

Third Narrative & Financial Report on the Services and Related Outputs and Achievements of the UN Joint Rule of Law Programme in Haiti (MoU II)

Period covered: 1 July 2018 to 30 June 2019

I. Background & Context

Article V, Paragraph 18 of the MOU signed on 8 February 2018 by the United Nations and the United Nations Development Programme was amended on 9 May 2018, combining the second (\$685,807.50) and third (\$457,205) tranche of funds into one final tranche totaling \$1,143,012.50. A third amendment of Article 1 of the MOU signed on 28 March 2019 provided for the extension of duration until the 15 October 2019. The extension was granted to allow for the continuation of activities allocated to the balance of \$524,096 that remained unspent at the end of the previous period.

As such, this third interim narrative and financial report covers the period 30 June 2018 to 30 June 2019 for an update on ongoing programmatic activities.

At present, 98.9% (\$2,259,350) of the total funds (\$2,285,025) have been committed or spent. The remaining 1.1% (\$26,675.17) remains to be formally committed but was engaged for the following purposes: (1) the final delivery of equipment that was purchased for St-Charles and Decouze; (2) the clearance of customs for crime scene material for the HNP; and (3) an amendment for additional funds required for the installation of cellular towers at Dame-Marie, St-Charles and Decouze.

II. Key Outputs & Achievements for the First Reporting Period per Priority Area/Outcome

A. Priority Area/ Outcome 1 of the Joint Programme addresses improved operational and institutional capacities of the Haitian National Police.

Priority Area/Outcome 1 corresponds with RBB 1.1, improved safety and security environment throughout Haiti; 1.2, improved operational and institutional capacities of the HNP, with specialized units; 1.3, improved administrative and management capacities of the HNP with relevant specialized units in place; 1.4, enhanced ability of the General Inspectorate of the HNP to provide oversight to the entire police institution.

Key developments to date within this Priority Area include:

1. The construction of Dame Marie in Grand'Anse was completed, the equipment was delivered and installed, and the building was inaugurated in May 2019. Provisional acceptance for the works in Decouze was completed in June 2019, and the delivery of equipment is under way. The works at the St-Charles police station are currently evaluated at approximately 60% completed. An amendment was agreed to and concluded for the transfer of additional funds allocated to the purchase of cement. The company was unable to purchase the required amount as per the contract, considering the devaluation of the local currency.
2. The installation of 12 metal storage cabinets for 12 HNP police stations in the North, NE, NW, Central, Grand Anse, Nippes and West departments was completed.
3. An assessment report of the HNP's Strategic Development Plan's first year was published, printed and distributed.

B. Priority Area/Outcome 2.1 of the Joint Programme focuses on progress towards the implementation of key legislation and the functioning of key justice institutions and their oversight bodies.

Priority Area/Outcome 2.1 corresponds with RBB 2.1, enhanced national ownership by continuing the institution building process based on the strengthening the rule of law; and 2.3, progress in the functioning of key justice institutions and their oversight bodies, particularly in the selected model jurisdiction.

Key developments to date within this Priority Area include:

1. Two workshops for the elaboration of the inspection scheme toolkit for MJSP were completed in October and November 2018.
2. A five-day retreat in Côte des Arcadins was completed in October 2018 for the elaboration of the CSPJ inspection scheme.
3. The environmental impact and soil studies for the construction of the Tribunal de Paix of Section Sud have been completed, and the procurement process for the publication of call for tenders and evaluation is under way.

4. A third Toyota Land Cruiser 4x4 vehicle was purchased and delivered to Port-au-Prince for the Vetting Commission “CTC” of the CSPJ. The transfer of property titles is currently under way.

C. Priority Area/Outcome 2.2 of the Joint Programme focuses on improvements in the administrative, management, and operational capacities of the Directorate of Prison Administration, including prison conditions.

Priority Area/Outcome 2.2 corresponds to RBB 2.4.2, endorsement and implementation of the DAP strategic development plan 2017-21; 2.4.3, policy directive on gender mainstreaming and social reinsertion is developed and implemented; 2.4.4, DAP officers including women are recruited and trained on management and administration; and 2.4.5, certification of nine prisons by DAP administration to operate without external support.

