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MID TERM EVALUATION REPORT

Project Number: UNDCP Pretoria AD/RAF/99/E13 and UNDCP Nairobi AD/RAF/99/E14

Project title: Judicial System Training in Drug related Casework in Southern and East Africa

Thematic area: Suppression of illicit drug trafficking

Government Counterparts: Governments of Angola, Botswana, the Democratic Republic of Congo, Eritrea, Ethiopia, Kenya, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, the Seychelles, South Africa, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe.

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CONTENTS

	Paragraphs Page
TABLE OF CONTENTS	2
EXECUTIVE SUMMARY	4 -5
EXPLANATORY NOTES	6
INTRODUCTION	7 - 8
 Chapter	
I. PROJECT CONCEPT AND DESIGN	9
A. Overall assessment	9
B. Problem analysis, objectives and achievement indicators	9 - 10
C. Outputs, activities and inputs	11
D. Executing modality and managerial arrangements	11 - 12
II. PROJECT IMPLEMENTATION	13
A. Overall assessment	13
B. Delivery of inputs	14
C. Management and implementation of activities	14
D. Circumstances affecting the project (Prerequisites)	15 - 16
 III. PROJECT RESULTS	 17
A. Outputs	17
B. Immediate objective(s) (outcomes)	17 - 18
C. Drug control objective	18
D. Other results	18 - 19
E. Sustainability	19
 IV. OVERALL CONCLUSIONS	 20 - 22
 V. RECOMMENDATIONS	 23
A. Actions/decisions recommended	23 - 24
B. Project revisions	24

ANNEXES

1. Terms of reference
2. Organizations and places visited and persons met
3. Summary assessment questionnaire

Disclaimer

Independent Project Evaluations are scheduled and managed by the project managers and conducted by external independent evaluators. The role of the Independent Evaluation Unit (IEU) in relation to independent project evaluations is one of quality assurance and support throughout the evaluation process, but IEU does not directly participate in or undertake independent project evaluations. It is, however, the responsibility of IEU to respond to the commitment of the United Nations Evaluation Group (UNEG) in professionalizing the evaluation function and promoting a culture of evaluation within UNODC for the purposes of accountability and continuous learning and improvement.

Due to the disbandment of the Independent Evaluation Unit (IEU) and the shortage of resources following its reinstatement, the IEU has been limited in its capacity to perform these functions for independent project evaluations to the degree anticipated. As a result, some independent evaluation reports posted may not be in full compliance with all IEU or UNEG guidelines. However, in order to support a transparent and learning environment, all evaluations received during this period have been posted and as an on-going process, IEU has begun re-implementing quality assurance processes and instituting guidelines for independent project evaluations as of January 2011.

EXECUTIVE SUMMARY

INTRODUCTION

1. The UNODC Judicial system training in drug related casework in Southern and East Africa provides support to the judiciary, prosecutors and investigators in the region through training programmes, to enable them to deal with drugs cases more effectively. A joint SADC/UNODC legal workshop, which involved 15 of the 19 participating countries, was held in Rustenberg, South Africa in August 1998. The participatory workshop identified, agreed on and prioritised detailed drug related justice training needs and developed outlines of relevant training topics. The project was launched in November 2001, implemented by the UNODC (ROSA) Pretoria and assisted by UNODC (ROEA) in Nairobi.
2. The governments of Angola, Botswana, the Democratic Republic of Congo, Eritrea, Ethiopia, Kenya, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, the Seychelles, South Africa, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe are counterparts to this project. Each participating country agreed to provide support in kind, in the form of the services of a National Focal Point. The project was assisted by the Pretoria and Harare Judicial Colleges and later the Law Development Centre in Uganda through the provision of resource persons, extension of curricula, training facilities and logistical support, where necessary.
3. The objectives of this mid-term review can be summarised as follows, to assess:-
 - ① achievements made in the 19 countries participating in the project and problems encountered since project implementation started;
 - ① appropriateness and effectiveness of all project components;
 - ① the impact of training in the 19 countries participating in the project;
 - ① whether there are difficulties that National Focal Points may have encountered in assessing the impact of training in their countries.To consider: -
 - ① The project strategy in terms of whether the drug control and immediate objectives, planned outputs and the level of activities and inputs were appropriate and achievable.
 - ① The clarity, logic and coherence of the project document.
 - ① The execution modality and managerial arrangements including project monitoring.
 - ① The feasibility of adapting and replicating the regional training to national training in the countries participating in the project.
 - ① The sustainability of the results directly produced by this project;

