_53/CRPs/E-CN7-2010-CRP6_V1051605_E.pdf

³⁵ United Nations General Assembly, "Universal Declaration of Human Rights", United Nations, Paris, 1948 - <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

LEAVING NO ONE BEHIND

Finding 16: The project explicitly targeted women in contact with the law as a left-behind group

Women are often left behind in many different ways when it comes to access to justice, access to legal redress, and access to legal aid. By identifying women in contact with the law (or in need of judicial process) as its target group, and by analysing their challenges through the baseline assessments, the project embraced the concept of leaving no one behind.

The baseline assessments, interviews, focus groups, document review, and expertise of the evaluation team identified the key following challenges:

- Lack of training, awareness and sensitivity to gender among duty bearers. Police officers, judges, prosecutors, and courts are unaware of legislation, including the provisions that relate to which crimes must only be dealt with by courts, such as rape and sexual assault. Women are afraid of reporting crimes committed against them to untrained officers. Often those crimes are dealt with through traditional methods or mediation which is contrary to the law and women are unlikely to be treated fairly in those processes. The LAPs sensitized (some) duty bearers to the legal framework on legal aid and other aspects of the law which concern women particularly.
- Women do not know the law, their entitlements, or the availability of legal aid. Women are poorly educated and cannot read even basic materials that provide information about legal issues. The project's component on women legal empowerment directly aimed to tackle this challenge.
- Patriarchal power structures mean that women are not believed when they make a complaint relating to gender-based violence. Even if they are believed, perpetrators are often not brought to justice, as there are cultural beliefs that the woman is the property of the man, that the woman must have caused the violence, or that the powerful perpetrators are respected persons and the 'status quo' of those power relations cannot be upset. In some legal systems, women need a court order to leave the conjugal domicile in case of domestic violence. There is also great social stigma against women who are divorced and very little access to any assistance funding. This makes it difficult for them to survive financially, so they remain in abusive relationships. The husband or man in the relationship usually has control of the money so if there is a legal dispute the woman will have no funds for legal help, but the man will. Legal representation by partner LAPs directly responded to these challenges for the women who used legal aid during the project - at least in part.
- Remoteness of the courts, while women cannot afford transport. The partner LAPs, by financing transportation with project funding, directly addressed this challenge for the rights holders who used legal aid during the project.
- There are serious challenges to the rule of law, so victims who complain and pursue justice face a real threat of physical violence and have very little protection as the police are also often not motivated to assist. There is a great deal of social stigma, so victims are blamed by their communities for the crimes committed against them and victims are afraid to tell their stories. Legal empowerment and awareness raising in the communities, though modest, aimed to tackle this challenge.

SUMMARY - HUMAN RIGHTS, GENDER EQUALITY AND LEAVING NO ONE BEHIND

The project did more than mainstreaming human rights, gender and inclusion: it was essentially a human rights-based project centred on gender transformative results targeting those who are most left behind.

III. CONCLUSIONS

The project operated with three components: capacity building of LAPs (including core grants and workshops/trainings), advocacy (including baseline assessments and contribution to the national legal aid framework), and outreach (including legal education and awareness raising in communities). Based on a sound and coherent design and grounded in a strong, consensual conceptual framework, the project effectively optimised the synergy between UNODC and UN Women, and their recognition among the relevant stakeholders in Liberia, Senegal and Sierra Leone. Thanks to these assets, the project benefited from a trust-based partnership with LAPs, which strongly helped make the most of the limited funds and time available considering a coherent but ambitious ToC. The project outputs were delivered efficiently and as planned, with adjustments and extensions due to the COVID-19 pandemic. At the same time, the capacity building outputs for LAPs gained prominence compared to United Nations-led advocacy on the one hand, and general awareness raising and advocacy on the other end: the LAPs became the centrepiece and the vehicle of all three components of the project. This approach, coupled with the intrinsic dedication and empowerment of LAPs, secured a key assumption of the project: “active LAPs networks”. These networks, in turn, used the results of some previous and parallel interventions of the United Nations (such as peacebuilding efforts, or prior projects in the field of justice reform) and increased, if not the demand from Governments, at least their awareness of the subject: the LAPs as centrepiece of the project helped the realisation of other assumptions, at least partially.

As a consequence, the project recorded encouraging results in terms of the development of LAPs. They moderately increased their skills and knowledge, they expanded on their tools, and they considerably improved their recognition, legitimacy and partnerships with a wide scope of duty bearers (some judicial officials, decision makers in the Justice Ministries, some law enforcement officials and prison administrations, some local governance officials), rights holders (women in contact with the law), and other partners (such as NHRIs and community leaders). The trainings and baseline assessments contributed to this change, but the grants to LAPs did the greater part of this work, because they enabled LAPs to conduct effective advocacy and increase their presence, outreach and volume of operation. In doing so, LAPs created many positive experiences and precedents of their intervention with all stakeholders. The results in terms of normative framework on legal aid for women (policies, laws, regulations, institutional setups) are contrasted: while Liberia adopted a new legal aid policy, the framework pre-existed in Sierra Leone, and the draft law on legal aid in Senegal is not adopted at the time of writing this report. However, the level of awareness among the rights holders but also among other stakeholders had visibly increased, leading to an increase of the demand towards LAPs.

In the communities and among the duty bearers reached by the project, the attitudes show signs of change. However, political will and budgetary resources allocated to legal aid in general remain insufficient to address this demand and the needs that trigger it - for women in particular. At impact level, these key assumptions remain very uncertain. It is certain that legal aid, including legal aid for women, is an essential service. It contributes significantly to reducing the gender imbalances within the societies and improving the human rights situation of its users. The project was therefore closely attuned to the needs in the three countries. It is also in line with the general policy approach of the three governments. Yet, this sector remains underserved by large donors and by governments due to a variety of factors, including the scarcity of resources, but also persistent lack of understanding of the importance of the legal aid services for building an effective legal system, the rule of law and a fair and just democracy. For all these reasons, there is still a gap to be filled if the rights of those vulnerable women are to be protected. In these circumstances, while the project was very impactful at the individual level for women who accessed legal aid, it rather offers the potential of future impact, and the sustainability of the project’s results is uncertain unless it is followed up, especially in Liberia and Senegal where the legal aid framework remains fragile.

IV. RECOMMENDATIONS

RECOMMENDATION 1 – RESOURCE MOBILISATION

UNODC JUSTICE SECTION, SUPPORTED BY THE GENDER UNIT OF THE OFFICE OF THE EXECUTIVE DIRECTOR, SHOULD ADVOCATE DONORS TO RECOGNIZE LEGAL AID FOR WOMEN, AND LEGAL AID IN GENERAL, AS AN ESSENTIAL SERVICE IN THE POORER AND/OR POST-CONFLICT CONTEXTS.

UNODC could implement this recommendation in coordination with UNWOMEN, OHCHR, other relevant United Nations Agencies and national partners. Advocacy could use the lessons learned from this evaluation and articulate a modular programme with a core plus a “menu” of modules. Communication with donors could use visualisation of the role of legal aid, especially legal aid for women. It could further visualize the modules and how they connect to each aspect of the judicial chain. The quantitative data from project reports and this evaluation (number of legal aid users reached, number of women released from detention, key results) should be put in perspective with the project’s budget.

RECOMMENDATION 2 - PROGRAMMING

UNODC JUSTICE SECTION SHOULD DESIGN A REGIONAL, MODULAR, MULTI-YEAR, MULTI-PARTNER REGIONAL INTERVENTION ON LEGAL AID FOR WOMEN, CENTRED AROUND CIVIL SOCIETY LEGAL AID PROVIDERS AS AN ESSENTIAL SERVICE.

UNODC could implement this recommendation in coordination with UNWOMEN and OHCHR. The model programme should propose a grid of partners to network with LAPs, including at least civil society, government, law enforcement agencies, prosecutors, courts, NHRIs, community leaders where applicable, and universities. Supporting core activities of civil society LAPs should be the core of any legal aid programme, as was the case here. Complementary modules should then be fine-tuned to the situation in each region and country. They should support the evolution of the legal, regulatory, policy and institutional framework towards a functional legal aid system funded by the state budget (in accordance with UNDOC/UN Women/OHCHR conceptual framework on programming for legal aid for women). The legal empowerment and awareness raising component is also an important module, but should not be detached from legal aid provision per se. Finally, a regional approach makes perfect sense because LAPs require peer support and cross-fertilisation. A model programme would also be a good fundraising tool.

RECOMMENDATION 3 – FOLLOW UP

UNODC JUSTICE SECTION SHOULD DESIGN A FOLLOW UP PROGRAMME PRIORITISING LIBERIA AND SENEGAL FOR A START IN 2022.

