

**DEX QUARTERLY REPORTS**

**Reporting Period: January – March 2015**

|                            |                                    |
|----------------------------|------------------------------------|
| Country Office:            | <b>Sierra Leone Country Office</b> |
| Annual Blanket Authority:  | Yes                                |
| Project Specific Authority | No                                 |

| <b>Project Title</b>  | <b><i>Improving the Rule of Law and Access to Justice in Sierra Leone</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Accomplishment</b> | <p><b>Background</b></p> <p>The Rule of Law and Access to Justice Programme (A2J) has since 2009 worked with the overall objective to support the consolidation of peace and stability with a focus on ensuring that justice institutions and human rights oversight mechanisms are easily accessible throughout the country. The focus of the project cycle 2013-2014 has been to support justice institutions in building their capacity for effective and equitable justice service delivery with a special focus on trying suspected perpetrators - and supporting victims of Sexual Gender Based Violence (SGBV).</p> <p>The Ebola Virus Disease (EVD) emerged in West Africa in early 2014 and Sierra Leone registered its first case on 17 May 2014. The situation quickly unfolded to an unprecedented health crisis resulting in the President’s declaration of state of health emergency in July. The EVD crisis has seriously affected the whole country, including all government institutions, the justice and security sector as well as socio-economic development. On 1 April 8,547 EVD infections have been recorded with 3,444 deaths confirmed.</p> <p>The A2J programme was consequently together with all other UNDP programmes in September 2014 subject to re-programming to assist government in adequately responding to the crisis. For the A2J, the Human Rights Commission of Sierra Leone has provided oversight and monitoring of justice and security institutions and the extensive civil society network ensured that destitute and remote communities were empowered with adequate knowledge and equipment to protect themselves against EVD as well as to ensure for legal and medical assistance to victims of SGBV during the crisis. Due to the effect of the EVD crisis on all government institutions, including the Judiciary, the A2J programme and planned activities as well as the postponement of the Country Office’s Country Programme Document (CPD), received a no-cost extension from the main donor of the project Irish Aid covering 1 Quarter of 2015 to finalize already planned activities.</p> <p>As the project entered into the new year, EVD was still rampant but slowly decreasing especially in the East and South, two of the main regions of the operation of government and civil society partners under the programme. And at the end of Q1 the country is finally</p> |

starting to move towards zero infections, although this is still expected to take some time (WHO prognosis).

In Q1, the A2J programme has been finalizing and closing agreements with government partners, whereof some of them have been very busy with planning activities for 2015 and also participating in the development of the government's Ebola Recovery Strategy. Civil society organizations under the programme have continued their activities, contributing to halting the Ebola crisis and reaching zero-infections as well as providing legal and medical assistance to victims of SGBV (detailed below). The programme staff has liaised with partners in developing the new Action work plan for 2015 as well as developed strategy papers and concept notes for receiving support for a new A2J programme cycle broadening the focus to a sector wide approach to the justice sector targeting decentralization of justice mechanisms to the whole country and continued support and enhanced protection of victims of SGBV. The programme will also target activities envisaged to support the government in returning to the path of the Agenda for Prosperity (AfP) 2013-2018, and will through support during the recovery phase focus on re-activation of justice institutions and ensuring access to justice relevant for ensuring peace and stability throughout the country.

The information included below primarily details progress of the components of the project that are funded by TRAC and BPPS, but these are carried out in synergy with all other activities, and therefore these are briefly summarized as well when relevant.

### **Achievements and Contribution (based on planned outputs, indicators and targets)**

The project seeks to achieve the following outputs of the A2J programme:

#### **Output 1: Targeted state institutions and constitutional bodies are able to provide effective justice and security services in an accountable manner at national and local levels**

In preparation for the government's development of its overall Ebola Recovery strategy that was presented to the international community in Brussels in March this year, UNDP convened a meeting in January 2015 of all justice and security actors to discuss the effects on the sectors during the Ebola crisis. The engagement and analysis was very frank and straightforward identifying best practices, key challenges as well as priorities and as a result two briefs were developed as input for the government's finalization of the strategy. It highlighted the need for focusing on both the justice and security sector in ensuring the effective recovery of the country as well as peace and stability. The partners of the A2J programme, including the Justice Sector Coordination Office, the Human Rights Commission and the Solicitor General highly contributed to the development of the briefs.