- ① The extent to which the project has had significant unforeseen impact, either negative or positive.
- 4. The review was carried out by a team of two: Sarah Malotane Henkeman an independent evaluator with experience in project management and evaluation within the Safety, Security and Access to Justice Sector, and Charles Hardaway, a prosecutor with experience in drug related cases. Both evaluators have experience in training and working with criminal justice officials, one as a member of civil society and the other as a state official.
- 5. The team interviewed a wide variety of stakeholders in Botswana, Kenya, Mauritius, South Africa, Uganda and Zimbabwe and held telephonic interviews with participants in Mozambique, a key UNODC stakeholder in Vienna and a key SADC stakeholder in Botswana.
- 6. The team's overall conclusion is that:
 - ① The design, logic and objectives of the project are coherent at a theoretical level and are appropriate and achievable under 'stable' internal and external environmental conditions. However, the map (project document) is not the territory (implementation in 19 very diverse countries with various partnerships and high staff turnover within the project.
 - ① Given that the current Project Manager has been recalled to her posting in Vienna, we propose an immediate 'standstill' period for the project to regroup to (a) ensure sound induction of the new Project Manager, (b) capacity staffing of the project, (c) a risk assessment and risk management exercise (d) realistic revision of the project document to adjust and align project activities to ensure more precise navigation towards *all* the objectives of the project in the remaining period.
 - ① **Alternatively**, if it is not possible to implement the above proposal, to scale down the objectives of the project to fit with the current capacity.
- 7. The immediate impact of training on interviewees, was an enhanced ability to deal with drug related cases in general. Where interviewees have been appropriately deployed, they saw relative improvement in investigations, prosecution and conviction rates. Most prosecutors and investigators reported enhanced working relationships post training. The training improved interviewees' orientation towards cross-border co-operation. Treatment and Rehabilitation remains an area where particularly magistrates and judges felt they needed more information.
- 8. The report follows the UNODC 'Standard format and guidelines for project evaluation Reports'. It begins by discussing the Project Concept and Design, then proceeds to discuss Project Implementation, Project Results, Overall Conclusions, Recommendations, and finally, Lessons Learned. The annexes consist of full ToRs for the evaluators, the list of persons interviewed, and the Summary Assessment.

ABBREVIATIONS

NFP	National Focal Points
DPP	Director of Public Prosecutions

ROSA **Regional Office Southern Africa**
ROEA **Regional Office East Africa**
UNODC **United Nations Office on Drugs and Crime**

INTRODUCTION

UNODC has been mandated to act as catalyst for international drug control action of both UN and external partners, as well as to provide advisory services and technical cooperation to Governments

requesting assistance. The General Assembly has specifically mandated UNODC to provide legal assistance to Member States in adjusting their national laws, policies and infrastructures to implement the international drug control conventions, as well as assistance in training personnel responsible for applying the new laws.

The UNODC Judicial system training in drug related casework in Southern and East Africa provides support to the judiciary, prosecutors and investigators in the region through training programmes, to enable them to deal with drugs cases more effectively. It is envisaged that the current project will strengthen Governments' capacities to implement all the conventions, in particular the 1988 Convention. The implementation of the four-year project started on 1 November 2000. The project document was signed in May and June 1999. The total budget of the project is US\$ 2,828,803 including support costs. The project is managed from the United Nations Office on Drugs and Crime (UNODC), Regional Office for Southern Africa (ROSA) in Pretoria, and is assisted by the UNODC Regional Office for Eastern Africa (ROEA) in Nairobi.

The Governments of Angola, Botswana, the Democratic Republic of Congo, Eritrea, Ethiopia, Kenya, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, the Seychelles, South Africa, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe are counterparts to this project. Each participating country agreed to provide support in kind, in the form of the services of a National Focal Point. At the inception of the project the Pretoria Justice College and the Harare Judicial College provided training. In 2003 the Law Development Centre in Uganda became a training partner.

