Independent project evaluation of the

“Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security (Terrorism)”

GLOR35
Nigeria

January 2016
This evaluation report was prepared by an evaluation team consisting of Elca Stigter (lead evaluator) and Arvinder Sambei (counter-terrorism expert). The Independent Evaluation Unit (IEU) 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. Please find the respective tools on the IEU web site: http://www.unodc.org/unodc/en/evaluation/evaluation.html

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<td>CTED</td>
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<td>CTITF</td>
<td>Counter-terrorism Implementation Task-Force</td>
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<td>DPP</td>
<td>Office of the Director of Public Prosecutions</td>
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<td>DSS</td>
<td>Office of the Director of State Services</td>
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<tr>
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<td>Economic and Financial Crimes Commission</td>
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<td>ISS</td>
<td>Implementation Support Section</td>
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<tr>
<td>NACTEST</td>
<td>National Counter-Terrorism Strategy (Federal Republic of Nigeria)</td>
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<td>NBA</td>
<td>Nigerian Bar Association</td>
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<td>NIALS</td>
<td>Nigerian Institute for Advanced Legal Studies</td>
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<tr>
<td>NJI</td>
<td>National Judicial Institute</td>
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<tr>
<td>NPF</td>
<td>Nigerian Police Force</td>
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<td>ONSA</td>
<td>Office of the National Security Advisor</td>
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<td>TPB</td>
<td>Terrorism Prevention Branch</td>
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<td>UN</td>
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<td>UNGA</td>
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<td>UNODC</td>
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MANAGEMENT RESPONSE

The project management team in the Terrorism Prevention Branch (TPB) is grateful to the evaluation team – Ms. Elca Stigter, lead evaluator, and Ms. Arvinder Sambei, counter-terrorism expert, the Independent Evaluation Unit (IEU) and the project’s stakeholders for their contributions to this evaluation exercise of the Nigeria counter-terrorism project.

Although an in-depth evaluation of the Global Project GLOR35 (“strengthening the legal regime against terrorism) had only recently been concluded and had substantially covered the Nigeria project component, the project management team was keen to have a focused independent evaluation of the Nigeria project in order to obtain specific assessments, conclusions and lessons learned so as to benefit from them in the follow-up phase of the project.

The management team is glad to note the overall positive conclusions and assessments of the evaluation report and, in particular, that:

- the capacity-building of different criminal justice actors under the project has contributed to the creation of an enabling environment to potentially support, expand and take the work forward to strengthen the criminal justice response to terrorism
- the project has helped to sensitize the key agencies of the need to coordinate and cooperate in terrorism cases and created awareness of the necessity for organizational change among criminal justice agencies
- the beneficiaries appeared to be satisfied with the assistance provided by UNODC
- the project has been highly relevant and has responded to the needs identified by the Government of Nigeria in general, by the various Nigerian criminal justice sector actors in particular and by representatives of key stakeholder agencies, including the Counter-Terrorism Committee Executive Directorate (CTED)
- the design of the project has been undertaken in a participatory manner and further refined in close communication with the main government agencies
- the project has to a large extent been implemented efficiently;
- human rights and gender equality have been considered in the design and implementation of the project

The management team takes note of the report’s assessment that the sustainability of the project is a concern, that it is not entirely clear to what extent the acquired knowledge and skills has already been used by the different actors, that this is a consequence of the lack of transparency on case statistics held by the national authorities, that this must receive more attention in the next phase of the project. The report further noted that some steps have been made to support capacity-building of existing training institutions for criminal justice actors and also requires more extensive follow-up.
In response, the management team wishes to stress that these concerns are important challenges that the project has already been addressing in partnership with the national stakeholder actors, who are ultimately responsible for undertaking the required remedial actions. Moreover, these remedial measures are given reinforced attention in the proposed follow-up phase, such as through making available on-site expert support for the trained officials for applying the knowledge and skills gained in carrying out their respective functions. Moreover, as the report commended positively, the project has pursued a ‘work in progress’ approach to training modules and training sessions, to achieve the right balance between a theoretical orientation and practitioners’ perspectives and thus strengthen usefulness, ownership and long-term sustainability. In addition, in collaboration with the national counterparts, UNODC is elaborating an enhanced set of train-the-trainer activities to help further in building up sustained local capacity. Finally, attention will also be given to working with the stakeholders for obtaining relevant statistics and information so as to overcome issues of transparency of the statistics held by national authorities and UNODC will continue to work with Nigerian authorities to strengthen overall monitoring of the impact and sustainability of the training activities delivered.

The management team welcomes the report’s substantive recommendations and the several lessons learned which it has identified. Most of them have already been taken on board in the recently finalized follow-up phase III programme proposal. The team also wishes to stress that implementing these recommendations is dependent equally on collaborative action by other stakeholders, especially the national counterparts and the donor community – the latter for providing the required resources. For example, the report recommends that UNODC provide further support on legislative assistance, criminal justice capacity building and interagency cooperation processes. Whereas UNODC remains committed to do so and will seek out the required partnerships, implementation of these important recommendations are also dependent on continued commitment of the Government of Nigeria and the concerned criminal justice entities, availability of required level of funding and coordination agreements with other assistance providers.

The management team also welcomes the project management-related recommendations of the evaluation, except for a couple of elements among them which will not be practical. In this regard too, many have already been taken up in the recently finalized follow-up phase III programme proposal, such as the planned significant increase in field-based project experts and staff.

The Branch and the project team look forward to continuing the valuable partnership with all concerned stakeholders and thus to build upon a key conclusion of the evaluation report, namely: one of the values of the project is that it has “established partnerships and increased sensitization of criminal justice actors [which] can potentially provide the necessary stepping stone for UNODC to expand its work to strengthen the criminal justice response to terrorism”.

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EXECUTIVE SUMMARY

Since 2003, UNODC’s Terrorism Prevention Branch (TPB) has been mandated by the UN General Assembly (GA) to provide legislative support on nineteen universal legal instruments against terrorism, provide capacity building training to criminal justice officials, and promote international cooperation in criminal matters related to terrorism. The project “Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security (Terrorism)” (hereinafter ‘the project’), which was implemented from 1 November, 2013 to 30 June, 2015, provided such capacity-building assistance to strengthen the criminal justice response to terrorism in Nigeria. This report presents the main findings of the final project evaluation which took place in June and July 2015.

The project has been managed by the Implementation Support Section (ISS) II (Sub Saharan Africa) of the TPB, and implemented jointly with the UNODC country office in Nigeria. The European Union (EU) provided funding under their Instrument for Stability, and the approved budget of this project is EUR 1,725,755. The specific objectives of this project are

a) to enhance the capacity of national criminal justice officials to implement counter-terrorism measures in accordance with rule of law, with due respect for human rights, and with relevant international legal instruments and Security Council resolutions;

b) to reinforce international criminal justice cooperation, especially with the Sahel, Western and Central Africa sub-regions, as well as other neighbouring countries;

c) to reinforce inter-agency collaboration, sustainability and ownership of criminal justice responses to terrorism among relevant national entities, and

d) to reinforce knowledge and analysis of relevant domestic legislation.

The beneficiary groups include the Office of the National Security Advisor (NSA), the Department of State Services (DSS), the Nigerian Police Force (NPF), the Office of the Director of Public Prosecutions (DPP) and the Federal High Court. The majority of activities were conducted in Nigeria’s capital Abuja.

The project has undoubtedly been relevant, and responded to the needs identified by the Government of Nigeria in general, and Nigerian criminal justice actors in particular, and by representatives of key stakeholder agencies, including the Counter-Terrorism Committee Executive Directorate (CTED). These needs have for instance been confirmed in the National Counter-Terrorism Strategy (NACTEST) of the Federal Government of Nigeria of 2014. Bilateral meetings and round-tables further facilitated the identification of needs of the different stakeholders. The project is aligned with the main objectives and focus areas given in the UNODC mid-term strategies of 2012-2013 and 2014-2015, and the UNODC Thematic Programme on Terrorism Prevention 2012-2015. Additionally, this capacity-building project is aligned with some criminal justice reform projects in Nigeria, especially those supported by the British High Commission and the United States; however more effort could have been undertaken to strengthen synergies between all UNODC-implemented rule of law projects in Nigeria funded by the EU, especially the one in the field of criminal justice funded under the European Development Fund (EDF).

The design of the project has been undertaken in a participatory manner, responding to the initial needs identified by the Government of Nigeria, and further refined in close communication with the main government agencies. The intervention logic has in contrast not been fully grounded, and no administrative project revisions have been undertaken to align the intervention logic with decisions on project direction and substance. The logical framework has been used for activity-level reporting to the
donor, which is partially because outcomes are not all mutually exclusive, with some too ambitious in nature considering the short duration of the project. A comprehensive monitoring mechanism has not been set up to support and facilitate performance management. The integration of the project into UNODC’s global project entitled ‘Strengthening the Legal Regime against Terrorism’ (GLOR35) is in line with current practice, although the project’s indicators are not aligned with the ones given for GLOR35. The ‘Nigeria Counter-Terrorism Assistance Programme Partnership on Strengthening Rule of Law-Based Criminal Justice Responses for Terrorism 2012-2018’ has more recently been developed for external communication purposes, but this phased approach could provide the basis for a more solid approach to project design. The project would certainly benefit from designing a comprehensive project document (with a separate project number) to support performance management, transparency and accountability, but this would then need to be developed on the basis of a sound intervention logic and logframe.

The project has to a large extent been implemented efficiently. Only minor delays were observed owing to the unforeseen Ebola epidemic in 2014 and the presidential election in early 2015. Project management has been undertaken by ISS II staff. Although programmatic reasons were given to justify this arrangement, some concern was expressed about the limited oversight and liaising at the local level as a consequence of this set up. International and national consultants have been used to provide training, and develop training curricula. Especially the training provided by two senior practitioners from other common law countries in Africa was viewed as highly relevant by different interlocutors. Approximately four fifth of the budget has been spent at the end of June 2015. Several reasons explain its under-utilization, including an optimistic budget estimate at the beginning, and lower operational costs during project implementation. The provision of administrative services provided by UNDP has not always been viewed in a positive light because of extensive delays in procuring training venues. This impacted not only on planning, but also on the perceived professionalism of UNODC staff. Project reporting was done in accordance with formal EU rules and regulations, as well as in adherence to the informal agreement between the UNODC and the EU in Abuja.

Partnerships have to a large extent been satisfactory. Strategic planning was done during the Roundtables held in 2012, although a more comprehensive partnership strategy regarding the main target agencies would have benefited project design. Partnerships have been set up and/or maintained with sixteen national stakeholders in varying degrees. More active cooperation has taken place between UNODC and the NPF, DSS, DPP and the judiciary as a consequence of targeted training. Although one of the aims of the project was to strengthen interagency cooperation as part of the criminal justice response to terrorism in Nigeria, the extent to which cooperation between different professional groups actually improved during the course of the project has been unclear. Partnerships with the intelligence community, the military (to strengthen the intelligence/evidence interface) and the Nigerian Bar Association have, however, been minimal. Although this was as a direct result of the donor agreement with UNODC, it is highly recommended that this arrangement be reviewed to allow for wider engagement given the critical role of each of these agencies in terrorism cases. Also, in light of the work undertaken on a new terrorism law, training for parliamentarians is highly recommended. Effective partnerships have further been maintained with donors, especially the EU and the British High Commission, and the CTED. The project would have benefited from more coordination between ISS II and the UNODC country office, and with the UN in Nigeria, both for the delivery of the CT project as well as the wider criminal justice programmes being handled by the UN in Nigeria.

The project has been effective to some extent. Project beneficiaries appeared to be satisfied with the assistance provided by UNODC, although the project has to a lesser degree led to anticipated results in the response of the criminal justice sector to terrorism. Trainers indicated an increase in knowledge and skills of trainees, but also noted that the training for prosecutors and investigators had to be tailored more to the level of participants than was originally envisaged. This shift to basic level training was necessary in order to accommodate the lack of experience and expertise within the various criminal justice agencies in handling complex cases. Anecdotal evidence points to improved practice of the
preparation and presentation of complex cases by some prosecutors, although only five or six of them actually worked on terrorism cases. A shift was further noticed in the ‘traditional’ sharp divide between investigators and prosecutors, but it is unclear to what extent practice related to the early engagement of the latter has been widely adopted within the various institutions. Two ToTs have been held, but trained staff has, thus far, not been utilized for training purposes in a more institutionalized way by concerned entities. Five training modules on terrorism and human rights have been completed, but will be further tested in training with practitioners. Capacity of international cooperation in criminal matters related to terrorism has been enhanced, and new knowledge has reportedly been applied in three terrorism cases since 2013. The ISS II and CTED have further provided legislative advice to a draft terrorism law which could potentially strengthen the national legislative framework on terrorism in the future.

Due to the short project duration and the absence of a proper monitoring system, it is difficult to measure the impact of the project. Overall, the emphasis has been on data-collection in relation to training activities, whereas equal attention ought to have been given to the measurement of outcome level indicators. There appears to be an improvement in the court performance of some prosecutors and, overall, more awareness exists regarding the necessity to collect evidence at the early stages of the investigation. The project has certainly helped to sensitize the key agencies of the need to co-ordinate and co-operate in terrorism cases, and, overall, created awareness of the necessity for organizational change among criminal justice agencies.

The sustainability of the project’s results remains a concern, and this must receive more attention in the possible third phase of the project. It is not entirely clear to what extent the acquired knowledge and skills has already been used by the different actors – in relation to their performance as investigators, legal advisors, prosecutors, and judges, and as trainers. This is the consequence of the lack of transparency on case statistics held by the national authorities, the extent to which (and how) trained staff has actually worked on terrorism cases as well as the fact that the project has focused on training and not taken on a broader perspective to propose mechanisms and/or remove obstacles at different levels that hinder implementation of newly introduced standards. Some steps have been made to support capacity-building of existing training institutions for criminal justice actors, although this is still at an early stage, and also requires more extensive follow-up. The rotation of trained staff was given as a risk to the sustainability of the project, but it appears that trained prosecutors have generally remained in their respective positions and are, to some extent, engaged as specialists. The rotation of investigators and legal advisors is in contrast higher, but this was not directly perceived as negative, as rotated staff could then apply their knowledge and skills elsewhere.

Human rights and gender equality have been considered in the design and implementation of the project. Several human rights training sessions were conducted, and five training modules have been developed on human rights and terrorism. Human rights topics have further been integrated into targeted training for specific criminal justice actors, and also in training on interagency cooperation, although these practices can be better documented for monitoring and evaluation purposes. Practitioners were now aware of some aspects of human rights. No reference has further been made to due diligence in any of the project documents and related procedures appear not to have been followed in the preparation for activities. ISS II staff has further made some efforts to collect sex-disaggregated data of participants, but more effort could however be made to include a gender perspective more systematically in training, performance management and outputs, including in the earlier mentioned human rights training modules, and to also address the treatment of juveniles in criminal proceedings in future training.

The election of the new president in March 2015 heralded a new era in the governance of Nigeria. However, as of mid June, the ministers were still not selected and appointed, and the extent to which
some of the senior focal persons will remain in place for the next project phase is yet unclear. The value of the project is that the established partnerships and increased sensitization of criminal justice actors can potentially provide the necessary stepping stone for UNODC to expand its work to strengthen the criminal justice response to terrorism. In other words, an enabling environment for organizational change appears to have been created as a result of UNODC’s efforts. A long-term vision and perspective is however necessary to underpin future activities.