UNODC could implement this recommendation in coordination with UNWOMEN and OHCHR. The follow up programme should use the modular structure described in Recommendation 2. It should strengthen advocacy and cross-border fertilization as compared to the evaluated project. It should build on the synergy between UNODC and UN Women, and seek continued engagement of OHCHR in the development of outputs, in particular advocacy outputs (e.g. draft legislation or regulations). It should take place as early as possible, so as not to over-fragilize the LAPs in these countries.

RECOMMENDATION 4 – SYNERGIES WITH CONNECTED PROGRAMMES AND PROJECTS

UNODC JUSTICE SECTION SHOULD CLOSELY LINK ANY PROGRAMME OR PROJECT ON LEGAL AID TO BROADER INTERVENTIONS AIMING TO REFORM THE LAW ENFORCEMENT, JUDICIAL AND PENITENTIARY SYSTEMS.

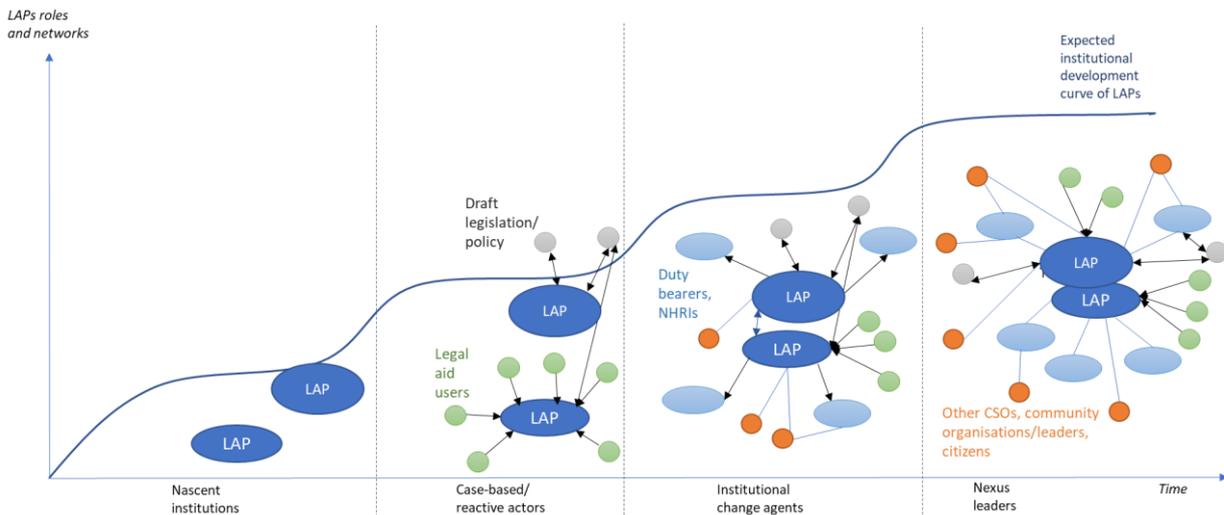
Within existing programmes on law enforcement, justice, or penitentiary reform, and/or within the modular model programme and the follow up programme proposed above, plan for thorough research on the relationship between women and law enforcement, women access to justice, and women in prisons. The results of this research should feed the planning of activities under all these programmes. In addition, programmes on legal aid and programmes addressing the justice chain (law enforcement, justice, penitentiary), should jointly advocate for standard-based and well budgeted legal aid frameworks which are well budgeted.

RECOMMENDATION 5 – GRANT ADMINISTRATION FOR LEGAL AID PROVIDERS

UNODC JUSTICE SECTION SHOULD CONTINUE THE PRACTICE OF CORE GRANTS TO LEGAL AID PROVIDERS.

UNODC could implement this recommendation in coordination with UNWOMEN. Core funding grants should be a standard part of the model modular program. They should be multi-year and assorted with random or period flash-audits. They should constitute the backbone of legal aid support programmes, particularly those targeting women, and accompany LAPs on their institutional development path, from isolated actors receiving individual cases and occasionally contributing to the normative framework, to leading change agents integrated in a network with other LAPs, duty bearers, communities and civil society actors, as started to take place during this project.

Figure 2: Visual representation of possible institutional development and networking of LAPs



RECOMMENDATION 6 – ADVOCACY

IN THE COUNTRIES WHERE THEY ARE ACTIVE IN THE AREA OF JUSTICE REFORM, UNODC COUNTRY TEAM, SUPPORTED BY THE JUSTICE SECTION SHOULD ADVOCATE FOR DOMESTIC NORMATIVE FRAMEWORK ON LEGAL AID, INCLUDING SPECIFIC PROVISIONS ON LEGAL AID FOR WOMEN.

UNODC could implement this recommendation in coordination with UNWOMEN and OHCHR and their LAP partners in cooperation with community leaders. Advocacy should not be understood narrowly as direct interaction between United Nations agencies and decision makers within the executive, but as a nexus of activities targeting the executive, the legislative, and the judiciary, conducted jointly with partners. These activities could include research and publications (including reports, but also practical policy briefs), contribution to draft normative documents (policy, law, regulations), inclusive events (roundtable model), but also practical trainings and workshops as well as pilot activities based on the model of joint outreach that brought together LAPs, duty bearers and community leaders.

V. LESSONS LEARNED AND BEST PRACTICES

LESSONS LEARNED

LESSON LEARNED 1 – WITHOUT PROGRAMME (RATHER THAN PROJECT) APPROACH, SUPPORT TO LEGAL AID FOR WOMEN (AND LEGAL AID IN GENERAL) IS UNLIKELY TO ACHIEVE IMPACT AND SUSTAINABILITY

This project, which could be qualified as a pilot, has demonstrated the relevance, usefulness, effectiveness and efficiency of the model. However, the impact and sustainability are doubtful unless this initial attempt is followed up more vigorously. The basic components and the approach of this project are clearly replicable to other countries on the continent, but to achieve their potential they should take the form of programmes: longer-term, modular interventions combining the key components of this project, with more sizeable funding and more predictability. These are conditions for impact and sustainability.

The short answer to the question of whether civil society LAPs in Africa need to be, and should be supported in the coming years is therefore “yes.” Government legal aid will take years to establish and achieve a satisfactory operational standard. Even highly developed legal aid systems rely on assistance from civil society organizations: while judges, police and prosecutors are funded by the state, the civil society LAPs that play a crucial role must find their own sources of funds. In these circumstances, a three-year project with limited budget cannot durably impact the funding structures of legal aid, and LAPs will need longer term and more sizeable support to become an embedded part of their countries’ justice systems.

LESSON LEARNED 2 – IMPACT OF POLICY AND LEGISLATIVE SUPPORT/ADVOCACY REQUIRES AT LEAST BASIC SENSITIZATION OF RIGHTS HOLDERS AND DUTY BEARERS

During project implementation, the stakeholders have observed the modest impact of legislation and policy adopted before the project (e.g. the legal amendments on criminalisation of rape in Senegal, the existing legal aid systems in Liberia and Senegal, the recommendations issued by earlier project regarding prison management in Liberia). During the project, LAPs initiated some awareness raising activities with the duty bearers and rights holders, and discovered that they had little to no awareness of existing legal provisions and policy orientations. This demonstrated that advocacy and support for new policy and (especially) legislation have very limited impact on the rights holders unless they are accompanied with:

- General awareness raising to the population about the new legislation (in local languages and in simple legal language)
- Information of judges, prosecutors, lawyers, law enforcement officers, prison staff: these duty bearers are often unaware of the law, or simply lack hard copies of the law (and do not have access to electronic copies), hence they cannot implement it. Distribution of printed copies is a highly cost-effective way to increase the impact of advocacy/support for new legislation and policies.
- Training of most relevant practitioners.

LESSON LEARNED 3 – RIGHT-SIZING AND TARGETING TRAINING WITH MIXED TRAINING TEAMS ARE ESSENTIAL FOR RELEVANCE

There were questions raised in relation to the quality and focus of some trainings. Some participants found that international trainers were insufficiently aware of the regional context, rights holders’ needs, experience and circumstances of the work of LAPs. They found that the trainings focused on generic legal aid issues and were a reiteration of previous trainings. Some found the trainings would have been more relevant to other

contexts with stronger rule of law, but were ill-suited to the countries of the region where rule of law is weak and the funding for legal aid very low. Closer collaboration and combinations of external trainers with local experts working in pairs would have assisted in relation to this issue.