Evaluation Purpose

The purpose of the mid-term evaluation is to assess (a) achievements made in the 19 countries participating in the project and problems encountered since project implementation started; (b) the appropriateness and effectiveness of all project components; (c) the impact of training in the 19 countries participating in the project; (d) whether there are difficulties that National Focal Points may have encountered in assessing the impact of training in their countries, and what could be done to resolve those difficulties; and (e) whether the guidelines drawn up by the project management for use by National Focal Points when writing semi-annual reports on the impact of training in their countries are useful to the National Focal Points, and if they are not useful, to suggest how they could be improved.

Methodology

The mid-term evaluation was conducted by means of:

- (a) An examination of the following documents and reports associated with the project:
 - i. Project document
 - ii. Training curricula for the three training groups
 - iii. Training Programmes for the training sessions held to date
 - iv. Reports of National Focal Points on the impact of training in their countries, and analysis thereof.
 - v. Semi-annual and annual project progress reports
 - vi. Reports on missions undertaken by Project Management.

- (b) Observation of the first day of training of Magistrates (13 August 2003) at the Justice College, Pretoria.

- (c) Personal and/or telephonic interviews with staff of Vienna and Nairobi offices, SADC representative, Heads and/or staff of training partners, office of National Focal Points and a sample of Judges, Magistrates, Prosecutors, Investigators in 7 of the 19 countries. In loco interviews were held in 6 of the sample of 7 countries, i.e. Botswana, Kenya, Mauritius, South Africa, Uganda and Zimbabwe. Mozambique was selected mid way through the evaluation mission, to maximise representivity.

CHAPTER I PROJECT CONCEPT AND DESIGN

A. Overall Assessment

The overall project concept, 'Judicial System training in Drug related casework in Southern and East Africa' is logical and coherent and is aligned with: -

- (1) the General Assembly mandate to UNODC to provide legal assistance to Member States in adjusting their national laws, policies and infrastructures to implement the international drug control conventions, as well as assistance in *training* personnel responsible for applying the new laws;
- (2) the provisions of Article 6 of the 1972 SADC Protocol, that Member states are to establish '...special training courses to equip law enforcement agencies/units and prosecutors with appropriate skills for carrying out their tasks effectively'; and
- (3) the adoption by the drafters of the Project Document, of a Logical Framework Approach, which was intended to ensure '...high local involvement in project design and execution'.

B. Problem analysis, objectives and performance indicators

(a) Problem analysis: In the project document, the drafters relied chiefly on two UNODC documents¹ to sketch the illicit drug production, trafficking and consumption problem in the region. The main focus is on projected *future trends* and *indications of expansion* of international trafficking links from Africa to Europe and North America, with some Eastern and Southern African countries becoming significant transit points. Crucially, the Project document admits that information was (at that point) not available on the success rate in investigations, prosecutions and asset forfeiture cases. No mention is made of Treatment and Rehabilitation of consumers.

The above, plus the UN and SADC conventions, steered the project into an emphasis on training in Law Enforcement with lesser weight given to Treatment and Rehabilitation of consumers. While the current project strategy is effective and logically fits in with the way the problem was analysed, balancing reactive and proactive approaches to drug control can enrich it. Many interviewees noted that Treatment and Rehabilitation remained an area where they require more knowledge and understanding.

(b) Drug Control Objective

¹ 'The Drug Nexus in Africa' Report, UNODC, Research Section, Vienna; UNODC 1998. Countries studied in the report included Ethiopia, Kenya, Mozambique, South Africa and Zimbabwe; and UNODC Technical Series No. 7. Vienna, 1996. Supply reduction and law enforcement section, 1998. Supply of and trafficking in narcotic drugs and psychotropic substances, p. 17-18.

Given the way the problem was analysed, the Drug Control Objective provides a logical rationale for the project in that it seeks to 'reduce' rather than unrealistically attempt to 'eliminate' '...production, trafficking and use of illicit drugs, psychotropic substances and precursors, on a sustainable basis in the sub region', by providing training to key judicial officers, prosecutors and investigators. Progress towards this objective can potentially be verified.

(c) Immediate Objectives

Given the problem analysis, and Drug Control Objective, immediate objectives exclusively favour transfer of know how in connection with national drug control legislation, legal and procedural issues and international co-operation in this regard. Beneficiaries are clearly identified i.e. '...judges, magistrates, prosecutors and senior law enforcement officers in each participating country'. The immediate objectives are potentially obtainable within the limits of time and resources available to the project. Achievement can potentially be verified.