UNODC is, among others, recommended to provide, if requested, further assistance to the drafting of new legislation in the field of counter-terrorism, and to continue providing capacity-building assistance to the different criminal justice actors based on a comprehensive multi-year training strategy. The Office is further recommended to include also the military, intelligence-gathering agencies and public defenders in capacity-building activities, and support the institutionalization of training on terrorism. Moreover, UNODC is recommended to recruit international expert staff with duty-station Abuja, and develop a comprehensive intervention logic based on a proper contextual assessment, related logical framework, and a concurrent monitoring system. Moreover, the Office is also advised to develop a more comprehensive, independent (of GLOR35) Nigeria counter-terrorism project for performance management and accountability purposes, and ensure greater alignment and coordination with other projects in the field of criminal justice reform and counter-terrorism in Nigeria. More recommendations are given in the summary matrix on key findings and recommendations.

Key lessons learned are that a comprehensive contextual assessment is needed at the design stage to develop a realistic intervention logic. Additionally, projects that are integrated into a global project must have logical frameworks that cascade down (and up), with a clear relation between the indicators of the different projects to support performance management. At the design stage, it is also necessary to discuss the performance management framework and responsibilities with key counterparts, as they can provide relevant data, or can prepare the necessary space for data-collection, especially at the outcome level. Furthermore, the importance of fulltime international experts on the ground to manage and coordinate project implementation cannot be underestimated, and the usage of experts from other African common law countries to support ‘intra-continental’ cooperation, and facilitate a greater receptiveness to capacity-building activities must be replicated and expanded in similar interventions. Regular informal donor reporting has been a useful tool to maintain good donor relations, especially when implementing a project in a highly sensitive area such as terrorism, and resources must be dedicated to such networking activities in similar efforts. Last but not least, the decision to stick to a ‘work in progress’ model for the human rights training modules to get the right balance between a more theoretical orientation and practitioners’ perspectives takes the necessity to strengthen local ownership into regard, and most likely ensures the usefulness of these modules in the longer term.
# SUMMARY MATRIX OF FINDINGS, EVIDENCE AND RECOMMENDATIONS

<table>
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<th>Findings</th>
<th>Evidence (sources that substantiate findings)</th>
<th>Recommendations</th>
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<tr>
<td>The two laws on counter-terrorism (2011 Terrorism Prevention Act, and the 2013 Terrorism (Prevention) (Amendment) Act) do not provide a coherent approach to counterterrorism, and human rights have been addressed to a limited degree only in this legislation. UNODC and CTED have provided advice to draft legislation in an effort to remedy some of the shortcomings in these laws.</td>
<td>Project document; project progress reports; 2011 Terrorism Prevention Act, and the 2013 Terrorism (Prevention) (Amendment) Act; interviews Vienna.</td>
<td>1. If requested, continue to support the drafting of new legislation in the field of counter-terrorism by providing technical assistance (UNODC TPB experts)</td>
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<td>The project has also been referred to as a short-term ‘training package’ which has been implemented by UNODC headquarters, with the support of CONIG, and – among others – UNODC consultants and British trainers based in Abuja. The training format has been adjusted to this, with little follow-on mentoring to support on-the-job training of the different professional groups.</td>
<td>Project document, progress reports, interviews Abuja, interviews Vienna</td>
<td>2. If requested, and in close coordination with relevant stakeholders, to continue with capacity-building efforts by means of developing and implementing a comprehensive multi-year training strategy comprising different types of training techniques for the different criminal justice actors, with due consideration for professional hierarchies, and which includes on-the-job training and mentoring (UNODC TPB/ISS II in close cooperation with CONIG)</td>
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As data regarding the institutional set-up of the criminal justice response to counter-terrorism (including case statistics) are hardly available in the public domain, the evaluation team was unable to assess the sustainability of project results. Additionally, more information must be made available on possible obstacles that can potentially hinder the application of newly acquired knowledge and skills, and to examine ways to remove these in combination with training. More cooperation on these issues with relevant stakeholders is therefore necessary for planning, monitoring and evaluation purposes.

| One of the project’s objectives was to strengthen interagency cooperation. Efforts were made through the setting up of the focal point system and different training activities to strengthen such cooperation between different entities and professional groups, such as by means of getting an early involvement of prosecutors in the investigation of terrorism cases. However, actual results in the field of interagency cooperation have been less than anticipated. | Project document; project progress reports; 2011 Terrorism Prevention Act, and the 2013 Terrorism (Prevention) (Amendment) Act; NACTEST; interviews Abuja; interviews Vienna | 3. In close coordination with relevant national stakeholders, undertake institutional assessments to get a clearer picture on the organizational arrangements of the response to counter-terrorism, and – in relation to that – existing rules and procedures, practices, resources and needs. This can then for instance be used to discuss conditions to support the sustainability of results, assistance to remove possible obstacles, and data collection and sharing mechanisms for monitoring and evaluation purposes (UNODC TPB/ISS II, CONIG). |

| Project document, progress reports, interviews Abuja, interviews Vienna | 4. If requested, and in close coordination with relevant stakeholders, review existing interagency cooperation processes and procedures in the criminal justice sector with respect to complex cases, such as terrorism cases, and assist with addressing gaps and obstacles to strengthen such cooperation, including by means of providing support to designing MoUs to clarify roles, responsibilities and procedures (UNODC TPB/ISS II, CONIG). |
Despite two ToTs (given to law enforcement, including eight trainers of the four law enforcement training schools, and prosecutors), the involvement of the NJI in the training of judges and the development of the five human rights training modules by the National Institute for Advanced Legal Studies, thus far none of these efforts have led to some degree of institutionalization of CT training in at least one institute. Although this is understandable considering the short time-frame and coverage of the project, it is something that must be addressed in the future.

| Project document, progress reports, mission report assessment law enforcement training institutions, interviews Abuja, interviews Vienna | 5. If requested, assist with the institutionalization of training on complex cases/terrorism in different institutions, including by supporting the development of a CT investigation training module, and providing further training to trainers in close cooperation with relevant institutions and based on clear conditions agreed on in the design stage of these activities (UNODC TPB/ISS II and CONIG) |

<p>| The criminal justice chain involved in terrorism cases has only partially been included in project activities, and a comprehensive partnership strategy has been missing in the original project design. Both the military and intelligence-gathering agencies were largely absent in training activities, despite the importance of the intelligence-evidence interface and the fact that the counter-terrorism operation in northern Nigeria has mostly been led by the military. The same conclusion can be drawn regarding the Defence Bar. Furthermore, in light of legal advice provided by UNODC to the draft terrorism law, the necessity to also train parliamentarians on counter-terrorism to support the legislative process was highlighted during interviews. | Project document, progress reports, Amnesty International report, interviews Abuja, interviews Vienna | 6. In close coordination with relevant stakeholders, a)Develop a comprehensive partnership strategy explicating the selection of partners, conditions and reasons of selection and their expected level of involvement (including with respect to information sharing and sustainability); b)Include also the military, intelligence-gathering agencies, the Bar Association, and members of parliament in training activities to strengthen this legislative body and, overall, the criminal justice response to terrorism (UNODC TPB/ISS II and CONIG). |
| ISS II has implemented two projects in Nigeria in the field of CT of short duration due to available funding. This has hindered a more long-term perspective. A more comprehensive country programme could be developed to support such approach. Additionally, the logframes of the umbrella project GLOR35 and the EU-funded project were not adequately aligned, and limited information related to the project’s expenditures appeared to be available. | Project document, progress reports, GLOR35 programme document, executive brief UNODC Nigeria CT programme, interviews Abuja, interviews Vienna | 7. In coordination with relevant stakeholders, consider developing a more comprehensive, independent (of GLOR35) Nigeria counter-terrorism project for performance management and accountability purposes (or ensure that indicators clearly cascade down from GLOR35 to the individual project level, and are properly aligned with each other, and use the UNODC project document template to prepare a more comprehensive design of GLOR35 affiliated country-level projects) (UNODC TPB/ISS II/CONIG) |
| UNODC CONIG implemented three large EU-funded projects, including one in the field of criminal justice reform funded under the European Development Fund (EDF). No alignment has taken place between this project and the CT project, which is a missed opportunity to explore common objectives, expected results and stakeholders, thereby pooling resources and adding value to project implementation. Additionally, partnerships with other UN agencies in Nigeria appeared largely absent, although the ones with other global CT mandates, especially CTED, were nurtured under this project. | Project document, monthly briefs CONIG, interviews Abuja, interviews Vienna | 8. In close coordination with relevant UNODC staff, ensure greater alignment and coordination with other EU funded projects implemented by UNODC in Nigeria, and with other projects with the same thematic focus implemented by other actors (UNODC TPB/ISS II and CONIG) |
| Mainstreaming of human rights and gender has been undertaken in design and implementation, but a) the inclusion of human rights can be monitored more closely in the different training activities; b) gender has only been dealt with at a general level in the human rights training modules; c) collecting sex-disaggregated data has not been done systematically, and; d) a more comprehensive approach to gender mainstreaming in the project has been absent. | Project document, progress reports, draft human rights training modules, interviews Abuja, interviews headquarters | 9. Strengthen the mainstreaming of human rights and gender at various levels (UNODC TPB/ISS II and CONIG) |</p>
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<th>Important recommendations</th>
<th>Source</th>
<th>Project document, progress reports</th>
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<td>The available log frame was not based on a clear intervention logic with SMART indicators at all levels. This negatively impacted on performance monitoring</td>
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<td>No comprehensive monitoring system has been developed, and monitoring took only place at the activity/output level. Post-training questionnaires were shared and collected at the end of some training sessions, but those available were not fully analyzed and the analysis was not fully presented in donor reports.</td>
<td>Project document, progress reports, executive brief UNODC Nigeria CT programme, interviews Abuja, interviews Vienna</td>
<td>10. Develop a comprehensive logical framework with a clear intervention logic and SMART indicators at all levels (UNODC TPB/ISS II and CONIG);</td>
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<td>Different views were shared with regards to the efficiency and effectiveness of the project management team based at UNODC headquarters. The delivery of training activities was done in accordance with the schedule. Concern was however expressed that the overall temporary presence of international staff in Abuja hindered oversight and more active, regular liaison with all stakeholders to strengthen coordination and follow-up.</td>
<td>Project document, interviews Abuja, interviews Vienna</td>
<td>11. Develop and use a comprehensive monitoring system. This should include a realistic assessment of data availability for performance measurement at all levels in close cooperation with relevant counterparts (UNODC TPB/ISS II and CONIG);</td>
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<tr>
<td>Some problems were identified in the procurement of venues (timely selection and type of venues), which not only led to delays in planning of particular meetings and training activities but also reflected negatively on UNODC’s performance.</td>
<td>Desk review, interviews</td>
<td>12. Review the management arrangements of the project to get more management and technical capacity at the field level by means of recruiting international expert staff with relevant technical and managerial expertise to be based in Abuja, while continuing with strategic and managerial backstopping to support project effectiveness (UNODC TPB/ISS II and CONIG);</td>
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<td>13. Discuss administrative arrangements with UNDP to provide a long-term solution for possible obstacles leading to late procurement (UNODC TPB/ISS II with CONIG).</td>
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I. INTRODUCTION

Background

Nigeria continues to face profound human security challenges. Especially States in the North-East of Nigeria have been affected by the rise of Jama’atu Ahlis-Sunna Lidda Awati Wal Jihad, also known as Boko Haram, which has negatively impacted on the security of the civilian population in that area as well as in neighbouring countries, especially Cameroon, Chad, Mali and Niger. A recent Amnesty International report notes that ‘[t]he armed group has killed thousands of people, abducted at least 2,000 and forced more than a million to flee their homes. Through a campaign of almost daily killings, bombings, abductions, looting and burning, Boko Haram has crippled normal life in north-east Nigeria. Towns and villages have been pillaged. Schools, churches, mosques and other public buildings have been attacked and destroyed.’1 Terrorist attacks have also been carried out in other parts of the country, and targeted public transportation, international organizations and government facilities. The government of Nigeria declared a state of emergency from January 2012 until November 2014 when the lower house of parliament voted against an extension of the state of emergency.2 In May 2014, Boko Haram was added to the United Nations (UN) Security Council’s 1267/1989 sanctions list, and in 2015, one individual entry and two entities (Ansarul Muslimina Fi Biladis Sudan and Boko Haram) were given in this list with respect to Nigeria.3

The legislative framework for the prevention and response to terrorism in Nigeria is provided by the 2011 Terrorism Prevention Act, and the 2013 Terrorism (Prevention) (Amendment) Act. Both Acts aim to provide the legislative framework for counter terrorism in Nigeria, but are presently under further review. The 2013 Terrorism (Prevention) (Amendment) Act stipulates that the Office of the National Security Adviser (ONSA) is ‘the coordinating body for all security and enforcement agencies under this Act and shall (a) provide support to all relevant security, law enforcement agencies and military services to prevent and combat acts of terrorism in Nigeria; [...]’.4

In 2014, the ONSA promulgated the National Counter-Terrorism Strategy (hereinafter the NACTEST), which has been referred to as a ‘subset of the overarching national security strategy’5, and which gives further information about the coordination of actions to prevent and respond to terrorism between 2014 and 2016. The ‘identify’ component of the NACTEST focuses on preventing terrorist threats and attacks on Nigeria, and – among others – aims to ‘[e]nsure an increase in the capabilities of security agencies to detect, prevent, investigate and prosecute’, ‘[w]ork with foreign governments and multilateral

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1 AI, 2015: 3
2 Initially only selected local government areas in four states were subject to this state of emergency until in May 2013 three states - Borno, Yobe and Adamawa - were put onto the list of areas covered by the state of emergency – see for instance http://www.telegraph.co.uk/news/worldnews/africaandindianocean/nigeria/10057720/Nigeria-declares-state-of-emergency-in-three-states.html and http://www.dw.com/en/nigerias-state-of-emergency-a-failure/a-18079380
3 UNSC, 2015
4 Terrorism (Prevention)(Amendment) Act, 2013 - article (2)(2)(1A)(1)
5 ONSA, 2014: ii
organizations to better tackle threats from the source' and ‘[b]uild and improve capacity to the Criminal Justice System (CJS) to investigate, prosecute and sanction people who commit terrorist offences’.6

Terrorist cases are primarily tried in the Federal High Court in Abuja.7 Information is neither available regarding the number and type of terrorist cases investigated, prosecuted and adjudicated by the different state actors nor with respect to the institutional arrangements of number and level of staff of these agencies working on such cases. The only information available is that four judges have been designated to adjudicate these cases at the Federal High Court. UNODC points out that ‘Nigerian prosecutors have traditionally relied primarily on confessional statements as evidence, and it is necessary to strengthen the capacity of the investigators, legal advisors, and prosecutors to […] prosecute terrorism cases with other admissible forms of evidence, and in accordance with the rule of law and respecting human rights. Entities involved in investigations lack proper training and necessary equipment to undertake systematic investigations. There is also a serious lack of clarity regarding inter-agency operating procedures and the responsibilities of the multiple entities involved terrorism cases.’8 In addition, specialized training arrangements for criminal justice officers working on terrorism or related cases do not exist in Nigeria.