BEST PRACTICES

GOOD PRACTICE 1 – SUPPORT TO LEGAL AID AS AN OPPORTUNITY TO ADDRESS AND PREVENT HUMAN RIGHTS VIOLATIONS IN PLACES OF DEPRIVATION OF LIBERTY

The project funded monitoring visits and legal aid provision in several penitentiary institutions and police stations, targeting women in police custody, in pre-trial detention, and serving a sentence. On these occasions, the LAPs identified some human rights violations committed against their clients (women in places of deprivation of liberty), often due to negligence, poor management practices, lack of due process, or lack of budget to respect the Nelson Mandela Rules,³⁶ the Bangkok Rules,³⁷ the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, or the International Convention Against Torture.³⁸ LAPs not only offered redress to victims – they also documented violations, often in cooperation or in consultation with NHRIs as the project formalised a partnership between LAPs and NHRIs. This practice can then serve to identify the root causes of violations and systemic solutions.

Since the selected LAPs were already experienced, the project enabled them to build on their existing expertise and enhance their legitimacy, thus going beyond provision of legal aid to affect the practices of duty bearers. They even provided advice to duty bearers to limit the scope for such violations. For instance, in Liberia, one of the LAPs trained the administration of one prison on maintaining records of incoming prisoners, the stage of their judicial procedures, the charges or the sentence, and the due date of their release and/or court hearings.

Two conditions for supported LAPs contributing to prevention of torture and ill treatment are: strategic donor support without interfering with their vision and approach; and facilitated partnership with NHRIs while respecting the respective functions of the partners. This does not preclude systemic interventions on prevention of torture and ill-treatment: unless basic reform is supported and basic needs are met, LAP can only be a stop-gap measure.

GOOD PRACTICE 2 – CHANGE MANAGEMENT FOR IMPLEMENTATION, THEN INFORMED ADVOCACY: A WINNING APPROACH TO NORMATIVE CHANGES?

The advocacy component started with baseline assessments that covered the existing legal and policy framework. Far from being just a research initiative, the conduct of these assessments was consultative, which constitutes advocacy in itself: it engages duty bearers and advocates of changes together from the start. Because it engages decision-makers into the assessment of the gaps, the advocacy component had better chances to win their support even before the project proposed legislative and policy changes.

³⁶ United Nations, “The United Nations Standard Minimum Rules for the Treatment of Prisoners - General Assembly resolution 70/175, annex, adopted on 17 December 2015”, United Nations, New York, 2015, https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf

³⁷ United Nations, “United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders”, General Assembly resolution 65/229, annex, adopted on 21 December 2010, https://www.unodc.org/documents/justice-and-prison-reform/Bangkok_Rules_ENG_22032015.pdf

³⁸ United Nations, “Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Adopted and opened for signature, ratification and accession by General Assembly resolution 39/46 of 10 December 1984”, United Nations, New York, 1984 <https://www.ohchr.org/en/professionalinterest/pages/cat.aspx>

Meanwhile, the project directly worked on the conditions for the implementation of the desired future (or new) legal and policy framework. In Senegal, for instance, the work with LAPs, in partnership with a broad range of duty bearers piloted the distribution of roles which the project promoted, even before working on the draft law. Duty bearers could observe how it would work, should the law be adopted and implemented. Although the law was not adopted by the time of reporting, this practice prepares and exemplifies better conditions for implementation when the law is eventually adopted, such as interinstitutional partnerships, awareness raising about the problem among practitioners.

GOOD PRACTICE 3: EMBEDDING A GENDER-SENSITIVE RULE OF LAW PROJECT WITHIN A COMMON UNITED NATIONS APPROACH TO PEACEBUILDING (LIBERIA)

In Liberia, the project is coherent with United Nations' peacebuilding efforts embodied by the Peacebuilding Fund's approach. According to the Peacebuilding Fund's country briefs, the PBF is supporting "access to justice for the most vulnerable" in Liberia. UN Women implemented in parallel a project funded by the Peacebuilding Fund on the rights of women and girls guaranteed by national legislation and which worked on the role of the justice system and domestic legal instruments (among other issues). According to an interviewee from UN Women "legal aid was integrated into the Peacebuilding Fund post-conflict strategy. The UNDA project built on this strategic approach to leverage it and produce a showcase result." The project built on the gender equality approach of the United Nations' peacebuilding strategy.

GOOD PRACTICE 4: ENGAGING "UNUSUAL" PARTNERS IN LEGAL AID SUPPORT

In workshops, trainings, and recruitment of paralegals, the project established partnerships with law faculties and law students. This is a win-win approach, as students gain practice while providing qualified paralegal aid at a reasonable cost. They are also a source of future recruitment for LAPs to offer legal representation beyond paralegal work.

The project also engaged community leaders, including traditional associations of women, religious leaders, village/neighbourhood leaders, into awareness raising and information sessions in remote areas – but these sessions quickly transformed into actual immediate legal aid provision and referrals. The community leaders witnessed and assisted this spot-on provision of services and were further trained as paralegals in some cases. If well trained and convinced, they constitute a useful, already embedded, relay for legal aid between the communities, the LAPs, and state services. This is particularly useful for women because community leaders have the social legitimacy to channel cases of violence against women, domestic violence, or sexual violence to the appropriate jurisdiction.

GOOD PRACTICE 5: PILOTING MULTI-AGENCY TRAINING TOOLS AHEAD OF PUBLICATION

During the project, UNODC and UN Women, in cooperation with OHCHR, piloted the new online training tool as a working version without publishing it yet, while all relevant United Nations agencies commented and the project staff finetuned it for joint publication. This enabled the project to enrich the draft training tool with practical feedback and produce a perfected tool by the end of the project, without delaying the training activities (actual delivery of the training during the project).

ANNEX I: TERMS OF REFERENCE

Background and Context

| | |
|---|--|
| Project number: | 1819U |
| Project title: | Improving Access to Legal Aid for Women in Western Africa |
| Duration: | 03/2018-06/2021 |
| Location: | Liberia, Senegal and Sierra Leone |
| Linkages to Country, Regional and Thematic Programmes: | UNODC Regional Programme for West Africa 2016-2020 Thematic Programme on Crime Prevention and Criminal Justice |
| Linkages to UNDAF's strategic outcomes to which the project contributes ³⁹ | Senegal: PNUAD 2012-2018 & 2019-2023 UNDAF Sierra Leone 2015-2018 Liberia: UNDAF 2013-2019 & UNSDCF 2020 – 2024 |
| Linkages to the SDG targets to which the project contributes: | SDG targets 5.1, 5.2 and 16.3 |
| Executing Agency: | UNODC and UN Women |
| Partner Organizations: | OHCHR |
| Total Approved Budget (USD): | 619,000 USD |
| Total Overall Budget (USD): | 619,000 USD |
| Total Expenditure by date of initiation of evaluation (USD): | 350,400 USD |
| Donors: | UN Development Account |
| Project Managers: | Ms. Anika Holterhof – Justice Section-Division for Operations, UNODC Mr. Sven Pfeiffer – Justice Section-Division for Operations, UNODC |
| Type and time frame of evaluation: (Independent Project Evaluation/In-depth Evaluation/mid-term/final) | Final Independent Project Evaluation, March 2018 - June 2021 |
| Time frame of the project covered by the evaluation (<i>until the end of the evaluation field mission</i>): | March 2018 – March 2021 |
| Geographical coverage of the evaluation: | Liberia, Senegal and Sierra Leone |
| Budget for this evaluation in USD ⁴⁰ : | 25,000 USD |
| Number of independent evaluators planned for this evaluation ⁴¹ : | 2 |
| Type and year of past evaluations (if any): | N/A |

³⁹ United Nations Development Assistance Framework

⁴⁰ Including fees for evaluation team, travel, printing, editing, translation, interpretation, etc.

⁴¹ Please note that the minimum for any UNODC evaluation is two independent evaluators, i.e. one lead evaluator and one team member.

Project overview

Complementing ongoing efforts to improve access to legal aid in West Africa, this project, a collaboration between the United Nations Office on Drugs and Crime (UNODC) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) and in coordination with the Office of the United Nations High Commissioner for Human Rights (OHCHR), aimed at enhancing access to justice for women, targeting Liberia, Senegal and Sierra Leone. To achieve the objective of further improving access to legal aid for women in West Africa, the project focused on 3 key components: 1) gender-responsive legal aid legislation and policies, 2) enhancing the capacity of legal aid providers and 3) empowering women to access legal aid. The implementation focused on enhancing the capacity of policy makers and legal aid providers, as well as on training of women leaders and providing grants to implementing partners, i.e. civil society organizations (CSOs) to engage in legal education and provide legal aid information and services.

Implementation started with a comprehensive assessment in all three countries to identify gaps and obstacles for gender-sensitive legal aid delivery and recommendations on how women can be better supported in the three dimensions outlined above (i.e. legal and policy frameworks; legal aid provision; legal empowerment), which informed all other activities carried out after the assessment. Legislative and policy assistance was provided, partly through workshops for relevant national stakeholders and partly through CSOs supported by grants awarded under the project, as in the case of Liberia. Based on ongoing consultations with national counterparts, the main focus of the project was on strengthening the capacity of legal aid providers through the development of a training tool, contextualized and used at national training-of-trainers workshops. Legal empowerment activities included community legal awareness programmes, with a focus on training women leaders and engaging women's organizations to enhance legal education and access to legal information for women, especially those who are most vulnerable.