(d) Continuing relevance and significance of objectives

These objectives remain relevant in the light of current and projected drug sector problems and needs and can be expanded to include treatment and rehabilitation.

(e) Performance Indicators

The indicators in the project document are basic indicators, and thus do not specify quality, exact quantity and time frames. There is thus no accurate basis from which to make 'precise' monitoring and evaluation assessments.

C. Outputs, activities and inputs

(a) Planned Output

The planned output is appropriate in relation to the immediate objectives and is potentially achievable within the limits of time and resources available to the project.

(b) Activities

Planned activities a, b, c, d, and f are appropriate in relation to the output and can be carried out within the limits of time and resources available to the project. However, activity e, while it may be appropriate, is not realistic given that NFPs already carry a heavy workload and most of them appear unable to leverage sustainable interdepartmental cooperation, particularly from the judiciary.

(c) Inputs

i. UNODC

Inputs i, iii, v, vi, vii are reasonably appropriate in relation to the activities and outputs and can be provided within the limits of time and resources available to the project. However, inputs ii. and iv. cannot be provided within the limits of time, are neither cost effective nor appropriate from the perspective of some of the countries.

ii. Training Centres

Inputs required are inappropriate for countries that are resource strapped. The fear exists in some quarters, that the project might appear too 'South Africa' driven.

iii. Participating Countries

In most countries single NFPs are inappropriate for the reasons stated in paragraph C(b) above.

D. Executing modality and managerial arrangements

The project operates from the UNODC ROSA office in Pretoria, with assistance from ROEA in Nairobi. These offices have links to a high level focal point in each country – usually, but not exclusively located in the offices of the Director of Public Prosecutions. The training courses are/were run, in partnership with the Judicial colleges in Zimbabwe and South Africa. More recently, the Law Development Centre in Uganda was included.

The absence of ToRs for Judicial colleges, obscures the pivotal and in some cases, potentially pivotal role that colleges can and in some instances, do play in assisting with the execution and management of project components. Undue reliance is placed on the ability of a 'single' NFP to fulfil all the requirements outlined in the ToRs for NFPs. Assistant Project Managers should have responsibility for different project components and not generalised 'assistance' to the Project Manager. For example, the ability of NFPs to also provide research data (over and above the other project requirements plus their day job) was over-estimated. One of the Assistant Project Managers should take responsibility for this function, which is central to all project objectives. Similarly, no clear ToRs exist for the ROEA in

Nairobi, but the budget split seems to suggest that more than 'logistical' support is required from that office. These gaps and uncertainties provide fertile ground for conflict located in misperceptions, misunderstandings and differing interpretations.

CHAPTER II

PROJECT IMPLEMENTATION

A. Overall Assessment

Project implementation occurred later than the expected date due to two main factors. The one had to do with funding² and the other with the sourcing of a qualified Project Manager. The current Project

² It is reported that there were unacknowledged funding obstacles with this project when expected EU funding for the project did not materialize on time. This was mainly due to independent events, including system-wide change in EU funding practice following the EU Commission resignations, plus EU funding curtailments to UNODC in the last 2 years of the term of the then Executive Director. This affected start-up dates and staffing decisions – including the decision that Ms Loide

Manager was transferred from Vienna to fulfill a dual function in Pretoria, that of Project Manager and Regional Legal Advisor. Her induction period was limited due to pressure of work in her previous posting in Vienna, and she literally had to '...hit the ground running' when she arrived in South Africa. Coupled with that, the first training course had to be arranged in Zimbabwe within a few months of her arrival in South Africa.

An intern was initially appointed as Assistant Project Manager, but subsequently took up a position in her native country. A new Assistant Project Manager, who was appointed in 2001, suffered from ill health and was hospitalised or off work for long periods, experienced a personal tragedy when his wife died, and he unfortunately died in early 2003. These events dealt a blow to project efficiency. Coupled with that, the project was unable to retain continuous administrative assistance, due to a rapid turnover of administrative staff. In addition, the person who provided assistance to the project in the Nairobi office also left. The next person went on maternity leave after a while and in that time project efficiency suffered from a loss of institutional memory.