Since 2003, UNODC’s Terrorism Prevention Branch (TPB) has been mandated by the UN General Assembly (GA) to promote the ratification of all nineteen universal legal instruments against terrorism, assist with the incorporation of these treaties into national legislation, provide capacity building training to criminal justice officials, and promote international cooperation in criminal matters related to terrorism. Over the years, including most recently in 2013 and 2014, the UNGA reaffirmed and strengthened UNODC TPB’s mandate in its resolutions on measures to eliminate international terrorism, to protect human rights and fundamental freedoms while countering terrorism, and to provide technical assistance for implementing the international conventions and protocols related to counter-terrorism.9

The UNODC Thematic Programme on the Prevention of Terrorism 2012-2015, and its corresponding global project “Strengthening the Legal Regime against Terrorism” (hereinafter referred to as GLOR35) provide more concrete direction to TPB’s work. GLOR35 is the administrative vehicle of the thematic programme, and facilitates the implementation of numerous smaller projects in the field of counter-terrorism.10

One of these projects is the “Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security (Terrorism)” (hereinafter referred to as ‘the project’), which was implemented from 1 November, 2013 to 30 June, 2015. The initial project duration of eighteen months was extended by another two months to accommodate for the delays resulting from the presidential elections held in March, 2015.

The specific objectives of this project are:

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6 ONSA, 2014: 3-4
7 Terrorism (Prevention) Act, 2011 - article 32 (jurisdiction) (1) The Federal High Court shall have the sole jurisdiction to try an offence and impose the penalties specified in this Act.
8 UNODC, 2015e: 3
9 UNODC, 2015b: vii
10 The starting date of GLOR35 is 1 January, 2003, and the current completion date has been set for the end of 2015. The overall budget of this programme is USD 88,684,326 (as of April 2014), and the programme focuses on countries in Central and South Asia, North Africa, West and East Africa, South-East Asia and Central America (UNODC, 2015b: vii). The global programme has also been referred to as global project, which is the consequence of a lack of clarity on terminology.
a) to enhance the capacity of national criminal justice officials to implement counter-terrorism measures in accordance with rule of law, with due respect for human rights, and with relevant international legal instruments and Security Council resolutions;

b) to reinforce international criminal justice cooperation, especially with the Sahel, Western and Central Africa sub-regions, as well as other neighbouring countries;

c) to reinforce inter-agency collaboration, sustainability and ownership of criminal justice responses to terrorism among relevant national entities, and

d) to reinforce knowledge and analysis of relevant domestic legislation.

The project, which is the subject of this independent evaluation, is part of the second phase of the ‘Nigeria Counter-Terrorism Assistance Programme Partnership on Strengthening Rule of Law-Based Criminal Justice Responses for Terrorism 2012-2018’ (hereinafter referred to as the UNODC Nigeria C-T Assistance Programme). This country-level framework has been designed as an external communication tool to provide a phased approach (primarily corresponding to funding periods) to UNODC’s counter-terrorism work in Nigeria. The programme has been endorsed by national and international stakeholders (through bilateral consultations and roundtables, the latter also attended by other international stakeholder representatives, such as from the European Union (EU) and donor countries), and approved by the National Planning Commission of Nigeria. The first phase (with one project) served as a predecessor of the project covered under this evaluation, which is part of the second phase. Training activities of the first phase focused on the UN Counter Terrorism instruments and the legal framework in Nigeria, and was implemented from January, 2012 to October, 2013. This first project was not subject to a UNODC-led independent evaluation. The second phase contains two projects, namely the project which is evaluated in this report, and another one in the field of aviation, funded by the Japanese government. In May 2015, UNODC already initiated some Japan-funded training activities for – among others – prosecutors as part of the programme’s third phase.

The project has been managed by the Implementation Support Section (ISS) II ((Sub-Saharan Africa) of the TPB at UNODC headquarters, and implemented jointly with UNODC’s country office in Nigeria (CONIG). The total approved budget was EUR 1,725,755, and funding has been provided by the EU under their Instrument for Stability. This has been in line with focal sectors 1 and 2 (conflict prevention and governance) of the EU country strategy and Indicative Programme for Nigeria 2008-2013. The Instrument for Stability provides support to counter emerging crisis situations, and gives funding for a period to up to eighteen months. An extension can be granted for a maximum of six months.

This independent final project evaluation took place in June and July 2015 with a mission to Vienna, Austria, and Abuja, Nigeria, in June, 2015. Although the project is part of GLOR35, which was recently evaluated in 2015, a final project evaluation was deemed relevant by the donor and the TPB to assist with the design of a possible third phase. The findings of this evaluation will provide an analysis of the main achievements of the project, lessons learned as well as recommendations on how to continue to support activities to strengthen the capacity of Nigerian criminal justice actors to adequately prevent and respond to terrorism.

Scope of the Evaluation
This final project evaluation covers the project entitled “Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security (terrorism)”, which has been implemented from 1 November, 2013 up till 30 June, 2015 in Nigeria. Most of the activities were conducted in Nigeria’s capital Abuja. The key target groups of this project included representatives of ONSA, NPF, DSS, DPP and the Federal High Court. The following evaluation criteria have been considered during this evaluation: relevance, design, efficiency, partnerships and cooperation, effectiveness, impact, sustainability, human rights and gender.

Evaluation Methodology

This independent final project evaluation has been undertaken by an evaluation team comprising a lead evaluator and a counter-terrorism expert. The team used the following methods during this project evaluation: desk review, semi-structured interviews and observation during field visits, quantitative analysis methods and data triangulation. Data collection has been undertaken by using different methods and sources in order to triangulate the findings during the analysis phase of the evaluation. The above-given methods have been applied to review and analyze data related to all evaluation criteria.

The desk review included UNODC project and strategic documents. A complete list of documents examined by the evaluation team is set out in annex II.

Additionally, field missions were undertaken to Abuja, Nigeria (15-19 June, 2015), and Vienna, Austria (29-30 June, 2015). Interviewees were selected on the basis of their level of involvement in project design and implementation, and comprised representatives of UNODC (headquarters and field level), representatives of the donor and other diplomatic missions, CTED, relevant government counterparts and other recipient/beneficiary organizations. Face-to-face semi-structured interviews have been conducted with representatives of the following entities: UNODC country office Nigeria, EU Delegation in Abuja, British High Commission, Japanese Embassy, ONSA, NPF (the EOD team), DPP, Federal High Court and other beneficiary institutions. Telephone interviews have also been conducted with two representatives of CTED, New York, and one of the law enforcement trainers currently based in India. Interview questions addressed the eight evaluation criteria, and were further tailored to the function and level of involvement of the individual respondents.

In addition, observation has been used during the mission to Abuja to collect additional information in relation to case file management and documentation.

Qualitative and quantitative data analysis was conducted to get to the main findings, conclusions and recommendations of this evaluation. Triangulation of sources has been undertaken for qualitative data, and statistical analysis used for quantitative data, such as with respect to financial information and data of training courses conducted during the project.

This final project evaluation encountered several challenges. The limited time-frame and the difficulties encountered to get meetings with respondents in general meant that not all stakeholders were interviewed during the field mission to Abuja. One of the key stakeholders, the DSS, could therefore not be interviewed. This was further complicated by the fact that following the elections held earlier in 2015, the status of the Presidential Committee on the Financing of Terrorism was unclear at the time of the mission, and that the court was very busy just before everything slowed down because of Ramadan, which started on the last day of the Abuja mission. However, considerable effort went into ensuring that meetings with all other key respondents materialized in the end, including those with two judges, which were of interest to get a better understanding about the level of impact of the project.

Another challenge was that no baseline information has been collected at the beginning or during project implementation for the outcomes, as well as basic information on the institutional set up of the different
stakeholders, the number and type of terrorism cases and so on. Based on secondary sources, and information collected during interviews, data have been gathered and analysed to provide some information about changes which have – intentionally or not - been the consequence of project implementation.
Map 1. Map of Nigeria

[Map of Nigeria]

II. EVALUATION FINDINGS

Relevance

The project has undoubtedly been relevant, and is aligned with UNODC’s counter terrorism mandate and the needs identified by the Government of Nigeria in general, and criminal justice actors in particular. These have further been reflected in key legal and policy documents of the national government (see chapter 1), and of international organizations. Additionally, this criminal justice capacity-building project has complemented the work undertaken in the field of criminal justice reform/counter-terrorism by the British High Commission. In contrast, UNODC could have made a more concerted effort to strengthen synergies between the EU-funded UNODC projects in the field of criminal justice reform, corruption and border management, and align the project with criminal justice/counter-terrorism activities undertaken by other agencies in Nigeria.

The project has been relevant to the implementation of UNODC’s counter terrorism mandate, which is given effect in UNODC’s Strategy for the period 2012–2015, especially sub-programme 3 on terrorism prevention, and UNODC’s Strategic Framework 2014-2015, sub-programme 4 on terrorism prevention. These sub-programmes have in turn been translated into UNODC’s Thematic Programme on Terrorism Prevention 2012-2015, of which GLOR35 is the administrative, programmatic vehicle to support the implementation of individual projects in this field (see section on design).

In Nigeria, the third UN Development Assistance Framework (UNDAF) 2014–2017, which was signed in 2013, contains however no direct reference to terrorism. An explanation is that the UNDAF was approved before the NACTEST was issued in 2014. Two strategic intent areas that are of direct relevance to supporting and strengthening the criminal justice response to organized crime have been given in this document. These concern strategic intent 1 covering good governance (with outcome 1.1 Rule of law/accountability, and outcome 1.3 Human rights and gender equality), and strategic intent 4 covering human security and risk management (outcome 4.4 Migration, illicit drugs and crime management).12

The project has been developed in response to a request for assistance from the Government of Nigeria in a letter addressed to UNODC in January 2013, although the desk review and interviews highlighted that the identification of needs has been an ongoing process prior to and after receipt of this official communication. Thus, weaknesses in the criminal justice sector’s response to terrorism have been identified and confirmed in several CTED assessment missions to assess the implementation of UNSC resolution 1373 (2001) and related follow-up resolutions.13 Additionally, the first project of the retroactively developed UNODC Nigeria C-T Assistance Programme provided the foundation for the design of the EU-funded project, which was subsequently refined in close coordination with other international actors, in particular the donors of these two projects, and based on observations and feedback given by concerned stakeholders during two roundtables organized on 25 February and 27 November, 2013. Although these roundtables provided the platform to agree on key activities, project management

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12 UN, 2013: 6
13 From 2007 onwards it was determined that all CTED assessment reports would be strictly confidential, and the evaluation team had therefore no access to these reports. (UNODC and CTED communication)
remained flexible to further refine the design and define needs to tailor capacity-building activities on various occasions.\(^{14}\)

The desk review and interviews further confirmed that the project has been closely aligned with the training and mentorship activities provided by the UK to a group of eight prosecutors of the DPP and four judges of the Federal High Court, as well as with their work undertaken with the NPF. Close cooperation between the UK experts working at the British High Commission and UNODC has taken place throughout the duration of the project to ensure complementarity and coherence between the activities implemented by these two actors.

In contrast, the project could have been more aligned with other UNODC projects implemented in Nigeria, especially the three EU-funded projects in the field of corruption, criminal justice and border management, as well as with work undertaken by other UN agencies with the same actors and/or in the same thematic areas.\(^{15}\) More coordination could especially have taken place with the UNODC-implemented project entitled ‘Support to the Justice Sector in Nigeria’ funded by the European Development Fund (EDF) considering the focus on – among others – the Federal Capital Territory, and the three expected outcomes, namely effective coordination and cooperation among justice sector institutions, with an enhanced legal and policy framework; enhanced operational structures and capabilities of officials in the sector; and increased access to justice and respect for human rights and the rule of law, especially for disadvantaged and vulnerable groups.\(^{16}\) It is therefore highly recommended that in the next phase the different projects in the field of criminal justice are more closely aligned and coordinated by UNODC.

**Design**

The design of the project has been undertaken in a participatory manner, responding to the initial needs identified by the Government of Nigeria, and further refined in close communication with the main stakeholders. The intervention logic given in the project document has in contrast not been fully grounded, and no administrative project revisions have been undertaken to update the logframe, and align the intervention logic more with the existing context and opportunities in Nigeria. The hierarchy of objectives is not logical, indicators have been mainly developed at the activities and output level, and a comprehensive monitoring system has not been designed and implemented. Additionally, although the project is administratively part of GLOR35, the logframes of this project and the global one are not closely aligned with each other. The UNODC Nigeria C-T Assistance Programme offers a different

\(^{14}\) Thus, except for the requested support for the ratification of UN instruments in the field of terrorism, the main areas identified during the first round table and addressed in this project were capacity building on the investigation, prosecution, adjudication of terrorist offences, interagency collaboration in counter-terrorism, specialized training curricula of National Training Institutions and knowledge of criminal justice officials and other relevant stakeholders on the provisions of domestic counter-terrorism legislation.

\(^{15}\) For instance, UNDP provides support to conflict-affected populations in Northern States – see for instance http://www.ng.undp.org/content/nigeria/en/home/presscenter/articles/2015/07/31/undp-kicks-off-support-for-victims-of-the-conflict-in-northeast-nigeria/, in which also mentioning is being made about an early warning system which includes incident reporting; http://www.ng.undp.org/content/nigeria/en/home/presscenter/pressreleases/2015/05/07/un-resident-and-humanitarian-coordinator-meets-with-former-captives-in-north-east-reaffirms-support-to-government/ in which the support is provided to victims of terrorism, and; http://www.ng.undp.org/content/nigeria/en/home/presscenter/articles/2015/01/16/undp-support-enhances-information-exchange-between-legislatures-and-the-public/ which described work undertaken to strengthen the functioning of the national parliament of Nigeria. UNICEF supports efforts to strengthen child protection systems in Nigeria (see http://www.unicef.org/nigeria/protection.html).

\(^{16}\) UNODC, 2014d
FINDINGS

perspective, and although this has thus far been used as a communication tool, this has in principle the potential to be developed into a useful administrative and performance management tool to support transparency and accountability.

The desk review and interviews confirm that the project design has been undertaken in a participatory manner by means of involving the main stakeholders by organizing roundtables and bilateral consultations. The first roundtable was held on 25 February 2013 during which main focus areas for capacity-building were identified. These were subsequently further refined in a National Stakeholder’s Round Table held on 27 November 2013. The roundtables increased project ownership by national stakeholders, including by endorsing the proposed work plan as well as criteria for participant selection for various activities, and have therefore been viewed as a good practice by different interlocutors.

The project document does not follow the UNODC project document format, and in addition to several observations on the intervention logic and logical framework, this must also be addressed in future activities to ensure a common approach to performance management. The overall project objective is to ‘support Nigeria to strengthen its criminal justice responses to terrorism’. The four objectives are more specific. Some can be seen as too ambitious considering the short duration of the project, especially with respect to international cooperation and inter-agency collaboration, and not all are mutually exclusive – a prerequisite for performance measurement. Furthermore, the expected results given at the outcome level do not target the right level of results at all times, as two are for instance closely related to outputs (enhanced/reinforced capacity). Only the first outcome clearly refers to the usage of acquired skills and knowledge, and its contribution to the enhanced implementation of ‘counter-terrorism legislation’ and good practices. Additionally, the project document would have benefited from a more comprehensive logical framework with SMART indicators, baseline data and targets at all levels, and a narrative on project management arrangements, including number and level/type of staff and their respective duty-stations funded under the project.