In March 2020, in response to the COVID-19 pandemic and a request from DESA, the remaining funds were re-programmed in consultation with all relevant national counterparts to address the emerging challenges for project delivery and the legal aid needs of two groups of women that are particularly at risk during the COVID-19 emergency: i) prisoners and detainees are at particular risk of being infected with the virus, and ii) women and girls are at increased risk of victimization through domestic violence and at the same time have less access to legal aid and other essential services due to quarantine or social distancing measures. This resulted in the following activities: public advocacy, additional grants to legal aid CSOs, training for legal aid providers through distance learning, as well as monitoring of the impact of COVID-19 on women's access to justice.

I. PURPOSE OF THE EVALUATION

Evaluation is a requirement for all UNODC projects, a requirement of the project donor (United Nations Development Account), and also a good practice. A Final Independent Project Evaluation (IPE) is required for UNODC projects. The UNDA requires an external evaluation for all projects of the 11 UNDA tranche, and therefore an IPE will be conducted. The evaluation follows the UNODC evaluation guidelines and templates⁴², as well as UNEG evaluation norms and standards.

The purpose of the final evaluation of this project is to provide accountability to stakeholders (donors, UNODC staff and management, Member States, target groups and UN partner agencies) by determining the extent to which

⁴² All of UNODC's evaluation norms, tools, standards and templates (including the Evaluation Policy as well as the Evaluation Handbook) can be found on the IES website <https://www.unodc.org/unodc/en/evaluation/guidelines-and-templates.html>

the project objectives were met and how resources were used and by answering the more specific evaluation questions.

The main evaluation users will be the project stakeholders - UNDESA, UNODC and UN Women staff and management, as well as the national counterparts in the three project countries, including state institutions and CSOs. The results of this final evaluation will serve to inform the design and implementation of future projects on legal aid and broader access to justice for women, as well as a reference for future joint UN projects and initiatives. The present evaluation will also serve to increase organizational learning within UNODC and UN Women, and to empower local stakeholders by expanding their knowledge base and enhancing their skills.

II. EVALUATION CRITERIA

The evaluation will be conducted based on the following DAC criteria⁴³: relevance, coherence, efficiency, effectiveness, impact and sustainability, as well as human rights, gender equality and leaving no one behind, and lesson learned and best practices. All evaluations must include gender, human rights and no one left behind. Ideally these are mainstreamed within the evaluation questions. The criteria of relevance, efficiency, effectiveness, impact and sustainability can be addressed as relevant to the evaluation purpose. Evaluation criteria and questions should be selected to meet the needs of the stakeholders and evaluation context. The evaluation criteria and questions will be further refined by the Evaluation Team in the drafting of the Inception Report.

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| <p>Relevance⁴⁴: Is the intervention doing the right thing? <i>Relevance is the extent to which the activity is suited to the priorities and policies of the target group, recipient and donor.</i></p> |
| 1. To what extent are the outputs, outcomes and objectives of this project relevant for the priorities of local authorities in each of the three countries? |
| 2. To what extent are the outputs, outcomes and objectives of this project relevant to implementing the Sustainable Development Goals in the three countries? |
| 3. What adjustments, if any, were made to the project activities and modality, as a direct consequence of the COVID-19 situation or in response to the new priorities of Member States? |
| <p>Coherence⁴⁵: How well does the intervention fit? <i>The compatibility of the intervention with other interventions in the country, sector or institution</i></p> |
| 4. How functional and valuable were the partnerships established during the project between the relevant UN and local authorities, and between UNODC and UN Women? |
| 5. To what extent has the project been cooperating with other potential partners (including UN agencies, CSOs, academia, etc.) to contribute to the achievement of the SDGs? |
| <p>Efficiency: How well are resources being used? <i>The extent to which the intervention delivers, or is likely to deliver, results in an economic and timely way.</i></p> |
| 6. Was the number and quality of project activities adequate to achieve the expected outputs? What factors have hindered or facilitated the achievement of outputs? |
| 7. To what extent have the financial and human resources (inputs) been converted to outputs in a timely and cost-effective manner? |
| <p>Effectiveness: Is the intervention achieving its objectives? <i>The extent to which the intervention achieved, or is expected to achieve, its objectives, and its results, including any differential results across groups.</i></p> |

⁴³ <https://www.oecd.org/dac/evaluation/daccriteriaforevaluatingdevelopmentassistance.htm>

⁴⁴ Includes the previous criterion of design.

⁴⁵ Includes the previous criteria of partnerships and cooperation.

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| 8. To what extent did the project increase the capacities of policy makers and legal aid providers to enhance access to legal aid services for women in the three countries? |
| 9. To what extent did the adjustments made to the project activities and modality as a result of COVID-19 allow the project to effectively respond to the new priorities of Member States that emerged as a result of the pandemic? |
| Impact: What difference does the intervention make? The extent to which the intervention has generated or is expected to generate significant positive or negative, intended or unintended, higher-level effects. |
| 10. To what extent did the project contribute to increasing women's access to legal aid services in the three countries? To what degree did the CSOs receiving grants under this project contribute to this change? |
| 11. To what extent did the project contribute to the Sustainable Development Goals? |
| Sustainability: Will the benefits last? The extent to which the net benefits of the intervention continue or are likely to continue. |
| 12. How likely is it that the project beneficiaries (including women, state institutions and CSOs) will use the tools, knowledge, capacity and awareness about women's access to legal aid after the project? |
| 13. To what extent can the project be replicated in other countries? |
| Human rights, gender equality, and leaving no one behind: Has the intervention been inclusive and human rights based? The extent to which the project/programme has mainstreamed human rights, gender equality, and the dignity of individuals, i.e. vulnerable groups, including those with disabilities. |
| 14. To what extent were human rights and gender equality mainstreamed in the project design and implementation? |
| 15. To what extent were under-represented and vulnerable groups included in the project design and implementation? |
| Lessons learned and best practices Lessons learned concern the learning experiences and insights that were gained throughout the project/ programme. |
| 16. What lessons learned and best practices for future access to justice projects and programmes can be drawn from this project? |

III. EVALUATION METHODOLOGY

The methods used to collect and analyse data

This evaluation will use methodologies and techniques as determined by the specific needs for information, the questions set out in the TOR and further refined in the Inception Report, as well as the availability of stakeholders. In all cases, the evaluation team is expected to analyse all relevant information sources, such as reports, programme documents, thematic programmes, internal review reports, programme files, evaluation reports (if available), financial reports and any other additional documents that may provide further evidence for triangulation, on which their conclusions will be based. The evaluation team is also expected to use interviews, surveys or any other relevant quantitative and/or qualitative tools as a means to collect relevant data for the evaluation. While maintaining independence, the evaluation will be carried out based on a participatory approach, which seeks the views and assessments of all parties identified as the stakeholders of the project/ programme. The Core Learning Partners (CLP).

The evaluation team will be asked to present a summarized methodology (including an evaluation matrix) in the Inception Report outlining the evaluation criteria, indicators, sources of information and methods of data collection. The evaluation methodology must conform to the United Nations Evaluation Group (UNEG) Norms and Standards as well as the UNODC Evaluation Policy, Norms and Standards.

While the evaluation team shall fine-tune the methodology for the evaluation in an Inception Report, a mixed-methods approach of qualitative and quantitative methods is mandatory due to its appropriateness to ensure a gender-sensitive, inclusive methodology. Special attention shall be paid to an unbiased and objective approach and the triangulation of sources, methods, data, and theories. The limitations to the evaluation need to be identified and discussed by the evaluation team in the Inception Report, e.g. data constraints (such as missing baseline and monitoring data). Potential limitations as well as the chosen mitigating measures should be discussed.