The above project situation (coupled with the short gaps between different workshops, the NFPs waiting on nominations from their own and other departments; the ROSA office waiting on NFPs; the ROEA office waiting on the ROSA office for confirmation of nominated persons so that they can make logistical arrangements; and the nominated persons in turn waiting for confirmation of their attendance at times until a day before they leave, then having to attend to visa applications and other travel related business) created some tensions. All of this is overlaid by the staffing problems experienced at the ROSA office and caused a knock-on effect that, in the main, had different people in the chain assuming that the other was the 'cause' of the problems they experienced.

B. Delivery of Inputs

UNODC

Lungameni from the Vienna office manage the project. This obviated the need to also appoint a separate regional legal adviser in addition to the project manager. Funding difficulties have continued through to this year (2003).

In terms of quantity, all the inputs (i – vi) were and are attended to. In the main, despite the high staff turnover and some underlying tensions, mostly due to tight time frames, the quality of inputs was generally of a high standard.

ii. Training Centres

Two of the three training centres experienced difficulties due to differing interpretations of 'support in kind' and expenditure for 'outside lecturers' as contained in paragraphs 57 and 58 (p.21) of the Project Document. This has led to one college suspending its cooperation and the other reconsidering its continued cooperation. These difficulties led to concerns with regard to the timeliness of inputs in some instances. In other instances quality and quantity was compromised when some lecturers failed to show up for lectures.

iii. Participating Countries

In the main, nomination and sending of participants (input i), although uneven, is happening at a satisfactory level. However, the quality, quantity and timeliness of the remaining inputs (ii, iii, iv, v) by participating countries, is uneven.

C. Management and implementation of activities

The management of this project was a 'baptism of fire', alternatively a lesson in juggling and crisis management rolled into one. It is surprising to note that the number and level of conflicts are so low, and the relative success in terms of quantitative output so high, given the constraints under which this project was managed.

- i. The Project Manager holds a dual position, that of Regional Legal Advisor and Project Manager of the training project.
- ii. She was transferred from her position in Vienna where she had to finish assignments that cut into her induction period at the Africa Office.
- iii. For various reasons, the project had a late start and she had to 'hit the road running'.
- iv. She was required to teach on the courses.
- v. The Assistant Project Manager left for her home country within year one of the project.
- vi. The new Assistant Project Manager suffered the loss of his wife, personally suffered long periods of illness and subsequently died, leaving a vacuum that the Project Manager filled, along with her other duties.

- vii. There was a high turnover of administrative staff at the ROSA and a loss of continuity at the ROEA offices. The loss of institutional memory and limited human capacity in both offices caused undue delays, knock-on effects and tensions which spilt over to a small number of participants who had to wait for long periods to get refunds of money expended on visas and vaccinations.
- viii. Despite the fact that the project document and budget envisages a more extended role for the ROEA office, their participation was limited to logistical support, due to a variety of structural and other reasons, which need to be discussed between the ROSA and ROEA project staff.
- ix. Effectively, at different times, the Project Manager was the only person who was 100%³ engaged in the project. Every other partner has a full time job with project responsibilities overlaid onto that. This applies to the NFPs, the Judicial colleges and the ROEA staff.
- x. It is clear that the Project Manager was required to juggle many balls, and to make conscious decisions about which balls to drop – effectively applying ‘triage’.
- xi. It becomes impossible for anyone to adequately give attention to the whole, when consumed by the sum of its parts.
- xii. That the project is still afloat and from all reports delivering a high quality ‘product’, bears testimony to the entire team (Judicial colleges, NFPs, ROSA and ROEA, ‘outside lecturers’, participants) and not least, the Project Manager and her network in Southern and East Africa. This despite the tensions referred to above.

D Circumstances affecting the project (prerequisites)

The fact that UNODC’s assistance is subject to ‘...the fulfillment or *likely* fulfilment of prerequisites.’ and that UNODC *may*, at its discretion, suspend or terminate its assistance, leaves the door wide open for non compliance to continue. This goes to the heart of what Joseph Stiglitz refers to as ‘*governance without government*’. The UN operates in a world of sovereign states and there are limits to UN power. In this instance, all of the countries are ‘developing’ countries and their resources dictate their agenda.

In our evaluation, UNODC assistance provided under this project is watered down in three ways, where countries have limited resources i.e.: -

- (1) Individuals are trained in courses that become purely academic when they return to their countries, because the required legislation, policies and infrastructure is lacking or run counter to the projects’

objectives. In some instances, where the political will exists to provide an enabling environment, resources are lacking.