The original project document has guided implementation throughout the entire phase. Considering the minor delays in implementation, this seems to be just, although – arguably – an administrative project revision could have been undertaken to correct the weaknesses in the intervention logic and the hierarchy of objectives, and provide one more attuned to changes in expected results based on the situation on the ground. This would have supported the documentation of the project history, and offered more transparency on decision-making in design, especially the selection of beneficiaries and type of training activities.

The project is integrated into two different overarching vehicles, namely the UNODC Nigeria C-T Assistance Programme 2012-2018 and the UNODC global project entitled ‘Strengthening the Legal Regime against Terrorism’ (GLOR35). The former is a national–level document, which presents the national counter-terrorism programme into three phases based on funding periods. The Executive Brief of this programme, the only programme document received by the evaluation team, seems to be a public relations tool to give a more comprehensive, long-term approach to the successive, relatively short, counter-terrorism projects implemented by UNODC in Nigeria. The programme does not give a logical framework, and as such a clear intervention logic, but gives a menu of options for providing future support to the criminal justice sector and its response to counter-terrorism in Nigeria.

GLOR35 is in contrast a UNODC global project on counter-terrorism, which is the administrative vehicle for implementing the UNODC Thematic Programme on Terrorism Prevention 2012-2015. This umbrella project is a means to host a relatively large number of smaller projects without having to go through lengthy administrative procedures to start a new project. GLOR35’s objective is ‘To promote and

17 Specific objective 1 ‘enhance the capacity of national criminal justice officials to implement counter-terrorism measures in accordance with rule of law, with due respect for human rights, and with relevant international legal instruments and Security Council resolutions’ and objective 4 ‘reinforce knowledge and analysis of relevant domestic legislation’ are not mutually exclusive.
strengthen a functional criminal justice regime against terrorism that is effective and is implemented by States in accordance with the rule of law. The hierarchy of objectives and the performance indicators of GLOR35 and the project are clearly not aligned with each other, as the activity level indicators given in the project’s logframe are not providing the necessary information in support of measuring the performance of GLOR35.\(^\text{18}\)

Although the UNODC Nigeria CT Assistance Programme is at this stage a framework document for external communication about past achievements and a menu with possible capacity-building activities for the third phase, the intrinsic idea of a more long-term, coherent perspective can in principle be taken forward by designing a comprehensive project document with its own project number to clearly separate it from GLOR35. This would not only, potentially, provide a stronger conceptual framework to shorter projects covering the same thematic area with the same stakeholders in one country, but would also allow for the inclusion of different funding sources by means of project revisions and invite a stronger performance management perspective into the equation to support accountability and transparency. Alternatively, if the project remains part of GLOR35, then a clearer cascading down of results must be established between the global project and this one, based on a solid intervention logic and logframe to measure results at all levels.

The desk review and information obtained during interviews also confirm that a comprehensive monitoring system to allow for the collection and analysis of relevant data is largely absent. Monitoring has mostly been done at the activity level. It is vital that a comprehensive monitoring system is agreed on with the main stakeholders to examine the usage of acquired skills and knowledge, and to assess the extent to which practice has actually been strengthened as a result of the project; this issue must be addressed in the third phase.

Efficiency

Project design and implementation have been undertaken efficiently to a large extent. Only minor delays have been observed in project implementation owing to the unforeseen Ebola epidemic in 2014 and the presidential election in early 2015. The available budget has not been entirely used due to an optimistic estimate in the beginning and lower operational costs during project implementation. Furthermore, although project management from UNODC headquarters has been viewed as relatively effective, some shortcomings in project oversight, coordination and liaison have been the consequence of the absence of fulltime international project management capacity in Abuja. Additionally, the administrative arrangements with UNDP led to some delays in procurement, and this issue must also be addressed in the next phase. Reporting has in principle been done in accordance with the formal and informal agreements with the donor, although a more comprehensive monitoring system could have supported data collection and analysis regarding the usage of acquired knowledge and skills of trainees.

Expenditures & cost efficiency

The project budget has not been fully utilized with only approximately four fifth spent at the end of June, 2015. Several reasons underlie this situation, including an optimistic estimate of needed funds in the planning phase, coupled with lower operational costs during implementation. For instance, one international trainer was based in Abuja, and, therefore, no travel costs had to be covered, and experts of

\(^{18}\) Most relevant is GLOR35 outcome 3: National criminal justice officials in assisted Member States apply increased knowledge and improved tools for the application of the international conventions and protocols relating to terrorism [National Capacity Building (for implementation and international cooperation)] with the following performance indicator: ‘Percentage of participants in UNODC/TPB training workshops indicating usefulness of TPB training and tools’.

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the British High Commission and the US Embassy were available to support training activities in Abuja at no additional cost to the project. Thus, a relatively higher proportion of the total budget has been used for personnel costs (staff and consultants) than the 44 percent originally foreseen in the project document.

Table 1: (Expected) expenditures (2013-2015)

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<td>EUR 1,725,755</td>
<td>EUR 758,249</td>
<td>44%</td>
<td>EUR 1,484,149 (estimate)</td>
<td>86%</td>
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International consultants were recruited directly by the TPB, whereas national consultants and national staff were hired in Nigeria with the assistance of UNDP. UNDP provides administrative services to UNODC in accordance with UN/UNDP rules and regulations to ensure accountability and transparency. The execution of this arrangement has not always been viewed positively by different respondents because of the perceived late processing of UNODC requests by UNDP. Delays in the procurement of training venues, including those for high-profile meetings, created particular difficulties. For instance, the venue of the round table held on 23 June, 2015, was only decided three days prior to the meeting; this impacts, not only, negatively on planning, but also on the perceived professionalism of UNODC staff. This issue must be addressed before the expected start of the entire third phase.

For the engagement of the Nigerian Institute of Advanced legal Studies (NIALS), a waiver was obtained to avoid having to go through a bidding process as the NIALS was considered to be the only institute with relevant expertise and networks to develop the human rights training modules. Its selection seemed justified to advance national ownership, and to support, in the longer term, the delivery of training to prosecutors (prosecutors, unlike the police and judiciary, do not have their own training institute).

**Human Resources**

The project has been managed by staff from the ISS II of the TPB in close coordination with two national staff members working at UNODC CONIG (one national project officer and one national administrative assistant). In Vienna, one technical officer has been fully funded by the project. Two other UNODC staff (the chief of section and the human rights expert) and one administrative officer were also partially funded under the project, whereas the position of the lead technical officer in charge during the project’s final stages is funded under UNODC’s regular budget. TPB, including ISS II, staff travelled regularly to Abuja to hold meetings and provide training, and were in frequent contact with their key interlocutors in Nigeria’s capital to follow up on relevant matters. The fact that the UNODC country office in Abuja was occupied with managing three other large EU-funded projects with limited staff, and that the project had its own implementation structure with two support staff based in Abuja, has

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19 EU, 2013; UNODC, 2015f; 2015i

20 See MoU between UNODC and UNDP with regards to UNDP Cost Recovery for Services at the Programme Country Level (2004) and ‘Working Arrangements between the UNDP and UNODC’ (2005)
possibly led to a situation in which there was a clear understanding on the division of roles and responsibilities between headquarters and the field (although some tensions emerged at the local level due to available procurement/administrative capacity in the country office, but this was seen as part of a wider problem and not directly linked to this project). A combination of institutional and personality-driven approaches have possibly positively impacted on this arrangement, as was also one of the conclusions of the recent evaluation undertaken of GLOR35. 21

The project management team was predominantly based in Vienna, and different views were expressed with regards to the efficiency and effectiveness of this arrangement. The limited time-frame of the project militated against international recruitment (e.g. to set up a larger team on the ground) due to lengthy internal recruitment processes. Moreover, the level of expertise of the TPB, and the fact that already existing tools could be easily accessed and used by staff in training activities, was another reason given for this set-up. Possibly because of the necessity to fix mission dates well ahead of actual travel, the implementation of training activities was managed effectively. Concern was however also expressed about the limited UNODC presence during training activities, despite the use of project funding for some full-time employment contracts. The overall temporary presence of international staff was seen to hinder oversight and more active, regular liaising with all stakeholders to strengthen coordination and follow-up on the ground. The recommendation is therefore to reshape the project management team for the next phase and allow for sufficient international staff with relevant technical and management expertise with duty station Abuja.

International and national consultants were hired to provide training, and the NIALS, a government body, was contracted to draft the human rights training modules in close cooperation with and guidance of UNODC. A good practice was the usage of senior practitioners from other common law countries from the region. Training was viewed as more effective by a commonality in background and experiences, and the usage of international consultants with this profile must therefore be replicated and expanded in the third phase.

**Monitoring and Reporting**

Monitoring was mostly undertaken at the activity and output level (number of training sessions held, participants, meetings etc). Some data were obtained by means of post-training questionnaires. A more systematic effort could have been made to systematically analyze the data of these questionnaires, and to get end-of-assignment reports of consultants (including the training material used, results, recommendations, lessons learned etc.) to support data collection and analysis in this field. As indicated earlier, more effort could have been made to measure the usage of imparted knowledge and skills, thereby taking into account the actual level of basic skills, the minimal training received and the possible obstacles to implementation. Additionally, the analysis of training data was not always done on the basis of indicators given in the GLOR35 logical framework, thereby missing an opportunity to provide statistical information to monitor the implementation of this global project. Semi-annual and annual progress reports of GLOR35 were further completed as part of internal UNODC reporting obligations, but these reports had no specific information on the project.

External project reporting has been done in accordance with EU contractual requirements, and the informal reporting agreement between the UNODC and the EU Delegation in Abuja. Official reporting was done on the basis of a pre-finance request, which led to the first official report (including the first financial report) in March, 2015.22 This report was, in fact, based on the quarterly implementation reports submitted to the EU to fulfill informal reporting requirements. Moreover, meetings were always organized when the UNODC project manager was in Abuja, and this level of contact was appreciated by

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21 See UNODC, 2015b: 16
22 EU, 2013: 2
the donor. A temporary hitch due to a change in staffing at UNODC has been remedied in the meantime. Despite the overall appreciation of UNODC’s efforts in the field of reporting, more emphasis on output and outcome level reporting was deemed necessary to get more information about the application of acquired knowledge and skills. This issue must therefore be addressed in the design of the third phase.

**Factors impacting on efficiency**

Mostly external factors impacted on the level of efficiency of project implementation. The Ebola epidemic required that training activities planned for September 2014 were rescheduled to December 2014. In January, 2015, the judiciary was on strike, leading to a postponement of their training. Furthermore, the changes of the date for the presidential election, which was in the end held in March 2015, resulted in a total delay of two months, and the project was therefore granted an extension from 30 April to 30 June by the donor. Moreover, regular transfers of senior officials (e.g. in the first half of 2015 there were two new inspector generals of the NPF and a new DPP) led to additional efforts of UNODC to re-explain the project’s aims and objectives to obtain their support for the project’s activities.

Different views came to the fore during the desk review and the interviews regarding the selection of participants, including the size of the group of trainees, and of topics. The selection and nomination of participants is primarily a matter for the national agencies; however, UNODC provided a profile and determined the possible maximum number of participants. Often the level of seniority was less than hoped for with the consequence that the impact on decision-making levels of concerned entities was relatively small. Furthermore, the National Judicial Institute (NJI), the training institute for the judiciary in Nigeria, invited a large number of judges of different courts (including the Shari’a court) for related training sessions, thereby limiting the effectiveness of this activity. In contrast, the more in-depth training of a relatively small group of prosecutors (two groups comprising eight prosecutors each), whose selection was facilitated by the international trainer on the basis of an interview and a written test out of a larger pre-selected group by the DPP, was seen as a good practice. Additionally, UNODC has shown flexibility to adapt the project design, and move away from the model of joint training of prosecutors, investigators and legal advisors to be more effective, and tailor training more to the existing needs that surfaced during the first set of training activities.

These two approaches however point to a possible tension in perspectives regarding the substance, coverage and planning of training activities, and this must be adequately dealt with in the upcoming third phase (see also section on sustainability). A prerequisite is however that more information is made available regarding the institutional set up of staff working on terrorism cases to facilitate proper planning as well as assessing impact at a later stage.

Additionally, although a more costly arrangement than just the training venue, the usage of residential training was also seen as a good practice considering the project’s context, as trainees would arrive on time in the morning and be present throughout the day to optimally benefit from the teachings. Otherwise, based on training experience obtained during this and other projects with criminal justice actors in Nigeria, a high level of absenteeism would result in a less effective training, thereby questioning the investments made to get the training organized in the first place.

**Partnerships and cooperation**

Partnerships and cooperation appear to have been established and/or sustained by UNODC with a range of different stakeholders, including with relevant counterparts of the Government of Nigeria, the donor, other diplomatic missions in Nigeria, CTED and some UN agencies. UNODC made considerable effort to involve national counterparts in decision-making processes by means of roundtables and bilateral meetings. The level of cooperation did however not seem to be underpinned by an explicit partnership strategy to offer a vision and clarity on decisions made about the level of involvement with different actors of the criminal justice chain. Due to the nature of the project, no partnerships with the private
sector and only one with civil society (the Defence Bar) were initiated during the project’s life-span. International and national stakeholders generally agreed that their partnership with UNODC has been a satisfactory one, and representatives of national entities expressed their appreciation for UNODC’s work undertaken in Nigeria.

Sixteen national stakeholders were identified in the beginning of the project, although the different actors have been involved in the implementation phase in varying degrees. The necessary liaising was undertaken with the Ministry of Foreign Affairs and ONSA, although the main target groups concerned the different criminal justice actors working in the field of terrorism, with a strong focus on those based in Abuja. The strongest partnerships emerged with those receiving more tailored training, namely investigation officers of the NPF, legal advisers attached to the NPF and DSS, prosecutors of the DPP and the Central Authority and judges. The above-mentioned partnerships supported national ownership. The assistance provided to the NJI, the four police training institutions and the NIALS have also been part of that strategy to strengthen national ownership of the project’s activities and main results.

Although one of the aims of the project was to strengthen interagency cooperation of the criminal justice response, neither the desk review nor interviews could provide substantive information to support the conclusion that cooperation had actually been enhanced between different criminal justice actors, including between investigators, legal advisers and prosecutors (see also effectiveness). An explanation can be sought in the level of activities, as only some training activities had been conducted in this field without further looking into the need to set up and/or strengthen operational inter-agency mechanisms, such as by concluding MoUs between concerned actors to regulate the desired interaction, and provide clarity on roles and responsibilities of the different entities.

Several actors taking on a key role in the criminal justice system’s response to terrorism were also missing or less visible in the project’s activities. Although referred to as partner in project documents, the Nigerian Bar Association has not been a main target group, notwithstanding that the Defence Bar is of pivotal importance in the criminal justice system. Additionally, the military and intelligence agencies have been mostly absent in project activities. This can be viewed as justified considering the fact that the project focused on the criminal justice sector, but, in reality, this ignores that the predominant response to terrorism has been a military one in Nigeria. The importance of the intelligence/evidence interface in terrorism cases, and also of the responsibility of the military (and in the case of Nigeria, the state-sponsored militias known as Civilian Joint Task Forces) to arrest and detain suspects, cannot be underestimated, and should therefore be taken into regard in the third phase.