The main elements of the evaluation process are the following:

- Preparation and submission of an Inception Report (containing initial observations of the desk review, refined evaluation questions, data collection instruments, sampling strategy, limitations to the evaluation, and timetable) to IES through Unite Evaluations (<https://evaluations.unodc.org>) for review and clearance at least one week before any field mission may take place (may entail several rounds of comments);
- Initial meetings and interviews with the Project Manager and other UNODC staff (face-to-face or by telephone/skype/MS Teams etc.) as well as stakeholders during the field mission, if possible given COVID-19 restrictions;
- Interviews (face-to-face or by telephone/skype/MS Teams etc.), with key project stakeholders and beneficiaries, both individually and (as appropriate) in small groups/focus groups, as well as using surveys, questionnaires or any other relevant quantitative and/or qualitative tools as a means to collect relevant data for the evaluation;
- Analysis of all available information;
- Preparation of the draft evaluation report (based on Guidelines for Evaluation Report and Template Report to be found on the IES website <http://www.unodc.org/unodc/en/evaluation/index.html>). The lead evaluator submits the draft report to IES only through Unite Evaluations for review and clearance (may entail several rounds of comments). A briefing on the draft report with project/programme management may also be organized. This will be based on discussion with IES and project/programme management.
- Preparation of the final evaluation report and an Evaluation Brief (2-pager), including full proofreading and editing, submission to IES through Unite Evaluations for review and clearance (may entail several rounds of comments). It further includes a PowerPoint presentation on final evaluation findings and recommendations;
- Presentation of final evaluation report with its findings and recommendations to the target audience, stakeholders etc. (in person or if necessary, through Skype).
- In conducting the evaluation, the UNODC and the UNEG Evaluation Norms and Standards are to be taken into account. All tools, norms and templates to be mandatorily used in the evaluation process can be found on the IES website: <http://www.unodc.org/unodc/en/evaluation/index.html>.

IV. TIMEFRAME AND DELIVERABLES

| <i>Evaluation stage</i> | <i>Start date (dd/mm/yy)</i> | <i>End date (dd/mm/yy)</i> | <i>Subsumed tasks, roles</i> | <i>Guidance / Process description</i> |
|--|-------------------------------------|-----------------------------------|--|---|
| <i>Inception Report (3-5 weeks)</i> | <i>18/01/21</i> | <i>12/02/21</i> | <i>Draft IR; Review by IES, PM; Final IR</i> | <i>Includes 2 weeks for review by IES</i> |
| <i>Data collection (incl. field missions) (2-6 weeks)</i> | <i>15/02/21</i> | <i>19/03/21</i> | <i>Field missions; observation; interviews; etc.</i> | <i>Coordination of data collection dates and logistics with PM.</i> |

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| Draft report (6-9 weeks) | 22/03/21 | 23/04/21 | Drafting of report; by evaluators | Includes 2 weeks for review by IES, 1 week by PM |
| | 26/04/21 | 14/05/21 | Review by IES; review by PM; revision of draft | |
| Draft report for CLP comments (2 weeks) | 17/05/21 | 28/05/21 | Compilation of comments by IES | Comments will be shared by IES with evaluators |
| Final report, Brief and PowerPoint slides (3-4 weeks) | 31/05/21 | 25/06/21 | revision by evaluation team; review/approval by IES; incorporation of EFP/MR by PM | Evaluation report, Brief and slides are finalised. Includes 1 week for review by IES and 1 week for PM |
| Presentation (1 day) | 28/06/21 | 28/06/21 | presentation organised | Date of presentation of final results to be agreed with PM. |

The UNODC Independent Evaluation Section may change the evaluation process, timeline, approach, etc. as necessary at any point throughout the evaluation process.

V. EVALUATION TEAM COMPOSITION

| Role | Number of consultants ⁴⁶ (national/international) | Specific expertise required ⁴⁷ |
|----------------|---|---|
| Lead evaluator | 1 (international/national consultant) | Evaluation methodology |
| Expert | 1 (international/national consultant) | Expertise in access to justice |

The evaluation team will not act as representatives of any party and must remain independent and impartial. The qualifications and responsibilities for each evaluation team member are specified in the respective job descriptions attached to these Terms of Reference (Annex 1). The evaluation team will report exclusively to the Chief or Deputy Chief of the UNODC Independent Evaluation Section, who are the exclusive clearing entity for all evaluation deliverables and products.

Absence of Conflict of Interest

According to UNODC rules, the evaluation team must not have been involved in the design and/or implementation, supervision and coordination of and/or have benefited from the programme/project or theme under evaluation.

⁴⁶ Please note that an evaluation team needs to consist of at least 2 independent evaluators – at least one team leader and one team member.

⁴⁷ Please add the specific technical expertise needed (e.g. expertise in anti-corruption; counter terrorism; etc.) – please note that at least one evaluation team member needs to have expertise in human rights and gender equality.

Furthermore, the evaluation team shall respect and follow the UNEG Ethical Guidelines for conducting evaluations in a sensitive and ethical manner.

VI. MANAGEMENT OF THE EVALUATION PROCESS

Roles and responsibilities of the Project Managers

The Project Managers are responsible for:

- Managing the evaluation process,
- drafting and finalizing the ToR,
- identifying stakeholders and selecting Core Learning Partners (representing a balance of men, women and other marginalised groups) and informing them of their role,
- recruiting the evaluation team following clearance by IES, ensuring issued contracts ahead of the start of the evaluation process in line with the cleared ToR. In case of any delay, IES and the evaluation team are to be immediately notified,
- providing desk review materials (including data and information on men, women and other marginalised groups) to the evaluation,
- reviewing the draft report for factual errors,
- developing a management response and follow-up plan for the usage of the evaluation results. Recording of the implementation of the evaluation recommendations (to be updated once per year),
- disseminate the final evaluation report and communicate evaluation results to relevant stakeholders as well as facilitate the presentation of evaluation results;

The Project Managers will be in charge of **providing logistical support** to the evaluation team including arranging the field missions of the evaluation team, including but not limited to:

- All logistical arrangements for the travel (including travel details; DSA-payments; transportation; etc.)
- All logistical arrangement for the meetings/interviews/focus groups/etc. (respecting potential COVID-related restrictions on travel and in-person meetings), ensuring interview partners adequately represent men, women and other marginalised groups and arrangements for the presentation of the evaluation results;
- Ensure timely payment of all fees/DSA/etc. (payments for the evaluation team must be released within 5 working days after the respective deliverable is cleared by IES).

Roles and responsibilities of the Independent Evaluation Section

The Independent Evaluation Section (IES) provides mandatory normative tools, guidelines and templates to be used in the evaluation process⁴⁸. Furthermore, IES provides guidance, quality assurance and evaluation expertise, as well as interacts with the project manager and the evaluation team throughout the evaluation process. IES may change the evaluation process, timeline, approach, etc. as necessary at any point throughout the evaluation process.

IES reviews, comments on and clears all steps and deliverables during the evaluation process: Terms of Reference; Selection of the evaluation team, Inception Report; Draft Evaluation Report; Final Evaluation Report, Evaluation Brief and PowerPoint slides on the final evaluation results; Evaluation Follow-up Plan. IES further publishes the final evaluation report and the Evaluation Brief on the UNODC website, as well as sends the final evaluation report to an external evaluation quality assurance provider.

⁴⁸ Please find the respective tools on the IES web site <http://www.unodc.org/unodc/en/evaluation/evaluation.html>.

VII. PAYMENT MODALITIES

The evaluation team will be issued consultancy contracts and paid in accordance with UNODC rules and regulations. The payment will be made by deliverable and only once cleared by IES. Moreover, 75 percent of the daily subsistence allowance and terminals is paid in advance before travelling. The balance is paid after the travel has taken place, upon presentation of boarding passes and the completed travel claim forms. Deliverables which do not meet UNODC and UNEG evaluation norms and standards will not be cleared by IES.

IES is the sole entity to request payments to be released in relation to evaluation. Project/Programme Management must fulfil any such request within 5 working days to ensure the independence of this evaluation process. Non-compliance by Project/Programme Management may result in the decision to discontinue the evaluation by IES.

ANNEX II: EVALUATION TOOLS: QUESTIONNAIRES AND INTERVIEW GUIDES

SEMI-STRUCTURED INTERVIEW GUIDES

The Independent Evaluation Section of United Nations Office on Drugs and Crime (UNODC) is in the process of undertaking a Final Independent Project Evaluation of UNODC/UN Women's Project "Improving access to legal aid for women in Western Africa (2018-2020) (1819U)". The evaluation is undertaken in line with UNODC and UNEG norms and standards for evaluation.

The purpose of the evaluation is to inform the design and implementation of future related projects; increase organizational learning within UNODC and UN Women; and empower local stakeholders by expanding their knowledge base and enhancing their skills.

The evaluation is being carried out by a team of external independent evaluators, consisting of an Evaluation Expert (Ms. Camille Massey) and a Substantive Expert (Mr. Patrick Burgess).

Confidentiality: The interview is entirely confidential with all information received being aggregated and anonymised. No individual will be quoted nor will the organization they represent be identified.