Key developments to date within this Priority Area include:

1. All trainings were completed before the reporting period.
2. A consultant was hired to programme the router for the electronic data management system (AFIS). The works were completed in December 2018.
3. The payment of incentives to DAP personnel for entry of individual and biometric records of incarcerated inmates was completed for five out of six prisons (excluding Cabaret, for which the activity had to be cancelled).
4. UN Women activities:
 - a. The provision of support and funding to a CSO for the provision of material and kits for training sessions and catering for the provision of life-skills training and psychosocial support to women in pre-trial detention and reinsertion programmes for convicted women in the prison of Cabaret was completed.
 - b. Psychological profiles were carried out for 75 detainees ; validation of light vocational training package by DAP ; activities were carried forward with CVR and ; 16 women were supported with psychosocial and post-release reinsertion support.

D. Priority Area/Outcome 3 of the Joint Programme aims to strengthen the capacities of the Ombudsperson’s Office and of civil society in ensuring human rights accountability of Haitian institutions.

Priority Area/Outcome 3 corresponds to RBB 3.1, increased compliance and engagement by Haiti with UN human rights instruments, mechanisms and bodies; 3.2 strengthened the capacity of national human rights institutions, the OPC, in operating as an independent and reliable human rights accountability mechanism; 3.3 strengthen the capacity of civil society organizations mandated to monitor , in an independent manner, human rights violations; and 3.4, the PNH's compliance with international human rights standards is enhanced.

Key developments to date within this Priority Area include:

1. The national consultant to assist the Government in developing a national action plan for the implementation of recommendations made by UN human rights bodies was hired for a period of 7 months. The contract was planned to end 30 June 2019, but it will be subject to a no-cost extension until 31 July 2019 to allow time for the workshop to be completed, along with the integration of comments by the Government in the final report.
2. Two national consultants were hired (3 months each) for the elaboration of the strategic plan and the development of internal rules of procedure for the Office of the Ombudsperson (OPC). Their contracts will end on 31 July 2019.
3. The consultation workshop with decentralised OPC agents and civil society members for the OPC strategic plan was completed in June 2019.
4. The grant for Phase 2 of the Tdh Lausanne programme providing support to victims of SGBV and sexual exploitation by former UN personnel was signed and started in June 2019 for a period of 4 months until 30 September 2019.
5. A national consultant was hired to develop a national plan of action to fight impunity and document human rights violations, including violations of the past. Her contract was completed in December 2018.
6. A five-day workshop on transitional justice was completed in October 2018.
7. UN Women activities:
 - a. Support and funding to CSOs (URAMEL) to identify and address discriminatory laws against women and enhance coalition-building and advocacy, with the technical assistance of an expert is ongoing. The technical support to the draft GBV law process was provided and the guidelines on standard of care for shelters was drafted and submitted to the Concertation Nationale ;

- b. The activities to support MCFDF for the operationalisation of the National Plan of Action on Ending Violence Against Women 2017-2021, jointly with the Concertation Nationale, are in progress. A workshop convening all departmental direction, CSOs and women’s organisations to identify bottlenecks was completed and the national plans were translated in creole for dissemination ;
- c. The support to the MCFDF for the organisation of a social mobilisation and legal awareness-raising campaign to prevent and address SGBV among CSOs and local communities including discussions, dialogue, focus groups and surveys through the Concertation Nationale is ongoing. However, the activities have been affected by the current sociopolitical context due to security restrictions.

III. Observations on Implementation Progress

The third amendment of the MOU II allowed the Joint Rule of Law Programme to commit and spend 94.9% of the effective balance of \$524,096 that remained unspent at the end of the previous period, out of a total \$2,285,025 allocated. The main obstacle the Joint Rule of Law Programme faced over the course of implementation of its second phase was the finalisation of the construction project for the Section Sud Tribunal in Port-au-Prince. After an 8-month wait for the approval of the Government to go ahead with the project, the programme was able to collaborate with the “Unité d’Étude et de Programmation” of the MJSP to redraft the blueprints and overall improve the project file. In fact, the original project file had significant gaps, making it unfit for publication. An environmental impact study and soil study were completed and the call for tenders will be published in July 2019.

The other activities planned in the reported period for the liquidation of the balance included the recruitment of a consultant to work on the national action plan for human rights, the recruitment of two national consultants for the OPC, and the grant to Tdh Lausanne for Phase 2 of its programme supporting victims of SGBV, sexual exploitation and abuse by UN personnel. All three consultants’ contracts are nearing completion, and the grant for Tdh Lausanne has been signed, and the first tranche transferred in June 2019.

A small balance (\$26,675.17) remains to allow for the delivery of the remaining equipment for St-Charles and Decouze police stations, for the customs clearance of goods for the PNH crime scene equipment that has yet to be imported by the supplier, and the payment for the installation of cellular towers for the all three police stations.

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