#### ***Legislative guidance notes operationalized in MDAs, plus Annual Law report***

A final report of the leadership and management training sessions offered by FJP Consultants was submitted in February 2015 highlighting a general overview of the sessions, course modules covered, plus recommendations for performance management etc. The training sessions targeted mid level and senior level personnel of the Law Officers' Department in the ratio of 60% male and 40% females. Two main recommendations that stood out from the training sessions are as follows: The LOD is in urgent need of an efficient

and effective task and staff performance management system that allows for effective monitoring, evaluation and control of all tasks and the staff executing those tasks.

A lot more work needs to be done to bring the LOD into line of sight of its strategic Mission of 'efficient, effective & impartial service delivery' in achieving 'Justice for all', which is a fundamental constitutional mandate. Staffing shortfalls appear to be a symptom of an underlying need for restructuring of the legal and management structure of the department in order to attract a greater complement of capable and motivated staff. Such a restructuring may require autonomy from central government in its operations, pay and conditions of service. The consulting firm also issued certificates of participation to personnel of the LOD, who took part in the training sessions.

In the 3<sup>rd</sup> week of March 2015, the LOD organized a consultative meeting in order to operationalize the Legislative drafting and guidance notes process for Ministries, Departments and Agencies (MDAs), at the Civil Service College in Freetown, where a total of 48 MDAs (Permanent Secretaries and other senior civil servants) converged.

Four more of such sessions will be held this year as planned In the A2J Annual work Plan. Planning meetings for the LOD Annual Report 2015 also commenced and this year's Annual Report will be sponsored by UNDP, building on lessons learnt from 2014, sponsored by Access to Security and Justice Programme (ASJP).

***Itinerant courts and SGBV performance enhanced and SGBV Saturday Courts functioning effectively in Freetown, Bo and Kenema***

The judiciary was also largely affected by the crisis, as the escalation of EVD heightened in August 2014, which is also the period of the courts recess. Some judicial staff did not return to their postings after holidays abroad, Mobile Courts were sitting less frequently or stopped and adjournments increased - partially due to restriction of movement placed by the President's declaration of state of public health emergency on 31 July 2014. In addition, the then Chief Justice issued an instruction to decongest the courts countrywide which also grossly reduced court sittings.

On 6 February 2015 the new Acting Chief Justice resumed office upon the retirement of the former Chief Justice and engaged the UNDP on possible assistance to reactivating the Courts and targeting the backlog of cases awaiting hearing and trial which had increased during the Ebola crisis due to the above-mentioned factors impeding Court sittings.

Already before the Ebola crisis, the judiciary was facing several challenges that in turn inhibited the overall functioning of the Courts. This included but was not limited to insufficient number of Judges (21) and Magistrates (25) and support judicial personnel to ensure for the effective running of the courts. Worth mentioning is the fact that the conditions of service, including salary available makes it difficult to attract and retain qualified personnel within the Judiciary. Despite the highlighted achievements and development within the past six years, insufficient human and financial resources still remain a continued challenge that impedes the effective functioning of the Judiciary.

UNDP A2J team has just closed the 21 May 2014 LOA with the judiciary, and is continuing the above-mentioned discussions with the

Judiciary to finding a sustainable way forward to building the capacity of judiciary headquarters for managing and ensuring re-activation of the courts to deal with the large back-log of cases currently awaiting on hearing or remand. The new LOA will focus on dealing with some of the systemic problems within the judiciary as detailed in the above, and the activities will be closely connected to a current ongoing discussion of a project proposal with the US State Department on the development of Sentencing and Bail Policies as well as sentencing guidelines for Sierra Leone. The Acting Chief Justice and senior Supreme Court Justices are all very engaged in reforming and building the capacity of the Judiciary of Sierra Leone.]

