

IDLO Evaluation Brief

MID-TERM EVALUATION OF THE IDLO-IMPLEMENTED PROJECT

“STRENGTHENING THE CRIMINAL JUSTICE CHAIN IN THE NORTH OF MALI (SCJC)”

January 2019

1. Introduction and Background

The project “*Strengthening the Criminal Justice Chain in the North of Mali*” (SCJC), funded by the Dutch Government with a budget of 4,909,645 euro, is the largest intervention implemented by IDLO in Mali. The project’s timeframe is December 2015 - May 2020.

The aim of SCJC is “to improve the quality and accessibility of justice in the Northern regions of Mali”. To achieve this objective, the project adopted a bottom-up and localized approach, which involved designing the activities through continuous consultations with the beneficiaries who also contributed to implementation.

The project is structured around three pillars/components. Pillar one aims to develop a multi-layered institutional framework to improve coordination of actors within the criminal justice chain, through the so-called Consultation and Coordination Groups (CCGs). The CCGs are informal platforms to discuss transversal problems of criminal justice administration and coordinate localized solutions among state criminal justice chain actors, civil society organizations (CSOs) and local and traditional authorities.

At the operational level, the project is sustained by two additional pillars, focusing on capacity building (training, workshops) and improvement of material conditions for criminal justice chain/non-state actors (pillar two), and on awareness raising activities to increase accessibility of criminal justice institutions by the Malian population (pillar three).

This Evaluation Brief presents a summary of the independent mid-term evaluation of the project.

2. Evaluation Purpose and Methodology

The purpose of the evaluation was to: (i) assess the changes triggered by the project activities, (ii) analyze the outputs/outcomes achieved and progress towards long-term impact, and (iii) draw lessons learned and recommendations for future implementation. The evaluation was conducted using a ‘theory-based’ approach, where the reconstruction of the project’s Theory of Change (ToC) enabled causal links to be made among activities, outputs, expected outcomes and impact.

The reconstructed ToC served as the key reference point to formulate a set of seven Evaluation Questions (EQs) and their corresponding qualitative and quantitative indicators generated to assess the results achieved. The formulation of EQs was guided by the five OECD/DAC-based evaluation criteria (relevance, efficiency, effectiveness, impact and sustainability prospects) and a sixth IDLO-specific evaluation criterion (IDLO value added).

The desk-based inception phase was followed by a field mission to Mali to collect data and undertake preliminary analysis. Subsequently, the key findings were derived, and conclusions and recommendations developed.

3. Findings

Relevance of the project design

SCJC’s focus was relevant, based also on the outcomes of analytical studies carried out in 2014 and 2015. The design took into consideration the results of baseline studies on the criminal justice chain carried out at the initial stage of implementation through extensive consultations with beneficiary institutions. Project objectives are well-aligned with the Mali Government’s (GoM) justice sector strategies and consistent with the strategies of the Dutch Government and IDLO. However, the evaluation found that gender mainstreaming was not sufficiently integrated into the project design.

Operationalization of CCGs

IDLO contributed to strengthening the role of CCGs as the pivotal planning and coordination platforms for justice sector interventions across the regions of Mali. IDLO’s support was channeled through regional coordinators providing secretarial and technical assistance to CCGs. The role of these coordinators was instrumental in terms of planning and implementing CCG-related training, workshops and seminars. They also facilitated interregional connectivity of CCGs. However, the contribution of coordinators to the agenda-setting of the meetings was rather limited due to the roles already played by the Judicial and Penitentiary Affairs Section (SAJP) of the Multi-Dimensional Integrated Stabilization Mission (MINUSMA) and the United Nations Police

(UNPOL). Recognizing the importance of MINUSMA¹, IDLO attempted to establish a collaborative relationship with the mission. However, the organization faced an initial challenge in this regard due to its limited experience in the Northern regions of Gao and Timbuktu (MINUSMA carries out security-related tasks particularly in the North of the country). The situation improved over time thanks also to political support from the Dutch Embassy.

CCGs and Civil Society Organizations (CSOs)

IDLO played an important role in the organization of events and trainings to familiarize CSOs and traditional authorities with the principles and concepts of rule of law in the context of the Malian formal justice system. IDLO's contribution facilitated the participation of CSOs in CCG meetings, albeit with mixed results across the different regions of Mali. Levels of participation have been satisfactory in Ségou, while in Gao and Timbuktu they were still very limited.