Although the National Parliament has not been given as a project partner (see note 23), the necessity to offer training on counter-terrorism from a human rights and rule of law perspective to the legislature has been reiterated during the field mission, and this should therefore also be seriously considered to support the process of drafting and reviewing new legislation on terrorism.

UNODC’s partnership with the donor, the EU, has generally been considered to be an effective one (see also section on efficiency). Some concern was expressed about the limited visibility of the EU in project

23 The following sixteen national stakeholders were identified as project partners: Federal Ministry of Justice, including the Office of Director of Public Prosecutions and the Central Authority Unit; Department of State Services; Nigerian Police Force; Office of National Security Adviser; Nigerian Prison Service; Ministry of Foreign Affairs; Federal high Court; Court of Appeal; Supreme Court of Nigeria; National Judicial Institute, Nigerian Institute of Advanced Legal Studies; National Assembly; Economic and Financial Crimes Commission; Nigerian Financial Intelligence Unit; Ministry of Aviation & related agencies; Nigerian Armed Forces; National Human Rights Commission; National Planning Commission; Nigerian Bar Association; Nigerian Intelligence Agency; National Agency for the Prohibition of Trafficking in Person and other Related Matters; Independent Corruption Practices Commission; National Agency for Food and Drug Administration and Control; Nigeria Immigration Service; National Drug Law Enforcement Agency.

activities and outputs, as required by the grant agreement, but it appears that this has been addressed by UNODC in the meantime.

Furthermore, partnerships were established and/or maintained with several representatives of diplomatic missions, especially with the Criminal Justice Team of the British High Commission and the US Embassy (especially their liaison staff with the EFCC). The working relationship with the former actor has been viewed as an effective one, especially considering the risk of duplication in efforts when targeting the same Nigerian actors. The close partnership actually supported a more coherent approach in the technical assistance provided by the British High Commission and UNODC.

Only limited partnerships existed with other UN agencies in Abuja, among others as UNODC staff travelled in support of project activities, and were therefore faced with insufficient time to network in Nigeria’s capital. Coordination with other UN entities in the field of counter-terrorism continued during the project’s life span, such as with the CTED, CTITF, and UNCCT. At the request of the EU Delegation, the partnership with the CTED took further shape at the level of project implementation as a result of joint activities on inter-agency cooperation. Additionally, joint feedback and commentary was given on Nigeria’s Draft Terrorism (Prevention and Prohibition) Bill, 2014. The cooperation between the two entities has generally been viewed as a positive one, and the nature of the work of CTED appears to complement UNODC’s activities in the field of terrorism.

Interviews pointed out that internal cooperation between UNODC TPB, especially ISS II, and the UNODC CONIG, has been effective with respect to the implementation of the training activities. In contrast, no coordination has taken place between this project, and the other three projects funded by the same donor in the field of criminal justice reform, and this must be corrected in the third phase, especially since more capacity at the country level appears to be available to support the management of these three projects. UNODC’s regional office for West Africa has not been involved in any way in the project’s management and/or activities. Depending on the scope of the next phase, their involvement could be useful to support the regional perspective in counter-terrorism, and strengthen international cooperation.

Effectiveness

The project has been effective to some degree, as the four expected outcomes have only been partially achieved. Nevertheless, the main beneficiaries expressed their appreciation of, and satisfaction, with activities implemented by UNODC, and the fact that over 800 criminal justice and other relevant officials were provided with training on terrorism-specific matters, including investigators, legal advisors and prosecutors were give in-depth tailored training is impressive considering the short duration of the project.25

Graph 1: Examples of positive rating of training activities undertaken in 201526

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25 UNODC, 2015d; 2015e
26 UNODC, 2015d
The extent to which training in the field of counter-terrorism legislation, measures and good practices has actually led to improved practice has been difficult to ascertain due to the absence of data. Some of the UNODC-trained judges have worked on terrorism cases, a few of the prosecutors were also involved in such cases.27 Anecdotal information points to improved practice of some prosecutors working on complex cases (preparation and presentation), including those related to terrorism, which has been viewed as a direct result of training addressing their basic skills. Additionally, they showed more awareness of the need to move away from a confession based approach to collecting evidence at the early stages of the investigation. Discussions with some of the participants of these training workshops illustrated a shift in the ‘traditional’ approach of the sharp divide between the work undertaken by investigators and by prosecutors, but it is unclear to what extent the early engagement of prosecutors in the investigation of complex cases has been widely adopted by the various institutions. The trainers of the investigators, legal advisors and prosecutors indicated an increase in knowledge and skills at the end of each training session, but also pointed out that expectations regarding results must be carefully managed.

The desk review and interviews further pointed out that training sessions were often viewed as highly relevant or useful. Different respondents noted that practical exercises, such as mock trials, were highly appreciated in training sessions. Instructors were able to cascade some of the learning through classroom-style training, as well as provide ‘on-the-job’ advice or mentoring to a few of their trainees who had approached them via email. Also, training materials had been shared with participants to allow for further consultation and usage during their work. Initially, joint training was offered to prosecutors, legal advisors and investigators, but the groups were separated to avoid further confusion and allow for adequate space to strengthen basic skills and knowledge.

Graph 2: Examples of intent expressed by participants of given training sessions to either use gained knowledge/skills in their daily work and/or to share gained knowledge/skills with colleagues

27 Different figures were shared with the evaluation team. A short UNODC impact report provides the following figures: three prosecutors involved in three different cases with one case per prosecutor (UNODC, 2015g: 1-2).

28 UNODC, 2015d
Two Training of Trainers (ToT) sessions were held in 2015 – one for prosecutors and one for investigators and two trainers from each of the four police training schools. On-the-job training is reportedly only provided by senior professionals to some of their colleagues, but this has thus far been the only way in which the acquired skills appear to have been used. At the same time, no activities have yet been undertaken to support the development (and subsequent application) of a counter-terrorism investigation training curriculum, although this was pointed out as a gap in the UNODC assessment mission report of the police training institutes.29 UNODC, in partnership with the NIALS, has further developed five training modules on terrorism and human rights, which UNODC considers to be a ‘work in progress’, and which will be further tested in training with law enforcement and prosecutors to incorporate a practitioners perspective in these modules.

Nigeria has further enhanced capacity in the field of international cooperation in criminal matters related to terrorism. The in 2012 established Central Authority, which is responsible for processing requests for mutual legal assistance, received appropriate training to strengthen the knowledge and skills of their lawyers. Reportedly, the acquired knowledge and skills have been applied in three successful terrorism-related extradition requests since 2013.30 UNODC’s initial aim to focus on international legal cooperation with neighbouring countries, especially Niger, has not been undertaken, partially because of the state of emergency in the northeastern part of Nigeria for most part of the duration of the project.

Furthermore, the capacity of national criminal justice entities on effective inter-agency collaboration was to some degree reinforced as a result of targeted activities. This conclusion specifically relates to acquired knowledge as a result of training on inter-agency collaboration and training to particular professional groups. These training activities included role plays to enhance understanding of the roles and responsibilities of other actors of the criminal justice system, especially of those of investigators, legal advisors and prosecutors. It is yet unclear to what extent and how this has been applied in practice by the different agencies. The focal point system set up in the beginning of the project has not contributed to more effective inter-agency collaboration – some focal points provided an entry point for bilateral meetings, but interagency focal point meetings failed to materialize, partially because of a lack of commitment of senior managers, the profile of selected focal points (not senior enough), and their rotation/change in jobs.

Although the legislative framework has not (and could not ) be strengthened as a result of project activities, the TPB and the CTED have provided legislative advice to the draft Terrorism Prevention Bill 2014 at the request of the Chairman of the Presidential Committee on Financial Action Task Force in December, 2014. The advice provided could potentially lead to greater coherence and strengthen human rights aspects of the national legislative framework on terrorism.

29 UNODC, 2015c: 6
30 UNODC, 2015g: 2
Thus, the project has overall supported Nigeria to strengthen its criminal justice response to terrorism, but the extent to which this response has actually been enhanced as a result of UNODC’s efforts is highly limited. This is the consequence of the project’s short duration, and the design of focusing on training activities only. Promoting organizational change and undertaking comprehensive capacity-building at all levels can only be achieved on the basis of a more long-term perspective, the support of senior management therein, and the review of available material and management processes and procedures in and between different institutions to support the application of acquired knowledge and skills. As pointed out earlier, an enabling environment has however been created which could offer the right context to support activities to strengthen this particular thematic field in the near future.

Impact

Due to the short duration of the project and the absence of a proper monitoring system, it is difficult to measure the impact of the project. Overall, the emphasis has been on the implementation of training activities. This observation was also made in the mid-term in-depth evaluation of GLOR35: ‘Whilst [...] numbers are impressive one area this evaluation found difficulty in addressing was the impact that these activities had produced. Intuitively it would be expected that increasing the number of trained criminal justice officials would have a positive impact. However there is no empirical data to prove the extent to which this is the case. Coupled to this was the lack of centralized data on participant feedback from the workshops and various training events. A robust and proactive approach to measuring the impact of GLOR35 activities is required.’

Equally, no terrorism case has been completed during the project’s life span. A case example would, to some extent, have provided the evaluation team with a better assessment of the difference, if any, in the handling of the case by all the criminal justice agencies in order to determine whether (i) the training and other project activities had contributed to a change in practice and (ii) if there has been discernible improvement in practice.

As pointed out earlier, the improved performance of some prosecutors was noted by different interlocutors. A change has further taken place at the level of awareness regarding the necessity to strengthen the functioning of the criminal justice sector in general, including with respect to terrorism cases, and this change in commitment, including with respect to the recognized need to co-ordinate and co-operate, can partially be attributed to this project. This indication of enhanced receptiveness towards efforts to improve the manner in which such cases are handled must be recognized and capitalized on in future efforts. In addition, UNODC has gained further experience of different training techniques and approaches, a better understanding of the level of knowledge and skills within the various criminal justice agencies, all of which should better equip the Office to design a possible next phase.

Sustainability

The sustainability of the main project results remains an issue of concern, especially as the project has been effective to some degree only. Although this can partially be explained by its relatively short duration, a long-term perspective is nevertheless necessary to provide a more realistic assessment also of the potential risks in this field. Additionally, the issue of sustainability must be at the forefront of discussions with the different stakeholders to get high-level commitments to sustain achievements of investments made, and to agree on information-sharing modalities to get evidence on how this is done in practice.

31 UNODC, 2015b: x
Some steps have been made to support capacity-building of existing training institutions for criminal justice actors, but training on counter-terrorism has neither been institutionalized in the DPP or the NPF nor a commitment has been made that this can be expected in the near future. A total of eight law enforcement trainers have been trained in the last ToT, although it is not clear yet if and to what extent they will be able to use their knowledge and skills in an informal and/or more institutionalized way in their respective training institutions. Additionally, prosecutors and investigators also took part in ToTs, but references on the application of their new skills were only made to mentoring junior colleagues. It remains to be seen if this selected group of professionals can be trainers in the longer term considering their work load, and the fact that high-level support and commitment is needed to strengthen such training capacity.

The NJI was involved in the training sessions for judges which UNODC organized with their support, but no tailored activities have been undertaken to support their training capacity with respect to counter-terrorism. Furthermore, the training modules on human rights developed with NIALS are still considered to be ‘work in progress’, but will be used for testing in training this year to examine in which areas a practitioner’s perspective must be included in the modules. NIALS is further expected to use the curricula in their training events.

The rotation of trained staff was given as a risk to the sustainability of the project, as the rapid turnover of staff could harm achieved results. Although it was difficult to get a comprehensive picture of the levels of turnover of trained staff, the evaluation team was told that rotation of DPP staff was minimal. Thus, those trained have remained in their respective positions and are, to some extent, engaged as specialists on terrorism cases. It is, nevertheless, still unclear to what extent such cases are dealt with by senior staff who, it appears, may not have attended the courses. The ‘risk’ of rotation of investigators/legal advisors is higher, but this was not directly perceived as negatively impacting on the project’s results as they could then apply their acquired knowledge/skills elsewhere. Statistics of staff rotation, and especially of staff participating in at least one UNODC training, were not available, and it is recommended to monitor this more closely in the third phase.

Only anecdotal information is available regarding the usage of acquired knowledge and skills by prosecutors, and different reasons have been given for the lack of information of the application of acquired knowledge and skills by the different professional groups as well as the low level of application of training outputs. A long-term perspective is necessary, and ideally a multi-year training programme with a phased approach would need to be developed based on comprehensive capacity assessments of the different target groups to provide direction and underpin an overall strategy of the support provided to the Government of Nigeria. Such a multi-year training programme would need to be based on a solid understanding of the organizational set-up of the criminal justice response to terrorism, including prognoses of number of staff working on such cases, and should in principle include training in small groups, on-the-job training and mentoring, and encompass a wider range of stakeholders involved in the criminal justice system than was the case in this project. Thus, more complete training packages must be offered to investigators, legal advisors, prosecutors and judges, and additionally, also other stakeholders such as the military and defence lawyers, to support the strengthening of the overall criminal justice response to terrorism. The usage of UNODC online training modules must be further explored, especially as this is highly cost-efficient, although it cannot replace the interaction between mentors/instructors and students.

Additionally, the application of acquired knowledge and skills can only be done if the environment is such that these can be integrated and absorbed. Therefore, a training programme must be part of a wider approach to strengthen the criminal justice response to terrorism. This must be based on an analysis of available material, rules and procedures, and case-management systems in place that potentially could hinder or support the application of acquired knowledge and skills. A strategy must ideally be developed to also address possible obstacles and weaknesses in the overall system. Thus, the absence of MoUs between different criminal justice actors, such as between the DPP and the NPF, to regulate the early involvement of prosecutors in complex investigation cases, is an issue that must be addressed in the near
future to provide further clarity on rules and procedures of interagency cooperation. The lack of material
to support investigations of terrorism cases must also be further looked into in the next phase, and the
related issue of resources must be raised in such discussions with stakeholders. Additionally, more
interaction of UNODC with the targeted institutions is necessary to not only get a better understanding
of possible obstacles and gaps, and ways to support these institutions to remove and/or address these,
but also to find ways to obtain the commitment of senior management, and support their involvement in
such change management processes (e.g. by introducing senior leadership meetings). All these areas must
be taken into regard in the next phase to sustain achieved results, and move beyond these to support a
more efficient and effective criminal justice response to terrorism.

Although the training workshops focused on the handling of terrorism cases, it is widely acknowledged
that the skills required in investigating, prosecuting and adjudicating such cases are the same as for other
serious crime cases. Thus, more synergies with other UNODC projects and possibly with other partners
with activities in this field could potentially leverage resources, and contribute to more sustainable
results.