#### **Strengthening the Quasi-judicial Mandate of the HRC-SL**

Through support for strengthening the quasi-judicial mandate of the Human Rights Commission of Sierra Leone, UNDP is also helping to bolster the judiciary. Complaints received by the HRCSL, including SGBV cases, are referred to the police and the judiciary via the Commission. The mediation of non-criminal cases by the Commission also helps to avoid some of the backlog experienced by the judiciary.

#### **Output 2: State Institutions and CSOs including women's organizations and networks are better enabled to provide justice services for women including on GBV, family, inheritance, land and property issues in accordance with legal framework**

##### **Early Recovery Planning Meeting between Ebola Recovery Assessment (ERA) Team and local NGOs/CSO**

In early January, 2015 as Sierra Leone witnessed a decrease in the number of new EVD infections, UNDP received a mission from New York, the Ebola Recovery Assessment Team, the planning body responsible for creating a foundation for recovery in EVD affected countries. Discussions with local NGOs/CSOs were centered around three (3) things-1. Structural challenges in SL which enabled the virus to spread rapidly; 2. Structural systems and social dynamics impacted by the virus and; 3. Priority areas for early recovery to put the country on track again in order to achieve the Agenda for Prosperity. Discussions culminated into the setting up of a network of CSOs who will continue to strategize for early recovery with UNDP to serve as the convening body.

##### **SGBV Assessment to measure the Prevalence of Sexual and Domestic Violence before and during the EVD Crisis**

In December, 2014 and January, 2015 the Humanist Watch Salone (HUWASAL) a local NGO operating in the East through support from UNDP undertook a study to measure the prevalence of sexual and domestic violence in the middle of the crisis. Worth noting is the fact that justice services and the functioning of institutions have been downgraded and adversely impacted by the crisis. The research revealed that sexual and domestic violence was on the increase with a new pattern of sexual abuse of minors which has resulted in an increase of teenage pregnancy. This piece of research has shaped the A2J future interventions as far as addressing SGBV occurrences is concerned.

##### **Addressing SGBV and Domestic Violence through CSOs Engagement**

During this period, UNDP has provided follow up and mentoring of CSOs providing support to victims to enable them deliver legal and social services with limited funds available as UNDP internal processes have been ongoing (AWP finalization). A planning process is now ongoing to continue to provide support to SGBV victims and their families to access justice services as the number of EVD cases continue to decrease with the perception of improved police and medical services. Responding to UNDP Country Office EVD and other projects related Monitoring Mission, the need to further strengthen the capacity of CSO partners has been identified. In order to improve

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                             | <p>accountability and transparency in the management of donor funds, UNDP will ensure the establishment of accounting systems for CSOs as well as provide them with necessary training to enable them to operate accounting software that will be installed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Capacity Development</b> | <p>The key partners of the A2J project are the Law Officers Department under the Ministry of Justice, the Family Support Unit, under Sierra Leone Police, the Judiciary, the HRCSL and civil society organizations working to prevent SGBV and assist victims of SGBV who at the same time have been instrumental ensuring that the Ebola response has reached the last mile (the remote and vulnerable communities). Through a human rights based approach to development, the project seeks to build and support the justice institutions to strengthen their capacity for enhanced justice services for the populace. At the same time, UNDP support oversight and accountability mechanisms to contribute to the effective empowerment of rights holders.</p> <p>During Q1, the A2J has been closely working together with partners in the development of the Action work plans for 2015 and will in the next Project Board meeting increasingly focus on lessons learnt and ways forward in the Ebola Recovery phase for all justice and human rights institutions. There are still challenges with partners capability of effectively managing grants from UNDP, and the A2J Team have identified focus areas that need strengthening and will in Q2 arrange a project management workshop with all government partners under the project.</p> <p>A key issue is still the lack of funding of government institutions of the justice and security sector which also affects capacity, since qualified staff remain difficult to retain due to low salaries and lack of incentives for working in the public sector. The A2J team envisages that the next programme period will increasingly focus on supporting partners in achieving both increased funding but also exploiting to the fullest funds available to them, so to ensure sustainability of capacity already built and overall interventions.</p> |
| <b>Exit Strategy</b>        | <p>The Exit Strategy for each project is clearly defined in the each project document. Where projects emanate from the CPD, exit strategies are clearly defined in the CPD</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