Training and other capacity building initiatives

During the first two and a half years of implementation, 37 capacity building training courses were delivered, benefiting 835 participants across project regions. Over 80 per cent of IDLO training participants were men from criminal justice institutions. The timing, frequency and topics of IDLO training courses in the regions varied depending on the context. According to the trainees, knowledge improvements were higher in "technical" domains covered by trainers from MINUSMA and consultants (e.g. subjects such as IT and crime scene management), compared to more "classical" subjects delivered by trainers from criminal justice institutions (e.g. the role of the judicial police office and drafting of judicial decisions). No reliable information was available to assess knowledge retention rates or changes in work place practices.

The evaluation suggests that IDLO training contributed, to an extent, to improved performance in criminal justice institutions. For instance, reductions were achieved in the average time required for a first hearing and for conducting investigations. However, the quantitative data confirming these findings were scarce and interviews were the main source of information.

Material support to formal justice institutions focused on the provision of training materials and delivery of registries to Mopti's judicial police. It did not cover equipment or information resources such as law codes,

books, archives or hygiene kits for female detainees. In 2018, the project devoted greater attention to making law information resources available to criminal justice institutions.

Management arrangements

In the first year of implementation, the SCJC activities progressed at a slow pace. The key reason for this was the lengthy project formulation phase and late finalization of key management arrangements (such as communication and risk mitigation processes). However, from 2017 onwards, the number of activities implemented increased as did the budget "burn rate". IDLO's effective response to high staff turnover both in Bamako and the Northern regions provides substantial evidence that the project implementation was responsive to adaptive management principles.

The project's monitoring approach has also improved over the time. The key achievement was its transformation from a theoretical concept into a practical tool. However, some of the indicators developed were less relevant and not sufficiently closely aligned to the project's scope and/or activities. Another issue of concern was the output-oriented formulation of indicators at the impact and outcome levels.

Partnerships with Civil Society Organizations (CSOs)

The key modality for cooperation with CSOs was to engage them in projects via Calls for Proposals (CfP) designed in line with the SCJS's objectives (i.e. empowering communities to approach criminal justice institutions). However, interviews with key informants and the results of the IDLO's assessment of sub-contracted CSOs in 2017 reveal a number of challenges. Although the projects awarded were relevant to the objectives of the first Call for Proposals (CfP), the average performance of partner CSOs was rather poor and the majority of CSOs scored 'below sufficient' for both quality and timeliness of outputs. In this context, the capacity building support and implementation of a monitoring system may improve performance of low-performing CSOs within the first CfP and help the CSOs within the second CfP to perform better.

Ownership and continuation of results

IDLO has clearly established its position in Mali as a key partner of the GoM in the justice sector. The Ministry of Justice (MoJ) actively pursues the formalization of the

¹ With total personnel of over 15,000 and a yearly budget of about 1 Billion USD, MINUSMA is essential to support the national reconciliation process, and carries out security-related tasks.

interregional CCG meetings. According to the MoJ, meetings should be convened twice a year involving CCG representatives, national directors, and the MoJ.

Nevertheless, despite appreciation being expressed about IDLO's support, the project strategy remains controversial. Its regional, bottom-up approach is only partially accepted by national justice sector authorities and their involvement in the project's governance structure is limited. In addition, sustainability of the capacity built through training in the regions is threatened by the national justice sector HR policies, which encourage the transfer of personnel trained from Northern to Southern regions.

4. Conclusions

Relevance

By focusing on training and other capacity building activities, the project is relevant to the fundamental needs of the beneficiaries and aligned with the strategies of the GoM, the Dutch Government and IDLO.

The low level of gender-responsiveness of SCJS has improved during the second half of implementation thanks to the application of an *ad hoc* Gender Integration Plan. Unlike at the national level, at a regional level, dialogue, coordination, planning, implementation and monitoring of activities and results are becoming increasingly responsive to gender mainstreaming.

Efficiency

IDLO has shown good adherence to adaptive management principles. In the context of limited donor coordination in Mali, the project has succeeded in developing synergies and complementarities with other actors participating in CCG meetings. However, coordination with donors and implementers other than MINUSMA, focusing on the same sector or geographical scope, has not been pursued.