Several respondents also pointed out that a possible gap may emerge in capacity of international actors,
especially as key staff of the Criminal Justice Section of the British High Commission and the UNODC-
funded international trainer of the prosecutors will leave before the end of 2015. New staff has already
been recruited by the British High Commission, and the international trainer will continue with training
prosecutors funded by the Japanese donor until the end of this year, but much of the know-how and
existing rapport must be passed on and/or rebuilt by new staff. The same applies to possible new
international and/or national staff of UNODC in Abuja, as the contract of the national project officer has
also been allowed to expire at the end of June, 2015. Ideally, an overlap in assignments for an effective
hand-over along with comprehensive hand-over notes can be recommended for a smoother transfer of
responsibilities.

Human Rights and Gender

Human rights and gender mainstreaming have been considered in the design and implementation of the
project. Furthermore, relevant actors in this field, such as the Nigerian Human Rights Commission and
the UNOHCHR, were amongst the invitees of the earlier mentioned roundtables. No reference has
however been made to due diligence in any of the project documents and related procedures appear not
to have been followed in training sessions.\textsuperscript{32} Human rights have been pivotal in one output given in the
logframe, which has resulted in three conducted training sessions on human rights, and five draft
training modules on the interlinkages between human rights and terrorism from a national perspective.\textsuperscript{33}
Human rights topics have further been integrated into tailored training for some criminal justice actors
(e.g. prosecutors) and in training on interagency cooperation, although the extent to which this has been
done, and the topics addressed, is not entirely clear. Interviews pointed out that, although the
practitioners were now aware of some aspects of human rights considerations, there is little
understanding or appreciation that all criminal justice actors are indeed public authorities and, as organs
of the State, they are under a positive obligation and duty to protect and respect human rights. Equally,
there seems to be little appreciation of the protection of juvenile defendants; future training should

\textsuperscript{32} See also UNODC, 2015b: xii, although the practical implications of this policy can be questioned.
\textsuperscript{33} The manual, divided into five modules, examines the following issues: Module I: Counter Terrorism and Human
Rights: Incorporation of International Law into Nigerian Law; Module II: The Prohibition of Torture, Inhuman
and Degrading Treatment & The Right to Remain Silent; Module III: Detention; Module IV: Human Rights
Aspects of Special Investigation Techniques; Module V: The international transfer of persons in countering
terrorism. Module III has one chapter devoted to the detention of children suspected of involvement in terrorist
offences.
therefore address these issues, including the treatment of juveniles in criminal proceedings, particularly where a juvenile is jointly charged with an adult in relation to terrorism offences.

Graph 3: Examples of number of male and female participants per selected training\textsuperscript{34}

<table>
<thead>
<tr>
<th>Professional group(s)/type of training/period</th>
<th>Number of participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>DSS officials (work session)/Dec 2013</td>
<td>Male: 10 Female: 6</td>
</tr>
<tr>
<td>Judiciary (adjudication of terrorist cases)/Mar 15</td>
<td>Male: 12 Female: 8</td>
</tr>
<tr>
<td>Legal advisors/prosecutors different agencies (ToT)/Apr 2015</td>
<td>Male: 8 Female: 4</td>
</tr>
</tbody>
</table>

Efforts have also been made to collect sex-disaggregated data of participants, although this could have been done more systematically as an integral part of reporting, including with respect to the different professional groups. The proportion of female participants has in general been a reflection of their proportion in targeted institutions, as for instance the DPP has a relatively high number of female prosecutors in comparison to investigators and legal advisors of the DSS and NPF. Additionally, whereas the human rights training modules generally refer to relevant international human rights law, and women’s special needs, the draft modules could benefit from providing case studies and examples on how this translates into practice to move beyond the sex-neutral ones already given in the text, and practical considerations on how to remove obstacles for the two sexes of different age groups as defendants and victims to access and obtain justice.

More effort could therefore be made to collect sex-disaggregated statistics of staff working in different institutions targeted by the UNODC initiative, to mainstream gender more systematically in training and outputs to contribute to gender equality, and to monitor such efforts to support learning, and inform management decisions in this field.

\textsuperscript{34} UNODC, 2015a; 2015d
II. CONCLUSIONS

The election of the new president of the Republic of Nigeria in March 2015 heralded a new era in the governance of the country. As of mid June, the ministers were still not selected and appointed, and the extent to which some of the senior managers of key project stakeholders will remain in place for the third phase is yet unclear. The new leadership is expected to move forward in strengthening good governance in the country, and this has in turn the potential to positively impact on the criminal justice system. The capacity-building of different criminal justice actors, especially investigators, legal advisors and prosecutors, under the project has contributed to the creation of an enabling environment amongst these actors to potentially support, expand and take the work already done forward to strengthen the criminal justice response to terrorism, and advance human rights and gender equality in this particular field.

The project has been highly relevant, as it has not only been aligned with existing strategic and policy frameworks of the Government of Nigeria, but also been based on the immediate needs of the various criminal justice actors in Nigeria working on terrorism cases. Agreed on in discussion with the main stakeholders, and further operationalized in the different training activities, a distinction was made between knowledge on terrorism, including international and national legislation in the field of terrorism and human rights, and basic knowledge and skills with respect to the handling of complex cases. At the same time, proper needs assessments of the different institutions would have supported the usage of a broader perspective, and a clearer understanding of the organizational set up, existing policies and practices. A shift towards more objective assessments is therefore necessary, while continuing to nurture national ownership and interest to support the design and implementation of UNODC’s activities.

The design has been undertaken in a participatory manner, but could have benefited from a more realistic assessment of existing opportunities and limitations at different levels to provide a grounded intervention logic for the project, and a more comprehensive performance management framework and related monitoring system, especially at the outcome level. The usage of the UNODC project document template is necessary in future efforts, among others to support more transparency on the planned usage of resources. Moreover, a review of the advantages and disadvantages of the usage of the GLOR35 administrative vehicle for individual projects from an accountability and performance management perspective is necessary to remedy some problems in this field, and/or to decide on developing more stand-alone country-specific projects to give more attention to a long-term perspective, and include a phased approach in capacity-building from the very beginning onwards.

The project has been implemented efficiently to a large extent, although staff was mostly funded at UNODC headquarters at the cost of more extensive field presence to support oversight and coordination. The project has to some degree been effective, but this evaluation has also led to the conclusion that planned results with respect to legislative change, strengthened interagency cooperation, and enhanced international cooperation, especially in the border area with Niger, were too ambitious and/or unrealistic considering the project’s time-frame and/or the political and security conditions in the northern part of Nigeria. At the same time, some prosecutors as well as staff of the Central Authority have been able to apply their acquired knowledge and skills in their work, including with respect to the handling of terrorism cases. Human rights and gender have been mainstreamed in the main activities and outputs, but more effort must be made to strengthen the integration of these norms and standards in a more systematic way in the design, activities and outputs.

The impact has been difficult to ascertain because of a dearth of data. Interlocutors however agreed that one of the main achievements of this project has been the creation of an enabling environment among
the key stakeholders, although the extent to which this can be capitalized on in the future is dependent on a host of factors, including political ones. UNODC's cooperation with partners offers a varied picture, although partnerships with the Government of Nigeria have generally been viewed in a positive light. More intensive working relationships evolved with the EU Delegation and with the British High Commission in Abuja, and these have also been considered as beneficial by all sides. The level of coordination within UNODC has been efficient regarding the implementation of project activities at the country level, but more effective coordination could have taken place regarding the other three projects funded by the same donor, especially the one in the field of criminal justice, and with other actors working in the field of counter-terrorism.

Without more clarity regarding the availability of long-term resources, the organization set-up, policies and practices and (planned) usage of human capital and – at times – the division of roles and responsibilities amongst the different criminal justice actors in Nigeria, the sustainability of the project’s results remains an issue of concern. This must be addressed during the third phase, providing that UNODC can cultivate and build on the existing enabling environment to strengthen the anti-terrorism regime in Nigeria.
IV. RECOMMENDATIONS

The following recommendations to UNODC are based on the main findings of the project evaluation ‘Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security (terrorism)’. The recommendations can be divided into two groups with the first one focusing on substantive issues, and the second one on programmatic areas.

With respect to substantive areas, TPB is recommended to support the drafting of new legislation in the field of counter-terrorism by providing technical assistance if requested.

If requested, thereby working closely with relevant national authorities, TPB/ISS II with CONIG is further recommended to continue with supporting capacity building and inter-agency cooperation by means of developing and implementing a multi-year training strategy for the different criminal justice actors in Nigeria. This includes incremental training based on comprehensive needs assessments as well as the usage of different training methods, including on-the-job training and mentoring, and the usage of tailored mechanisms to engage senior management.

Additionally, and in support of the above, TPB/ISS II with CONIG is recommended to undertake capacity assessments in close collaboration with relevant national stakeholders to get a comprehensive picture on the institutional set up of the response to counter-terrorism, and – in relation to that – existing capacity, needs and obstacles in all involved criminal justice institutions that could potentially hinder the application of newly acquired knowledge and skills.

If requested, and in close coordination with relevant stakeholders, TPB/ISS II with CONIG is also advised to review existing interagency cooperation processes and procedures in the criminal justice sector with respect to complex cases, such as terrorism cases, and assist with addressing gaps and obstacles to strengthen such cooperation, including by means of providing support to designing MoUs to clarify roles, responsibilities and procedures.

TPB/ISS II and CONIG is also recommended to develop a comprehensive partnership strategy, and include the military, intelligence-gathering agencies, the Bar Association, and members of parliament in training activities to strengthen the legislative and criminal justice response to terrorism.

Moreover, TPB/ISS II with CONIG is advised to support the institutionalization of training on complex cases/terrorism in different institutions, including by supporting the development of a CT investigation training module, and provide further training to selected trainers in close cooperation with relevant institutions – based on a common understanding on how these trained trainers will be used in future CT training.

TPB/ISS II with CONIG is further recommended to examine opportunities to strengthen the mainstreaming of gender and human rights in design, programming and results.

Moreover, TPB is recommended to consider using those trained as trainers in the EU-funded project to assist with training activities of the third phase to maintain and further strengthen their training skills.
The ISS II/country office project management is advised to strengthen the cooperation with the other EU-funded projects implemented by CONIG to ensure more coherence between the different projects, especially with the one in the field of criminal justice, and to coordinate more extensively with other international actors (including UN-agencies) involved in counter-terrorism activities.

**Programmatic**

With respect to the overall management of projects, such as their design, management and reporting, UNODC/TPB/ISS II and CONIG are recommended to develop a comprehensive logical framework with a clear intervention logic and SMART indicators, including at the outcome level, and a related monitoring system on the basis of a realistic assessment of different data sources and tools to measure project performance at all levels. While developing outcome-level indicators, the availability of relevant data, and the possible development of necessary data collection mechanisms, must be explored in closely with relevant counterparts.

TPB/ISS II is further recommended to consider developing a comprehensive, independent (of GLOR35) Nigeria counter-terrorism project to support in-house financial and programmatic reporting and performance management, and facilitate greater accountability and transparency. If this option is not viewed favorably, then it is necessary to ensure that indicators cascade down from the global project referred to as GLOR35 to the individual country-level project, and are closely aligned with each other. Additionally, it is then also recommended to use the UNODC project document template to provide a more comprehensive project plan on expected results, related indicators and the expected staffing of individual projects ‘hosted’ by GLOR35.

In the field of human resources, TPB/ISS II and CONIG are recommended to review existing project management arrangements, and recruit international expert staff based in Abuja to provide on the ground managerial support and expert advice, while continuing to provide strategic and managerial backstopping whenever necessary. Project management is equally recommended to use senior practitioners from other common law African countries to strengthen ‘south-south’ cooperation, and support greater effectiveness of the project.

Last but not least, TPB/ISS II is recommended, in close collaboration with CONIG, to discuss the administrative arrangements with UNDP to provide a long-term solution for administrative obstacles.
V. LESSONS LEARNED

Several lessons learned with respect to design, efficiency, effectiveness and sustainability can be distilled from the key findings of the evaluation of the project 'Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security (terrorism)'.

Design

The intervention logic and logical framework with corresponding indicators at all levels must respond to the existing legislative and political situation on the ground, while giving due consideration to the timeframe of the project. A realistic assessment early on in the design phase is therefore necessary before deciding on expected results and corresponding indicators, including outcome indicators.

Individual projects that are integrated into a global project, such as GLOR35, must have clearly developed logical frameworks that are linked to the one given in the global project. Expected objectives and outcomes must be aligned, and related indicators must be the same, or interrelated and cascade down/up, in order to support performance management at different levels.

Although the UNODC Nigeria C-T programme is at this stage a document outlining past achievements and offering a menu of future activities, which has been developed for external communication purposes, the intrinsic idea of a more long-term perspective, thereby introducing a phased approach to project design, can in principle be taken forward by designing a coherent, independent project document, which is entirely separate of GLOR35. This would not only provide a stronger conceptual background and vision about the ‘road ahead’ in the field of capacity-building, but also invite a stronger performance management perspective into the equation. This approach in country-level project design can be replicated elsewhere to strengthen accountability and transparency.

Whereas the selection of indicators based on the level of control of data collection exercised by UNODC is a pragmatic decision, thereby honoring the cooperation between UNODC and the government counterpart, the consequence is that it is not possible to measure results at different levels, and the extent to which progress is actually made in clearly defined areas as a result of inputs of both UNODC and the counterpart(s). Thus, more effort must be undertaken to examine this in the design phase of projects, and come to an agreement with respect to data collection and sharing that is necessary for performance management.

Efficiency

The importance of fulltime international experts on the ground to manage and coordinate project implementation cannot be underestimated. Although the UNODC headquarters team made up for this shortage by means of regular mission travel to Nigeria’s capital, more on the spot management of activities, support provided to local staff and engagement with the different stakeholders could possibly have had a positive effect on efficiency and effectiveness. This must be taken into regard when designing new projects in a similar set-up, although the backstopping from headquarters with policy guidance,
specialized inputs and project management support can be necessary, especially when there is a higher risk that a project could derail without this level of support.

The usage of experts from other common law countries based in Africa to support ‘intra-continental’ cooperation, and facilitate a greater receptiveness to capacity-building activities can be commended. This good practice must be replicated in other projects, which requires some initial effort to identify such senior-level experts to build capacity, including the mentoring of particular professional groups in the criminal justice sector.

Regular informal reporting as agreed on with the donor in writing and in person for information-sharing purposes has been a useful tool to maintain good donor relations, especially in the context of implementing a project in the field of a highly sensitive area such as terrorism. If the formal reporting requirements are linked to the release of tranches, thereby leaving an extended period without any necessary reporting, then this must even be more seriously considered in future projects to maintain good donor relations.

Residential training was also seen as a good practice considering the project’s context, as trainees would arrive on time in the morning and be present throughout the day to optimally benefit from the teachings. Otherwise, a high level of absenteeism would result in a less effective training, thereby questioning the investments made to get the training organized in the first place.

**Partnerships and cooperation**

The development of a partnership strategy is essential to guide liaison activities, and offer transparency on the selection of main partners at the beginning of the project, especially when the list of stakeholders is extensive.

Internal UNODC cooperation is essential in the case of the implementation of criminal justice projects with the same counterparts. This not only ensures that there is a clear alignment between the different activities and outputs, but also that a more coherent approach can result in value added to both projects whereby each can capitalize on the investments and results achieved by the other projects.

**Sustainability**

Even in the case of projects with relatively short time-frames, it is necessary to give sufficient attention to sustainability of project results. This could entail discussing funding conditions with related counterparts, agree on the necessary conditions to support sustainability, and the roles and responsibilities of the different stakeholders to optimize the continued usage of resources.