NATIONAL AUTHORITIES

1. What are your functions, and what has your role in this project been?
2. In your opinion, over the past three years, what have been the key changes in the main Laws and Regulations relevant to the provision of legal aid to women?
If not tackled, prompt: What kinds of legal safeguards are in place to protect women victims of domestic violence and other crimes? Are there special procedures in the courts and the legal aid system? Did the Project help to strengthen those protections? In what way?
3. In your opinion, over the past three years, what have been the key changes in the practice and internal of institutions (public, or civil society) working on and around legal aid for women?
4. How are the legal aid services for women funded?
5. What are the major strengths and challenges of the legal aid system in relation to access to justice for women in your country?
6. What has the project changed about these four aspects, if anything?
7. What additional challenges for legal aid and access to justice for women did the COVID 19 pandemic bring? How were adjustments made to deal with those new challenges?
8. How satisfied were you with the activities of the project, and your involvement? If you could have changed something in this project, what would it have been, and why?

JUDGES/PROSECUTORS/POLICE

1. Which activities of the project did you participate in? What was your opinion about them, in terms of quality and implementation?

2. What has this project changed for you, in the discharge of your functions, if anything?
3. Overall, what are the main challenges you think women face in accessing justice, and what is the role of legal aid in this context? *Prompt if not tackled: are women aware of their rights in relation with legal aid?*
4. What are the applicable procedures to obtain legal aid? *Prompt if not tackled: Under the national laws at what stage is an individual entitled to a lawyer? Is there a right to be legally represented from the moment that a person first becomes a suspect of a criminal charge?*
5. In practice are all women who are charged with serious criminal offences provided with an independent lawyer to represent them?
6. Are there any challenges to keeping women charged with criminal offences in separate detention centres?
7. Are there special procedures relating to women victims to ensure that they are provided with legal aid?
8. How would you describe the process of communicating with legal aid providers that a woman suspect or victim needs legal aid, procedurally and in practice?

UNODC PROJECT STAFF

1. What was your role in the project?
2. What were the needs of the beneficiaries that the Project was designed to address?
3. How well did the Project prioritize the various elements of access to legal aid for women? *Prompt if not tackled: Was there a focus on women held in pre-trial detention? Should there have been more focus on this need?*
4. Was the design of the Project realistic in terms of objectives, results and timing?
5. How were the partners for the Project selected? What monitoring, reporting and governance procedures were put in place, and how did they work?
6. Were there sufficient human, financial and material resources to oversee, guide and implement the program?
7. How did the UN agencies involved in the Project interact and collaborate with each other?
8. How did the context change and affect the project over time, in particular in relation with the COVID-19 pandemic?
9. What has changed in the legal, regulatory and policy framework as a result of the project?
10. How would you describe the funding of the legal aid services for women funded, and the effects of the project on this funding?
11. What improvements did the Project contribute to the effective functioning and service delivery of relevant institutions (public or civil society), in particular the legal aid providers?

12. How did the awareness of legal aid services change during the life of the program? Please give examples.
13. Looking towards the future and what can be done, what are the major challenges to legal aid and access to justice for women? *If not tackled, prompt: What kinds of legal safeguards are in place to protect women victims of domestic violence and other crimes? Are there special procedures in the courts and the legal aid system? Do these work in practice?*
14. What important lessons, both positive and negative, can be drawn from the design and implementation of the Project?

CSO'S AND NHRI

(in addition to those above that are relevant)

1. Which activities of the project did you participate in?
2. Did you receive sufficient and timely support from the Project staff to allow you to effectively implement the activities?
3. How would you assess your relationship with the project staff and the partners throughout implementation?
4. Did the Project help to build institutional and individual capacity within your organization?
5. What could be done to ensure that the improvements are sustainable?
6. What tools were produced through the collaboration with the Project that will continue to be useful in the future?
7. Overall, what are the main challenges you think women face in accessing justice, and what is the role of legal aid in this context?
8. What were the biggest impacts of the Project for your beneficiaries?
9. Did the activities carried out under the program help to improve the rights holders' awareness of the right to legal aid and its availability?
10. What recommendations would you make for future similar Programs?

RIGHTS HOLDERS (WOMEN WHO ACCESSED LEGAL AID)

1. What kind of problem did you have, which prompted you to seek legal aid?
2. Who was the first person you approached to get help with this problem, and why?
3. Did you go to the police, and why?
4. Did you know about legal aid when you first confronted your legal problem? If not, how did you learn about the availability of legal aid and that it might help you with your problem?
5. A legal aid provider is an organization or person who provides legal aid services. Please tell us, step by step, what took place?
6. Did the legal aid provider communicate clearly to you about the situation you were in, your rights, the challenges and what might happen?
7. Was the legal aid provider who dealt with you a lawyer?
8. Were they a man or a woman?

9. Did you always see the same person, or did it change?
10. How did you feel about the service that was provided to you by the legal aid provider? Was it professional?
11. Did the legal aid provider always attend the dates at court or at other offices?
12. Did you take part in a formal justice mechanism, like going to the court, or to arbitration, or mediation? If so, can you tell us about that?
13. Did you pay anything for the legal aid service? if so what did you pay for? (Court fees, documents etc)?
14. Did anyone ask you for any money or other things for the services at any time?
15. Did you receive any money to cover transport costs, telephone or other costs, and if yes , was it difficult to cover them to continue the case?
16. Was it difficult to continue with your case until it was finished? If so why?
17. Did you get a solution to your legal problem, and if yes which one?
18. How much do you think people in your community know about legal aid and how it can help them?
19. In your opinion what are the biggest challenges to providing legal aid to women who face legal problems?
20. What is the best way for people from your community to learn about legal aid?
21. What advice would you give to other women who have a similar problem to yours, or another legal problem?

FOCUS GROUP FOR LEGAL AID PROVIDERS

1. What did this project change to the way your organization works on legal aid? *Prompt if not tacked: For example, do you work differently with rights users, do you use new tools, do you work differently among colleagues within your organization, or with other organisations?*
2. How did the project support your organization over time, if at all? *Prompt if not tacked: reaction to the COVID-19 pandemic, relationship with the project staff and the partners throughout implementation.*
3. How did the Project contribute to the institutional strength of your organizations (internally, but also in terms of recognition by the actors of the justice sector), and what remains to be done?
4. Overall, what are the main challenges you think women face in accessing justice, and what is the role of legal aid in this context?
5. What were the biggest impacts of the Project for your beneficiaries?
6. How aware would you say communities are about the availability of your services?
7. What recommendations would you make for future similar Programs?

ANNEX III: DESK REVIEW LIST

UNODC DOCUMENTS

| Number | Title |
|--------|--|
| 1 | Project Document as amended 13 November 2017 (11th tranche of the development account) |
| 2 | Project Document as amended (COVID Revisions) |
| 3 | Project organigram and List of key stakeholders |
| 4 | UN WomenUNODC Agreement as signed (UN Agency to UN Agency contribution agreement) |
| 5 | UN Women Amendment 1 signed |
| 6 | UN Women Amendment 2 signed |
| 7 | CSO agreement Liberia: Association of Female Lawyers of Liberia (AFELL) |
| 8 | CSO Agreement Liberia: Association of Female Lawyers of Liberia (AFELL) - Annex |
| 9 | CSO Agreement Liberia: Institute for Research and Democratic Development (IREDD) |
| 10 | CSO Agreement Liberia: Institute for Research and Democratic Development (IREDD) - Annex |
| 11 | CSO Agreement Sierra Leone: ADVOCAID |
| 12 | CSO Agreement Sierra Leone: L.A.W.Y.E.R.S |
| 13 | 2019 Report on regional workshop - Dakar 11-12 February (mission report) |
| 14 | 2019 TOT - Sierra Leone Report (duplicate of part of Annex 2 of the annual report) |
| 15 | 2020 CSO workshop Liberia - Analysis of Pre & Post Test |
| 16 | 2020 CSO workshop Sierra Leone Report |

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| 17 | 2019 Training Tool for Legal Aid Providers - November |
| 18 | 2019 Training Tool for Legal Aid Providers (French translation: Manuel de formation sur l'Assistance juridique des femmes au Liberia, au Sénégal, et en Sierra Leone) 30 May |
| 19 | Evaluation Framework UNDA, October 2019 |
| 20 | Evaluation Guidelines UNDA, October 2019 |
| 21 | UNITED NATIONS OFFICE ON DRUGS AND CRIME, Final Independent project evaluation "Promoting Rule of Law and Governance in the Criminal Justice System in Liberia" (1011AY/ROA-204-7B), Liberia, March 2015. |
| 22 | Project Report 2018 |
| 23 | Baseline Assessment Liberia |
| 24 | Baseline Assessment Senegal |
| 25 | Baseline Assessment Sierra Leone |
| 26 | 'Kolonko' Sex Worker Documentary: Launch Multimedia for UN Women 17 Dec 2018 (Sierra Leone) |
| 27 | Regional Workshop on IMPROVING ACCESS TO LEGAL AID FOR WOMEN - Dakar 11-12 February 2019 |
| 28 | Training of Trainers Workshops to Improve Access to Legal Aid for Women (in Sierra Leone 23-25 July 2019; in Dakar 3-5 September 2019, incl. survey on participant satisfaction and qualitative evaluation of the workshop; in Liberia 3-5 December 2019) |
| 29 | PRESS RELEASE_ AdvocAid client granted appeal on murder convict |
| 30 | UNODC, "UNODC Sahel Programme Results and Activities // Progress Report June 2017", United Nations, Vienna, 2017 |
| 31 | UNODC, "2018 Annual report. United Nations", Vienna, 2018. |
| 32 | UNODC, "Mid-term cluster independent in-depth evaluation - Global Maritime Crime Programme", United Nations, Vienna, 2020 |