The efficiency of financial planning, monitoring, stakeholder engagement and communication has improved considerably over the project period evaluated, although there is still room for further improvement, particularly regarding the monitoring system. There is a need to eliminate and replace the indicators for activities and milestones/results that are not consistent with the actual scope of the project.

Effectiveness

The implementation of components 1 and 2 was consistent with the project's bottom-up approach and achieved fairly positive results at a relatively low financial cost. Support to CCGs (component 1) was effective in

improving coordination between criminal justice chain actors and, to some extent, fostering synergies with civil society, local and traditional authorities. Material conditions (component 2) also improved but a lack of essential equipment (law books, codes, archiving systems, hygiene kits for female detainees) remains a considerable challenge in the regions. This shortage may justify targeted capital investments aimed at maximizing and multiplying the effects of improved capacity stemming from the training provided. Moreover, this can lead to improved performance by justice institutions. IDLO's regional coordinators may also work more effectively if provided with additional means to improve the logistical organization of project activities in the regions.

The awareness-raising and legal empowerment activities implemented through collaboration with CSOs (component 3) was managed centrally. While this approach may have been inevitable in order to run CfP, it prevented CCGs from playing a significant role in the coordination of CSO-led grassroots-level projects with regional initiatives. Overall, the partnerships with CSOs produced mixed results. While in some cases the technical and financial management capacity of some CSOs improved, the average performance of the sub-contracted CSOs was rather poor.

Impact and Sustainability Prospects

Impact and sustainability prospects for CCGs are positive, while there is room for improvement in terms of outreach towards CSOs. It is expected that corrective actions in the second half of the implementation period will be critical in order to achieve the project's intended long-term results. Justice sector HR policies pose a concrete threat to the sustainability of improved capacity and coordination in Northern regions.

CCGs can become a model initiative for improving the quality of state justice, facilitating the coordination of parallel legal systems, and contributing to state building processes in a decentralized form. While CCGs can adapt to play a role in various initiatives (e.g. identification of learning needs and training), in the long run, their role should not overlap with existing processes and structures of the beneficiary country.

IDLO value added

IDLO's comparative advantage in promoting the rule of law in the context of fragile states has been important to establishing its role in Mali. The organization has developed positive relationships with national and regional stakeholders and strengthened interest in capacity building among the project partners' personnel.

IDLO's 2017-2020 Strategic Plan and Gender Strategy require that greater attention is paid to gender equality within project design and implementation. This was not always the case and the Gender Integration Plan, prepared in April 2018, is expected to improve the gender-responsiveness of the project during the second half.

5. Recommendations

R1: IDLO should engage in policy dialogue with the MoJ and relevant national directorates in the justice sector to further foster national ownership and sustainability prospects of CCGs, update the capacity building strategy in line with existing frameworks (national training policy/project approach) and mainstream gender into justice sector strategies and policies.

R2: Focus of training efforts should be increased in strategic segments of the criminal justice chain, such as court clerks, secretaries and mediators, while avoiding duplication of efforts with parallel interventions of other donors. Training activities should highlight social inequalities in relation to gender in order to maximize gender-responsiveness.

R3: IDLO should provide targeted equipment and materials (law books, codes, online/offline archiving systems, refurbishment, hygiene kits for female detainees etc.) to reinforce the improvements in performance of justice institutions, as well as to reinforce the effectiveness and safety of IDLO's logistical organization in the regions.

R4: IDLO teams should consider harmonizing the centralized management approach of component 3 with the project's bottom-up and decentralized approach to create synergies with CCG initiatives. It is important to keep CCGs updated on the developments of CSO-led interventions implemented in their regions (particularly those combating gender-based violence) and to involve them in the planning of the next CfP. Involving the regional coordinators in planning, implementation and monitoring of CSO-led actions is also recommended.

R5: The project team should continue advocacy efforts to ensure broader participation of CSOs, local authorities, women, donors and implementing agencies in CCG meetings.

R6: It is necessary to increase the frequency and locations of CCG-led awareness-raising initiatives on the role of justice chain actors, judicial means of conflict resolution (including mediation), the role of traditional authorities, and access to justice. These initiatives need to be planned in coordination with MINUSMA and target a broader audience (including criminal justice chain actors, local and traditional authorities, CSOs) to facilitate discussion between participants.

R7: The project team should continue efforts to improve the monitoring system during the second half of implementation and align monitoring indicators to updated workplans.