**Human rights and gender**

The development of the human rights training modules has been undertaken in support of local ownership, and with an extensive time-frame to complete the different modules in close consultation with the authors. The decision to stick to a ‘work in progress’ model in order to give adequate time to include the practitioners’ perspective in the different modules to complement the more theoretical,
academic orientation of the current drafts is commendable, and must be replicated in other contexts to facilitate ownership and future usage of such modules.

Gender mainstreaming has mostly been understood as including women in training activities and sharing sex-disaggregated data on participants in project reports. More could actually be done with respect to getting sex-disaggregated staffing figures (including with respect to levels of seniority) of the criminal justice actors involved in project activities, as well as giving more attention to case statistics to support a stronger inclusion to women’s human rights (e.g. such as female victims and witnesses) from a diversity perspective in training activities and outputs. This approach must be applied in other projects to strengthen gender mainstreaming and advance gender equality.
ANNEX I. TERMS OF REFERENCE OF THE EVALUATION

UNIVERSITY POLICE AND CRIME
Vienna

Terms of Reference of the

Final Independent Project Evaluation of

“Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security (Terrorism)”

GLOR35
Nigeria

February 2015
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I. BACKGROUND AND CONTEXT

<table>
<thead>
<tr>
<th><strong>Project number:</strong></th>
<th>Country-focused project within GLOR35</th>
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<tr>
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<td>Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security (Terrorism)</td>
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<tr>
<td><strong>Duration:</strong></td>
<td>1 November 2013 – 30 June 2015</td>
</tr>
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<td><strong>Location:</strong></td>
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<tr>
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<td>UNODC Terrorism Prevention Branch</td>
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<td><strong>Partner Organizations:</strong></td>
<td>UN Counter Terrorism Committee Executive Directorate, European Union, and United Kingdom</td>
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<tr>
<td><strong>Total Approved Budget:</strong></td>
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</tr>
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<td><strong>Donors:</strong></td>
<td>European Union</td>
</tr>
<tr>
<td><strong>Project Manager/Coordinator:</strong></td>
<td>George Puthuppally, Chief, Implementation Support Section II, Terrorism Prevention Branch</td>
</tr>
<tr>
<td><strong>Type of evaluation (mid-term or final):</strong></td>
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</tr>
<tr>
<td><strong>Time period covered by the evaluation:</strong></td>
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</tr>
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<td><strong>Geographical coverage of the project:</strong></td>
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Project overview and historical context in which the project is implemented

In the context of global counter-terrorism, the United Nations Office on Drugs and Crime (UNODC) is mandated to provide assistance to requesting countries in their efforts to address the legal and criminal justice aspects of countering terrorism. Specialised assistance delivery is led by its Terrorism Prevention Branch (TPB). Since 2003, the Terrorism Prevention Branch has been mandated by the General Assembly to promote the ratification of the 19 universal legal instruments against terrorism, assist with the legislative incorporation of these treaties, provide capacity building training to criminal justice officials to strengthen their criminal justice responses to terrorism, and promote international cooperation in criminal matters related to terrorism.

In response to a request for assistance from the Nigerian government in 2011, UNODC has strengthened its engagement with the Nigerian Government in providing counter-terrorism assistance since 2012. In that year, UNODC and Nigeria reinforced their counter-terrorism collaboration through Phase I of a multi-year programme of assistance under the project entitled "Strengthening criminal justice responses for multidimensional security in Nigeria", funded by the United Kingdom. Its objective was to support the Nigerian authorities to strengthen domestic counter-terrorism legislation and support capacity-building of criminal justice system entities. The project also served to identify concrete areas and lay the foundations for further counter-terrorism technical assistance and cooperation.

At that time, Nigerian authorities indicated the need and firm desire for continued UNODC assistance, in a letter addressed to UNODC in January 2013, to address the legal and criminal justice aspects of counter-terrorism. The main areas that emerged in the course of consultations included: capacity building on the investigation, prosecution, adjudication of terrorist offences, including preparatory acts, in accordance with the rule of law and with due respect for human rights; inter-agency collaboration in counter-terrorism; and criminal justice officials and other relevant stakeholders increased knowledge of the provisions of domestic counter-terrorism legislation, including the Terrorism (Prevention) (Amendment) Act 2013.

Based on this input, UNODC collaborated with CTED and the European Union in the development of Phase II of the programme under the project "Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security (Terrorism)". The project runs from 1 November 2013 – 30 June 2015 and is funded by the European Union.

The overall objective of the Nigeria CT project is to: support Nigeria to strengthen its criminal justice responses to terrorism

Specific objectives of the project included:
1. Enhance the capacity of national criminal justice officials to implement counter-terrorism measures in accordance with rule of law, with due respect for human rights, and with relevant international legal instruments and Security Council resolutions

2. Reinforce international criminal justice cooperation, especially with the Sahel, Western and Central Africa sub-regions, as well as other neighbouring countries

3. Reinforce inter-agency collaboration, sustainability and ownership of criminal justice responses to terrorism among relevant national entities

4. Reinforce knowledge and analysis of relevant domestic legislation

The current Nigeria CT project is being implemented in partnership with CTED and the European Union and in close cooperation with the British High Commission in Nigeria.

The Nigeria CT Project enjoys sound country ownership and is very responsive to the specific needs identified by national officials.

Through its focus on implementation capacity building and rule of law compliance, the project contributes to implementing the Global Counter-Terrorism Strategy and the UN Security Council Resolutions pertaining to counter-terrorism.

Justification of the project and main experiences / challenges during implementation

Nigeria, a Federal Republic with more than 150 million people and a territory of 923,768 sq km continues to face a serious terrorist threat, most notably from the terrorist organization Boko Haram. Terrorist attacks have challenged security in more than 8 northern States in Nigeria and in the first half of 2013, the state of emergency was declared by the Government in 3 states. Despite efforts made by the Nigerian authorities, Boko Haram has been increasingly active in 2014 and the beginning of 2015 and has established ties with other terrorist groups in the region. As a result, in May 2014, Boko Haram was added to the Security Council’s Al-Qaida Sanctions list. Unless effective measures are taken expeditiously, there is the looming danger of this terrorist threat growing into national and regional crisis dimensions.

Rule of law-based criminal justice responses are essential components of effective counter-measures, for bringing terrorists to justice, for preventing terrorist acts from being committed and for addressing perceived or real lack of fair administration of justice. Providing Nigeria with technical assistance focusing on the strengthening of criminal justice responses against terrorism will help Nigerian authorities to effectively investigate, prosecute and adjudicate terrorism. This will help to reinforce the necessary conditions to strengthen conflict prevention and governance.

The Counter-Terrorism Committee Executive Directorate (CTED)’s visit to the Federal Republic of Nigeria to assess its implementation of Security Council resolution 1373 (2001) and the subsequent follow-up meetings with relevant national stakeholders have demonstrated the need for Nigeria to enhance its capacity to investigate and prosecute terrorist cases and undertake specialized training for law enforcement officials, investigators and prosecutors, both in the investigation and prosecution of terrorism-related offences and in the implementation of recently introduced legislation (notably including the Terrorism (Prevention) Act of 2011, as amended in 2013).
The Nigerian government has continued to request technical assistance on the criminal justice aspects of countering terrorism from UNODC to strengthen its ability to bring terrorist to justice and prevent terrorist acts. In the context of global counter-terrorism, the United Nations Office on Drugs and Crime (UNODC) is mandated to provide assistance to requesting countries in their efforts to address the legal and criminal justice aspects of countering terrorism. Specialised assistance delivery is led by its Terrorism Prevention Branch (TPB). In Nigeria, UNODC is an active partner in the country’s efforts to address the challenges of organized crime, drug abuse and terrorism. In particular, counter-terrorism technical assistance is linked to one of the four specific objectives of UNODC Country Program in Nigeria (specific objective to counter drug trafficking, organised crime and security threats), implemented under the leadership of UNODC’s Country Office for Nigeria, based in Abuja.

The Nigeria CT project has been implemented on-time and without significant problems. UNODC staff at headquarters and in the field took steps from the beginning of the project’s implementation to ensure that Nigerian criminal justice entities were closely consulted in the develop of technical assistance activities. This ensured their support for designating the appropriate officials for the training and that the training activities were well-targeted to their needs. The project had a minor challenge due to the Ebola crisis. This required that training activities planned for September 2014 be rescheduled until December 2014. Nigeria rescheduled its presidential election from February to March 2015 which required several activities to be adjusted and the project to be extended from 30 April to 30 June to ensure that all project activities could be completed.

Project documents and revisions of the original project document

There have been no revisions to the original project document. The agreed project document is attached in Annex I.

UNODC strategy context, including the project’s main objectives and outcomes and project’s contribution to UNODC country, regional or thematic programme

The Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security project is a country-based technical assistance project within the Global Project GLOR35 “Strengthening the legal regime against terrorism”. The GLOR35 project is implemented by Terrorism Prevention Branch of the Division for Treaty Affairs of UNODC, with Implementation Support Section II responsible for all activities within Sub-Saharan Africa which includes the implementation of the Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security. The project has staff located at headquarters in Vienna along with staff in the field, including in Nigeria. The objective of GLOR35 is: to promote and strengthen a functional criminal justice regime against terrorism that is effective and is implemented by States in accordance with the rule of law.

Through the GLOR35 global project, UNODC supports the implementation of sub-programme 3 Terrorism Prevention of the UNODC Strategy for the period 2012-2015 (E/RES/2012/12).

The objective of this sub-programme is “to promote and strengthen a functional criminal justice regime against terrorism that is effective and is implemented by States in accordance with the rule of law”. And the following expected accomplishments have been identified:
3.1. Enhanced capacity of Member States to address the legal aspects of countering terrorism as reflected in relevant international conventions and protocols and United Nations resolutions;

3.2. Enhanced legal knowledge and expertise of Member States in dealing with specialized thematic areas of terrorism prevention through capacity-building programmes;

3.3. Universal ratification of the relevant international instruments relating to terrorism and improved national capacity for the enactment and implementation of domestic legislation in line with these instruments; and

3.4. Enhanced capacity for international cooperation in countering terrorism.

In this context, the Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security project helps to support the objective of GLOR35 as well as the UNODC Strategy for 2012-2015 through its technical assistance support to the government of Nigeria.

The overall objective of the Nigeria CT project is to: support Nigeria to strengthen its criminal justice responses to terrorism

Specific objectives of the Nigeria CT project included:
1. Enhance the capacity of national criminal justice officials to implement counter-terrorism measures in accordance with rule of law, with due respect for human rights, and with relevant international legal instruments and Security Council resolutions
2. Reinforce international criminal justice cooperation, especially with the Sahel, Western and Central Africa sub-regions, as well as other neighbouring countries
3. Reinforce inter-agency collaboration, sustainability and ownership of criminal justice responses to terrorism among relevant national entities
4. Reinforce knowledge and analysis of relevant domestic legislation

II. DISBURSEMENT HISTORY

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<tr>
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<tbody>
<tr>
<td>USD 2,349,781.98 1 November 2013 – 30 April 2015</td>
<td>USD 1,886,156</td>
<td>86%</td>
</tr>
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</table>

35
III. PURPOSE OF THE EVALUATION

Reasons behind the evaluation taking place

UNODC/TPB is committed to recipients of technical assistance, donors, and partner organized to providing technical assistance activities that are relevant, efficient, effective, impactful, and sustainable. For this reason, it is important to conduct regular evaluations to ensure that UNODC/TPB’s technical assistance activities are fulfilling its objectives.

The Independent Project Evaluation will serve as a final substantive evaluation of the “Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security (Terrorism)” which began in November 2013 and finishes in June 2015. The project is funded by the European Union and a final evaluation was part of the agreed set of activities between UNODC and the EU at the onset of the project. In addition, the Terrorism Prevention Branch wants to understand how it can improve its assistance to the Government of Nigeria to ensure that the technical assistance activities are as relevant, efficient, effective, impactful, and sustainable as possible. The feedback that is provided during this evaluation will help guide the development of the next phase of technical assistance offered to Nigeria.

Assumed accomplishment of the evaluation

The Independent Project Evaluation will have the following specific objectives:

- to assess the effectiveness of the Nigeria CT project by measuring the extent to which it achieved its objectives, expected results (outcomes) and outputs as stated programme document;
- to measure the efficiency of the programme, as well as quality of delivered outcomes and outputs, as stated in programme document; identifying bottle necks and recommending how they can be tackled.
- to identify and document lessons learned, determine best practices and areas of improvement that can be used for planning and the design of future programme revisions and development of future technical assistance;

The main evaluation users

The main evaluation users will be the UNODC/TPB in the HQ and in the field offices as well as staff in other UNODC organizational units, UNODC senior management and substantive offices, Member States, as well as implementing partners, such as donors, governments and law enforcement agencies of receiving Member States and partner organizations.
IV. SCOPE OF THE EVALUATION

The unit of analysis to be covered by the evaluation

The evaluation will cover the project entitled “Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security” and the technical assistance activities conducted under this project.

The analyses will include project objectives, results, and outputs, project concept and design, activities undertaken under the project, project efficiency and effectiveness, project relevance to Nigeria’s needs, as well as to the national counter-terrorism programmes and strategies, the projects ability to adapt to changes, developments and new requests the recipient country, relationship with counterparts (i.e. beneficiaries, donors and partners), overall management of the project, monitoring and evaluation system, and cooperation and coordination between the HQ and the Field Office.

The time period to be covered by the evaluation

The evaluation will cover the period of implementation of the project which is 1 November 2013 through 30 June 2015. The evaluation will take approximately 4 months, from June 2015 until September 2015 with a field mission to take place in June 2015.

The geographical coverage of the evaluation

The evaluation will cover the implementation of the project in Nigeria.

V. EVALUATION CRITERIA AND KEY EVALUATION QUESTIONS
The evaluation will be conducted based on the following DAC criteria: relevance, efficiency, effectiveness, impact, sustainability, as well as partnerships and cooperation, gender and human rights and lesson learned, and, will respond to the following below questions, however, provided as indicative only, and required to be further refined by the Evaluation Team.

### Relevance

1. To what extent is the programme relevant to the counter-terrorism needs and priorities of Nigeria?

2. To what extent is the Nigeria-EU-UNODC-CTED Partnership on Strengthening Criminal Justice Responses for Multidimensional Security aligned with and contributes to UNODC’s mandate, strategy and policy?

3. To what extent is the recipient country satisfied with the quality and degree of assistance provided by the Project?

4. To what extent could the design of the project be adjusted to be more responsive to the specific needs of Nigeria?

### Efficiency

1. To what extent have the resources and inputs converted to outputs in a timely and cost-effective manner?

2. To what extent were the technical assistance and capacity building activities efficiently planned, managed, implemented and monitored? What was the quality of the outputs delivered?

3. What measures have been taken for efficient planning and implementation of the project?

4. To what extent has there been an effective monitoring mechanism in place to guide management decisions?

5. How can the internal substantive coherence of the technical assistance improve project effectiveness?

### Effectiveness

1. To which extent were the project’s objectives and outcomes achieved and how effectively were unforeseen challenges handled during the implementation?

2. How did external factors affect the effectiveness of the project’s activities?

3. To what extent was the government of Nigeria satisfied with the quality and degree of assistance provided by the Branch?