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| 33 | UNDP, UNODC, UN Women, OHCHR, A Practitioner’s Toolkit on Women’s Access to Justice Programming, United Nations, New York, 2018 |
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Total number of UNODC documents reviewed: 33

EXTERNAL DOCUMENTS

| Number | Title |
|--------|--|
| 1 | Universal Declaration of Human Rights |
| 2 | European Union, “Liberia – National Indicative Programme for the period 2014-2020”, European Union, Brussels, 2014 |
| 3 | European Union, “Sierra Leone – National Indicative Programme for the period 2014-2020”, European Union, Brussels, 2014 |
| 4 | European Union, “Senegal – Programme National Indicatif pour la période 2014-2017”, European Union, Brussels, 2014 |
| 5 | European Commission for the Efficiency of Justice (CEPEJ), 2020 Evaluation cycle report, Council of Europe, Strasbourg, 2020 |
| 6 | https://evaw-global-database.unwomen.org/fr/countries/africa/sierra-leone/2010/national-gender-strategic-plan-2010-2013 |
| 7 | https://evaw-global-database.unwomen.org/fr/countries/africa/senegal |
| 8 | Cyrus Vance Centre for International Justice, Advocaid, “Women wahala na prison – causes and consequences of women’s imprisonment in Sierra Leone”, 2020 |
| 9 | United Nations, “Addis Ababa Action Agenda of the Third International Conference on Financing for Development”, United Nations, New York, 2015 |
| 10 | UNICEF “Child Marriage and the Law: Technical Note for the Global Program to End Child Marriage.” https://www.unicef.org/media/86311/file/Child-marriage-the-law-2020.pdf |
| 11 | United Nations, “Compendium of United Nations standards and norms in crime prevention and criminal justice”, United Nations, New York, 2026, https://www.unodc.org/documents/justice-and-prison-reform/English_book.pdf |

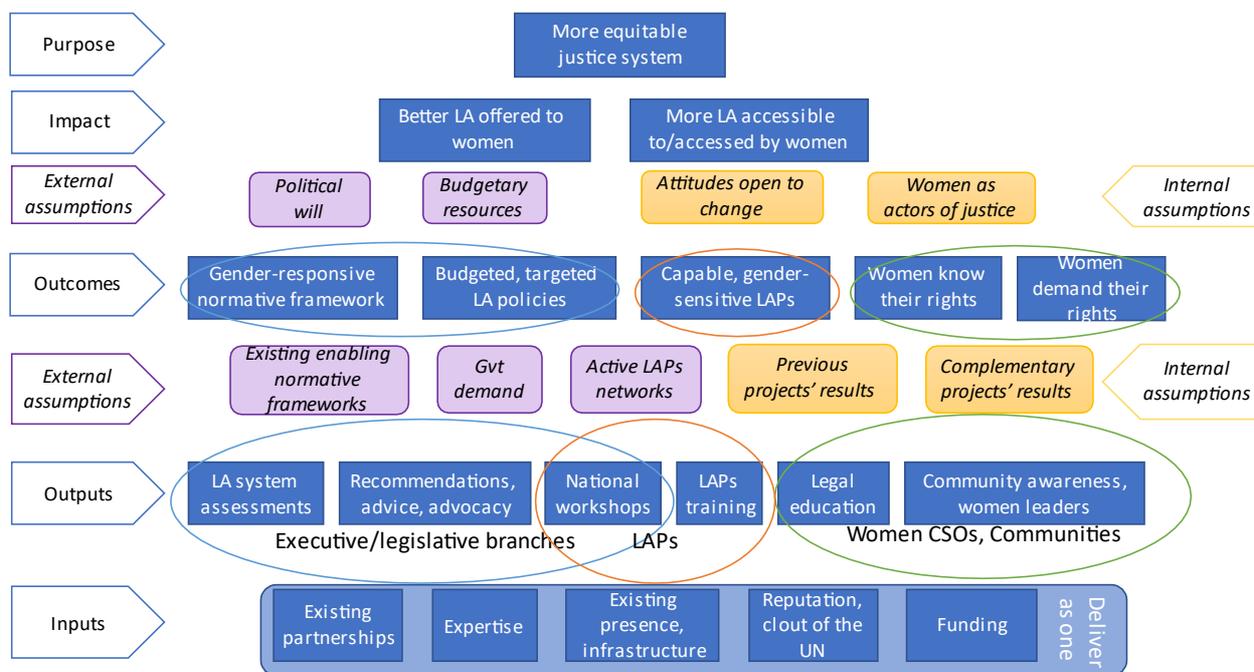
Total number of external documents reviewed: 10

ANNEX IV: STAKEHOLDERS CONTACTED DURING THE EVALUATION

| Number of interviewees | Organisation | Type of stakeholder (see note below) | Sex data | Country disaggregated |
|------------------------|---|--------------------------------------|--------------------------------------|---|
| 12 | UNODC and UN Women | Project implementers | Male: 2 Female: 10 | Liberia, Senegal, Sierra Leone, Austria, United States of America |
| 2 | OHCHR | Other United Nations Agency | Female: 2 | Senegal, Switzerland |
| 15 | Legal aid providers and community CSOs | Implementing partners | Male: 6 Female: 9 | Liberia, Senegal, Sierra Leone |
| 2 | Ministries of justice and/or judicial authorities | Government recipient | Male: 2 | Liberia, Senegal |
| 2 | National human rights institutions | Other project partners | Male: 2 | Liberia, Senegal |
| 2 | N/A | Rights holders | Female: 2 | Countries covered |
| Total: 35 | | | Male: 12 Female: 23 | |

ANNEX V: OVERVIEW OF PROJECT COMPONENTS AND PROJECT EXTENSION

The graph below presents a visual representation of the ToC of the project, as reconstructed during the inception phase of the evaluation.



In order to implement this ToC, the project mobilised the following activities, stakeholders and financial resources:

| Initial intervention components | Activities | Target group | Implementing UN Agency | Budget |
|---------------------------------|-------------------------------------|-------------------------------|------------------------|-------------|
| LA normative Framework | Assessment of LA Policy/Legislation | Policy makers and legislators | UNODC | 154.360 USD |
| | Assistance workshops | | | |
| LA Provision | Training tool for LALA providers | LALA providers | | |

| | | | | |
|---------------------------------------|---|--------------------------------------|----------|--------------------|
| | ToT workshop for providers | | | |
| Empowerment of women towards using LA | Users' legal empowerment: CSOs Grants for awareness & access to LA services | LA users/women | UN Women | 199.640 USD |
| Project extension | Public advocacy to mitigate COVID 19 | Policy makers and legislators | UNODC | 105.000 USD |
| | LA providers distant training | LAPs | UN Women | 160 000 USD |
| | Monitoring COVID 19 impact & Project Evaluation | Project management, evaluation users | | |
| | Grants to CSOs to deliver LA | LAPs | | |
| Total budget | | | | 619,000 USD |

ANNEX VI: EVALUATION MATRIX

| Evaluation criteria | Evaluation Question ⁴⁹ | Indicators/sub questions to respond to each question ⁵⁰ | Collection method(s) and sources ⁵¹ |
|---------------------|--|---|---|
| Relevance | 1. To what extent was the intervention design relevant to the needs and aspirations identified in the three countries? | 1.1 To what extent was the theory of change of the project, in particular the targeting of stakeholders and chain of changes, relevant to the needs and aspirations of the direct and indirect beneficiaries? | Semi-structured interviews: Women leaders Women's organizations, NHRIs, Legal aid providers, UNODC, UN Women, (HQ/country teams) |
| | | 1.2 To what extent was the theory of change of the project in line with the strategic objectives of the three countries' domestic authorities? | Focus group: Legal Aid providers ToC online workshop: UNODC, UN Women, (HQ/country teams) Document review: Project documents Baseline assessment, Academic/civil society/intergovernmental research publications |
| | 2. To what extent was the intervention design coherent and relevant to the strategic objectives of the United Nations | 2.1 To what extent was the theory of change of the project relevant to implementing the Sustainable Development Goals in an inclusive and human rights-oriented fashion in the three countries? | Document review: Project documents UN publications ToC online workshop: UNODC, UN Women, (HQ/country teams) Semi-structured interviews: DESA, OHCHR |
| | | 2.2 To what extent was the theory of change of the project in line with the strategic priorities of UNDA, UNODC and UN Women, particularly in terms of equity, inclusion and human rights? | Document review: Project documents UN publications ToC online workshop: UNODC, UN Women, (HQ/country teams) |
| | | 2.3 To what extent was the theory of change of the project coherent, both initially and as a | Document review: Project documents |
| | | | |

⁴⁹ Please state all evaluation questions.

⁵⁰ Please state the sub-questions and indicators that will guide your data collection to respond to the evaluation question.

⁵¹ Please state the data collection methods that will be used to answer the respective evaluation question and the respective data sources.

| | | | |
|---------------|--|--|---|
| | | result of new activities in response to the COVID-19? | UN publications ToC online workshop: UNODC, UN Women, (HQ/country teams) Semi-structured interviews: DESA, OHCHR |
| Effectiveness | 3. To what extent did the project create necessary conditions for enhanced legal aid services for women in the three countries? | 3.1 To what extent have gender-responsive and human rights-oriented legal aid legislation and policies promoted by the project been adopted, accepted and implemented? | Semi-structured interviews: Representatives of the Ministries of Justice, Bar Associations, any other important participant to national workshops Participants to workshops/trainings from among judicial practitioners (judges/prosecutors) CSO grant-winners, NHRIs ToC online workshop: UNODC, UN Women, (HQ/country teams) Document review: national strategic/policy documents, National legislation/regulations |
| | | 3.2 To what extent did the project enhance the capacity of legal aid providers to provide quality, accessible, inclusive, equitable legal aid in the interest of the rights holders? | Document review: Project reports Focus group: Legal aid providers Semi-structured interviews: CSO grant-winners Participants to workshops/trainings from among judicial practitioners (judges/prosecutors); Small sample of women who used legal aid from service providers |
| Efficiency | 4. To what extent have the RUNOs optimized their assets and comparative advantage towards achieving the objectives of the project? | 4.1 To what extent have the financial and human resources (inputs) been converted to outputs in a timely and cost-effective manner? | ToC online workshop: UNODC, UN Women representatives (HQ, country teams) Semi-structured interviews: Representatives of the Ministries of Justice, Bar Associations, any other important participant to national workshops, CSO grant-winners, Women's organizations, legal aid providers, OHCHR Focus group: Legal aid providers Document review: Project reports |
| | | 4.2 How functional and valuable were the partnerships established before and during the project between the relevant UN and local | ToC online workshop: UNODC, UN Women representatives (HQ, country teams) Semi-structured interviews: NHRIs, Resident Coordinators |

| | | | |
|----------------|---|--|---|
| | | authorities, and between UNODC and UN Women? | Short written questionnaire: Representatives of other UN agencies (e.g. UNFPA, UNICEF country Res. Reps, EU Delegations) Document review: project reports |
| Impact | 5. To what extent did the project contribute to increasing women's access to legal aid services in the three countries? | 5.1 To what extent did the new legislation and policies facilitate women's access to legal aid in an equitable and inclusive manner? | Document review: project reports Semi-structured interviews: Legal aid providers, Representatives of the Ministries of Justice, Bar Associations, any other important participant to national workshops, Small sample of women who used legal aid from service providers Focus group: legal aid providers |
| | | 5.2 To what degree did the CSOs receiving grants and legal aid providers supported under this project contribute to this change? | Document review: project reports Semi-structured interviews: Legal aid providers, Participants to workshops/trainings from among judicial practitioners (judges/prosecutors, Small sample of women who used legal aid from service providers Sample of women who used legal aid services Focus group: legal aid providers |
| | | 5.3 To what extent did the project contribute to the Sustainable Development Goals and to the protection and fulfilment of the beneficiaries' rights? | Document review: project reports |
| Sustainability | 6. To what extent are the project impacts likely to continue after the end of the project? | 6.1 How likely is it that the state institutions and CSOs will use the tools, knowledge, capacity and awareness about women's access to legal aid after the project? | ToC online workshop: UNODC, UN Women representatives (country teams, HQ) Focus group: legal aid providers Semi-structured interviews: Representatives of the Ministries of Justice, Bar Associations, any other important participant to national workshops CSO grant-winners, Women's organizations Document review: Project reports |

| | | | |
|--|--|---|--|
| | | <p>6.2 How likely is it that women’s access to gender-sensitive and human rights compliant legal aid will continue to increase after the project?</p> | <p>ToC online workshop: UNODC, UN Women representatives (country teams, HQ)</p> <p>Focus group: legal aid providers</p> <p>Semi-structured interviews: Ministries of Justice, Bar Associations, any other important participant to national workshops, CSO grant-winners</p> <p>Women’s organizations, Sample of women who used legal aid services</p> <p>Document review: project reports</p> |
|--|--|---|--|

ANNEX VII: PROJECT RESULTS FRAMEWORK

| I. UNDA LOGICAL FRAMEWORK | | | |
|---|---|--|------------------------------|
| Project Title: Improving Access to Legal Aid for Women in Western Africa | Sub programme in the Strategic Framework: 5 Justice | Region/Country: Liberia, Senegal, Sierra Leone | Project Number / Code: 1819U |
| | | Date: November 2017 | Duration: 03/2018-06/2021 |
| <p>Accomplishment(s) in the Strategic Framework:</p> <ul style="list-style-type: none"> •For UNODC: Expected Accomplishment (b) of Subprogramme 5 of Programme 13 (International drug control, crime and terrorism prevention and criminal justice): “Crime prevention and criminal justice system reform initiatives within the UNODC mandate are developed and implemented in accordance with international standards and norms in crime prevention and criminal justice”;⁵ •For UN Women: Expected Accomplishment (b) of Subprogramme 2 of Programme 14 (Gender equality and empowerment of women): “Enhanced capacity of UN-Women to effectively support, upon the request of Member States, national mechanisms for gender equality, service delivery institutions and civil society organizations in order to advance gender equality and women’s empowerment and to protect women’s human rights”;⁶ and UN Women’s fourth Strategic Plan (2018-2021) which includes an Output on “More Justice Institutions are accessible to and deliver for women and girls”. A related indicator of this Output is “Number of women accessing legal aid with UN-Women support”. These measurements support in framing UN Women’s expected accomplishments within an accountability framework which has received the full endorsement of its Executive Board; | | | |
| <p>Relationship with Country/ Regional/ Thematic Programmes: UNODC Regional Programme for West Africa 2016-2020; Thematic Programme on Crime Prevention and Criminal Justice</p> | | | |
| | Indicators | Means of Verification | Risks |
| Project Objective: To enhance access to legal aid services for women in Liberia, Senegal and Sierra Leone | N/A | N/A | N/A |
| Expected Accomplishment 1: Increased capacity of law and policy makers to enhance gender-sensitivity of legislative | IA1.1 Recommendations to increase gender-sensitivity of laws and policies on legal aid are | Workshop reports; | N/A |

| | | | |
|---|--|---|-----|
| and policy frameworks concerning legal aid in three countries in the region. | considered by the competent national authorities. | Correspondence with national counterparts | |
| | <p>A1.1 Comprehensive assessment of the national legal aid systems in each of the target countries.</p> <p>A1.2 Workshop for all relevant stakeholders to review the assessment findings and engage in action planning and information exchange.</p> <p>A1.3 Workshops to review and validate the plan prepared at the preceding workshop to align laws and policies on legal aid with international standards and norms on legal aid and gender equality.</p> | | |
| Expected Accomplishment 2: Enhanced capacity of legal aid providers to deliver gender-sensitive legal aid services in Liberia, Senegal and Sierra Leone. | <p>IA 2.1 A technical tool on gender-sensitive specialized legal aid services is developed, based on international best practices and tailored towards the regional/national context of the project countries.</p> <p>IA 2.2 80% of trained legal aid providers indicate having increased their knowledge or skills in provision of specialised legal aid services for women.</p> | <p>Implementing partners' websites; Correspondence with national counterparts;</p> <p>Pre and post-training Evaluation; Correspondence with national counterparts</p> | N/A |
| | <p>A2.1 Develop a training tool.</p> <p>A2.2 Training of Trainers workshop.</p> <p>A2.3 National training workshops.</p> | | |
| Expected Accomplishment 3: Increased awareness of women in Liberia, Senegal and Sierra Leone of their right to legal aid and how to access it. | <p>IA3.1</p> <p>80% of women benefiting from legal awareness programmes indicate having increased knowledge of their right to legal aid and ways to access services.</p> | <p>Surveys/questionnaires from grant beneficiaries;</p> <p>Correspondence with national counterparts</p> | N/A |
| | <p>A3.1 Grants to civil society organizations to conduct community legal awareness and empowerment programmes.</p> | | |