4. What have been the challenges in the provision of effective capacity building assistance? How has UNODC/TPB addressed those challenges?
<table>
<thead>
<tr>
<th>5. How effective has the Branch been in cooperating and coordinating its efforts with the UNODC field office? What benefits have there been to the field office from GLOR35?</th>
</tr>
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<tbody>
<tr>
<td>6. How does the Branch ensure that the assistance provided bears tangible results? How does the Branch ensure that criminal justice officials trained by the Branch apply the acquired skills and knowledge?</td>
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**Impact**

1. To what extent has the project contributed to enhance national capacity in the criminal justice aspects of counter-terrorism?

2. To what extent did the project contribute to the implementation by Nigeria of the criminal justice responses to terrorism?

3. What are the intended or unintended, positive and negative, effects of the project?

4. Do criminal justice officials trained by the Branch consistently apply the acquired skills and knowledge?

**Sustainability**

1. To what extent are the project results (impact and outcomes) likely to continue after the project ending?

2. To what extent have beneficiaries and stakeholders taken and shown ownership of the project objectives and are they actively engaged in the project activities?

3. To what extent project stakeholders’ and beneficiaries’ engagement is likely to continue, be scaled up, replicated or institutionalized after external funding ceases?

4. To what extent can the initiatives developed by the Branch become domestically funded or/and integrated in national projects (e.g., training curriculum)?

5. To what extent has the training contributed to the development of sustainable knowledge in the country?

**Partnerships and cooperation**

1. To what extent has cooperation and collaboration been sought with the donor and the recipient country?

2. To what extent has cooperation and collaboration been sought with other organizations in implementation of the project?

3. To what extent has the Branch successfully cooperated with relevant UN entities, such as CTED and CTITF?
4. To what extent has the Branch sought and achieved effective cooperation with relevant regional and international organizations? Which partnerships should the project be further strengthening to enhance the benefits of the assistance to its client States?

**Human rights and gender**

1. To what extent are the UN human-rights based approach incorporated in the design and implementation of the project and in the UNODC/TPB technical assistance provided to Nigeria?

2. To what extent are gender issues incorporated in the design and implementation of the project and the UNODC/TPB technical assistance provided to Nigeria?

3. To what extent is gender parity mainstreamed in the implementation of the project and in UNODC/TPB’s capacity building activities?

**Lessons learned**

1. What lessons can be learned from the project implementation in order to improve performance, results and effectiveness in the future?

2. What good practices emerged from the project implementation?

3. Can these best practices be realistically replicated?

4. Write your text on top of this in order to create the correct format and style

5. What lessons can be drawn from the working arrangements with partners (global, regional and national)?

6. What lessons can be drawn from unintended results, if any?

7. What lessons can be drawn from the engagement (or lack thereof) with civil society and private sector stakeholders?

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**VI. EVALUATION METHODOLOGY**

The methods used to collect and analyse data

The evaluation methodology is to be aligned with the UNODC Evaluation Norms, Standards, Guidelines and Templates, in line with the United Nations Evaluation Group Norms and Standards.35

The evaluation methods will include the following:

* desk review of relevant project documentation, technical assistance evaluation reports as provided by UNODC/TPB and independently accessed by the evaluators (please see in Annex III for the list of background documents);
* after the desk review an Inception Report is to be prepared (in line with UNODC evaluation norms, standards, templates and guidelines), containing an evaluation matrix, a refined work plan, methodology and evaluation tools (to be submitted through the application on Independent Project Evaluation in ProFi and be reviewed and cleared by IEU before any field mission can take place);
* mission to Vienna;
* field visit to the recipient country;
* interviews with relevant stakeholders with internal and external stakeholders (face-to-face, tele- or/and video-conferences): UNODC staff in Vienna and in the field office, representatives of the recipient government, criminal justice officials trained, the donor and partners;
* a pre-designed questionnaire, already included in the Inception Report;
* and observation.

After the field mission, data will be compiled and analyzed using an appropriate methodology and triangulation. The evaluation report will then be drafted in line with the UNODC Evaluation norms standards, guidelines, templates and submitted through the application on Independent Project Evaluation in ProFi for clearance by IEU.

Following the preparation of a first full draft of the evaluation report in line with all UNODC evaluation norms, standards, guidelines and templates, comments on factual errors will be provided by the project management. After the initial revision, the draft evaluation report is reviewed and cleared by IEU, before the key findings, conclusions and recommendations are presented to national counterparts and donors for their comments and feedback.

IEU will review and clear the final evaluation report and publish it on its website. The project management will be responsible for distributing the final report to the relevant projects counterparts, as well as completing an evaluation follow-up plan in the application on Independent Project Evaluation in ProFi, including future follow-up on the implementation of the recommendations.

The sources of data

The evaluation will use the quantitative and qualitative data received from both primary (field missions, interviews and questionnaires) and secondary sources (project documents, monitoring data, and publications developed under the project, official communications with Member States and stakeholders, thematic programmes) and triangulate the data.

The evaluation will be participatory in nature, where the project manager is responsible for engaging a broad representation of internal and external stakeholders in the evaluation process, in particular the Core Learning Partners (CLP). These should share responsibilities for the evaluation planning, implementation and reporting. In particular, this means involving stakeholders in taking note of the
selection of the evaluation team, defining the ToR and the evaluation questions, collecting the data and reviewing the draft evaluation report.

VII. TIMEFRAME AND DELIVERABLES

Time frame for the evaluation

The evaluation will take approximately 4 months, from June 2015 until September 2015 with a field mission to take place in June 2015.

Expected deliverables and time frame

The Lead Evaluator will have the overall responsibility for the quality and timely submission of all deliverables specified below:

- Inception report containing a refined work plan, methodology, evaluation tools and refined evaluation questions, in line with UNODC evaluation norms, standards, guidelines and templates and is to be reviewed and cleared by IEU before the field mission; to be submitted to IEU by 15 June 2015;

- Draft evaluation report in line with the UNODC evaluation norms, standards, guidelines and templates; to be reviewed, commented on and (after corresponding revisions by the evaluation team) cleared by IEU; to be submitted to IEU by 16 July 2015;

- Final evaluation report, in line with UNODC evaluation norms, standards, guidelines and templates (cleared by IEU); to be submitted to IEU by 3 September 2015.

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<th>Deliverables</th>
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<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Desk review and preparation of Draft Inception Report</td>
<td>01/06/2015 – 12/06/2015</td>
<td>Home base</td>
<td>List of evaluation questions; Evaluation tools; Draft Inception report to be reviewed by the project management (can entail various rounds of comments) and submitted to IEU through the application on Independent Project Evaluation in ProFi;</td>
</tr>
<tr>
<td>Incorporate comments from IEU</td>
<td>12/06/2015 – 16/06/2015</td>
<td>Home base</td>
<td>Revised draft inception report Clearance by IEU before any mission can take place;</td>
</tr>
<tr>
<td><strong>Deliverable A – Final Draft Inception Report in line with UNODC Evaluation norms, standards, guidelines and templates</strong></td>
<td>Submission by 17/06/2015</td>
<td>UNODC/HQ; Abuja, Nigeria</td>
<td>To be reviewed by IEU (can entail various rounds of comments until cleared);</td>
</tr>
<tr>
<td>Mission to Vienna and the field: Interviews with staff and internal and external stakeholders; briefing, presentation of preliminary findings</td>
<td>During 17/06/2015 - 26/06/2014</td>
<td>UNODC/HQ; Abuja, Nigeria</td>
<td>Presentation of preliminary findings;</td>
</tr>
<tr>
<td>Drafting of the evaluation report; submission to Project Management and IEU for review</td>
<td>01/07/2015 – 16/07/2015</td>
<td>Home base</td>
<td>Draft evaluation report to be reviewed by the project management (can entail various rounds of comments) and submitted to IEU through the application on Independent Project Evaluation in ProFi;</td>
</tr>
<tr>
<td>Incorporate comments from IEU</td>
<td>16/07/2015 – 22/07/2015</td>
<td>Home base</td>
<td>Revised draft evaluation report Clearance by IEU;</td>
</tr>
</tbody>
</table>
### VIII. EVALUATION TEAM COMPOSITION

**Number of consultants needed**

The final evaluation will be carried out by two external, independent consultants hired for this specific purpose. The consultants should not have had prior involvement with the UNODC/TPB on any of its implementation phases.
The role of the consultant/lead evaluator

Carry out the desk review; develop the inception report, including sample size and sampling technique; draft and finalize the inception report and evaluation methodology, incorporating relevant comments, in line with the guidelines and templates on the IEU website http://www.unodc.org/unodc/en/evaluation/evaluation-step-by-step.html; lead and coordinate the evaluation process and the oversee the tasks of the evaluators; implement quantitative tools and analyze data; triangulate data and test rival explanations; ensure that all aspects of the terms of reference are fulfilled; draft an evaluation report in line with UNODC evaluation norms, standards, guidelines and templates on the IEU website http://www.unodc.org/unodc/en/evaluation/evaluation-step-by-step.html; finalize the evaluation report on the basis of comments received; include a management response in the final report (optional); present the preliminary evaluation findings and recommendations to stakeholders (if applicable).

More details will be provided in the respective job descriptions in Annex I.

The role of the consultant/expert

Assist the Lead Evaluator in all stages of the evaluation process, as per the respective TOR; contribute with specific terrorism prevention knowledge; participate in selected missions; provide methodological evaluation quality assurance throughout the evaluation process; comment on all deliverables of the evaluation team; assist the Lead Evaluator in all stages of the evaluation process; join the planned missions and apply methodological tools.

More details will be provided in the respective job descriptions in Annex I.

The evaluation team will not act as representative of any party and should use their independent judgement. The evaluation team cannot be involved in the design, appraisal or implementation of the project. The consultants will be and remain throughout the process independent and impartial. The evaluation team does not have any authority to make any commitment on behalf of the project parties (i.e. UNODC), recipient countries and donors.

The evaluation team will work closely with the UNODC, Terrorism Prevention Branch, Implementation Support Section II who will provide them with relevant information on the project and provide guidance for the implantation of the evaluation.

The UNODC IEU will provide quality assurance throughout the process by providing comments and clearance on the evaluation methodology, the draft report and will provide final clearance for the final evaluation report.

Absence of Conflict of Interest
According to UNODC rules, the consultants 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.

Reference to the evaluators ToR detailing qualifications and responsibilities

Please refer to Annex I for the details of the evaluation teams ToR.

IX. MANAGEMENT OF EVALUATION PROCESS

Roles and responsibilities of the Project Manager

The Project Manager is responsible for managing the evaluation, drafting and finalizing the ToR, selecting Core Learning Partners and informing them of their role, recruiting evaluators, providing desk review materials to the evaluation team, reviewing the inception report as well as the evaluation methodology, liaising with the Core Learning Partners, reviewing the draft report, assessing the quality of the final report by using the Quality Checklist for Evaluation Reports, as well as developing an implementation plan for the evaluation recommendations as well as follow-up action (to be updated once per year).

Roles and responsibilities of the evaluation stakeholders

Members of the Core Learning Partnership (CLP) are selected by the project managers. Members of the CLP are selected from the key stakeholder groups, including UNODC management, mentors, beneficiaries, partner organizations and donor Member States. The CLPs are asked to comment on key steps of the evaluation and act as facilitators with respect to the dissemination and application of the results and other follow-up action.

Roles and responsibilities of the Independent Evaluation Unit

The Independent Evaluation Unit (IEU) provides mandatory normative tools, guidelines and templates to be used in the evaluation process. Please find the respective tools on the IEU web site http://www.unodc.org/unodc/en/evaluation/evaluation.html.
All deliverables of the evaluation must be reviewed and cleared by IEU (Terms of Reference; Inception Report; Draft Evaluation Report; Final Evaluation Report; Evaluation Follow-up Plan)

Logistical support responsibilities

The Project Manager will be in charge of providing logistical support to the evaluation team including arranging the field missions of the evaluation team. For the field missions, the evaluation team liaises with the UNODC Regional/Field Offices and mentors as appropriate

X. PAYMENT MODALITIES

The consultants will be issued consultancy contracts and paid in accordance with UNODC rules and regulations. The contract is a legally binding document in which the consultants agree to complete the deliverables by the set deadlines.

* The first payment upon clearance of the Inception Report (in line with UNODC evaluation norms, standards, guidelines and templates) by IEU;

* The second payment upon clearance of the Draft Evaluation Report (in line with UNODC evaluation norms, standards, guidelines and templates) by IEU;

* The third and final payment (the remainder of the fee) only after completion of the respective tasks, receipt of the final report (in line with UNODC evaluation norms, standards, guidelines and templates,) and clearance by IEU.

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
ANNEX II.DESK REVIEW LIST


## ANNEX III. LIST OF PERSONS INTERVIEWED DURING THE EVALUATION

<table>
<thead>
<tr>
<th>Number of interviewees</th>
<th>Organisation</th>
<th>Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>UNODC</td>
<td>Austria</td>
</tr>
<tr>
<td>4</td>
<td>UNODC (incl. UNODC consultant/trainer)</td>
<td>Nigeria</td>
</tr>
<tr>
<td>1</td>
<td>UNODC trainer</td>
<td>India</td>
</tr>
<tr>
<td>2</td>
<td>CTED</td>
<td>United States</td>
</tr>
<tr>
<td>1</td>
<td>EU</td>
<td>Nigeria</td>
</tr>
<tr>
<td>3</td>
<td>British High Commission</td>
<td>Nigeria</td>
</tr>
<tr>
<td>1</td>
<td>Embassy of Japan</td>
<td>Nigeria</td>
</tr>
<tr>
<td>2</td>
<td>Office of the National Security Advisor</td>
<td>Nigeria</td>
</tr>
<tr>
<td>3</td>
<td>Office of the Director for Public Prosecutions</td>
<td>Nigeria</td>
</tr>
<tr>
<td>2</td>
<td>Central Authority Unit, Office of the Director for Public Prosecutions</td>
<td>Nigeria</td>
</tr>
<tr>
<td>1</td>
<td>Court of Appeal</td>
<td>Nigeria</td>
</tr>
<tr>
<td>2</td>
<td>Federal High Court</td>
<td>Nigeria</td>
</tr>
<tr>
<td>1</td>
<td>National Judicial Institute</td>
<td>Nigeria</td>
</tr>
<tr>
<td>1</td>
<td>EOD command, National Police Force</td>
<td>Nigeria</td>
</tr>
<tr>
<td>1</td>
<td>National Institute for Advanced Legal Studies</td>
<td>Nigeria</td>
</tr>
</tbody>
</table>

Total: 33
## ANNEX IV. NIGERIA: RATIFICATION STATUS OF INTERNATIONAL LEGAL INSTRUMENTS AGAINST TERRORISM

<table>
<thead>
<tr>
<th>No.</th>
<th>Instrument</th>
<th>Ratification Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.</td>
<td>International Convention against the Taking of Hostages (1979)</td>
<td></td>
</tr>
<tr>
<td>18. Protocol of 2010 supplementary to the Convention for the Suppression of Unlawful seizure of Aircraft</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------------------</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>Total Ratifications:</td>
<td>11</td>
<td></td>
</tr>
</tbody>
</table>

Source: prodoc, pp. 17