- (2) Individuals return to their countries with 'international experience' and immediately become more promotable. They are not always deployed and transferred 'vertically' where they will maximise their skills in drug control law enforcement, but are deployed and transferred 'horizontally', away from drug related work.
- (3) Critical mass cannot be reached in a situation where no coherent national 'master plan' for sustainable capacity enhancement, capacity deployment and infra-structural development exists. Parallel and integrated processes are required and cannot be divorced from each other.

CHAPTER III PROJECT RESULTS

A. Output

As at the date of the evaluation (August 2003), out of a planned number of 450 persons a total of 436 candidates were trained. Out of a planned number of 76 judges 61 were trained. Out of a planned number of 114 magistrates 95 were trained. Out of a planned number of 285 investigators and prosecutors 280 were trained.

The overall training rate is close to 100%. A further breakdown of the numbers reveals the level of participation within each group. Prosecutors and investigators achieved the highest level of participation. Out of an expected 285 participants, 280 were trained (98%). Magistrates achieved the

³ This percentage could be less, given that she held a dual position.

second highest participation. Out of an expected 114 participants, 95 were trained (83%). Judges achieved the lowest level of participation. Out of an expected 76 participants, 61 were trained (80%).

During the interviews, it was revealed that several factors contribute to the lower level of participation by judges and magistrates. Several of the participants felt that due to chronic staffing shortages several countries could not send participants without seriously affecting the functioning of their Justice systems. Another factor is the internal politics endemic in most systems. 99% of the Nation Focal Points are Directors of Public Prosecutions. There is a culture that generally exists between the judiciary and the executive in which the judiciary for the most part does not like to be influenced by any outside source, especially another branch of government.

At a Project Review Meeting held in November 2002, it was decided that Project Management should request countries to send more than the allocated number of participants per year from 2003 onwards, to make up for the quantitative deficit in their training quotas. Whether this request has achieved the desired effect, can only be assessed at the end of the project.

B. Immediate objectives (Outcomes)

Given the above decision, it is conceivable that the immediate objective, '...to transfer know how on national drug control legislation and legal and procedural prerequisites for more effective international cooperation on drug law control to magistrates, prosecutors and senior law enforcements officers' will be maximised. However for this to be true for the training of judges in all participating countries, requires more cooperation from the judges in different countries. Project management should give special attention to this aspect in the remaining period of the project, by clarifying the position of countries that fail to send judges for training and by referring participating countries to the terms agreed to in the Letters of Agreement. Specifically, reference should be made to decisions and recommendations of the General Assembly at its 20th Special Session in June 1998. The Political Declaration adopted at the Special Session identified *judicial cooperation* as one of the key areas to be improved by the year 2003.⁴

General consensus among those interviewed was that the information received in the training was relevant and in some instances, immediately applicable to their respective fields. It was frequently stated that the mere fact that they were able to interact with colleagues from different countries went a long way to increasing cross-border cooperation. Exposure to the general concepts of extradition and

money laundering allowed the participants to place in context their own national laws regarding these topics. Participants feel able to identify where gaps exist and/or whether different aspects of proposed laws were suitable for their particular context.

C. Drug control objective

According to prosecutors and investigators interviewed, there is an improvement in the quality of work they produce in a number of drug cases. This is generally attributed to an increased awareness of the type of drugs encountered, improved information gathering and better detection techniques that were presented at the training session. As it relates to the judges and magistrates interviewed, the exposure they received at the training had the general effect of providing a broader understanding of the scope of the drug problem. The Drug control objective will only be achieved in part by this project, if full co-operation of judges, in all participating countries, is not attained to the extent that it is being achieved in the case of magistrates, prosecutors and senior law enforcement officers. Since the design process of this project was participatory, with participating countries acting as full partners, there appears to be no reason why they should renege in the case of judges

⁴ See Project document p.11

D. Other results

Participants trained under the project, have become more promotable as a result. This has positive and negative consequences. Positive where participants have been promoted, transferred or deployed where the use of these skills can be maximised. Negative where they have been promoted away from drug related work.

According to some prosecutors and investigators interviewed, a significant result of the training is the increase in communication and cooperation between investigators and prosecutors. This is opposed to the situation prior to training where investigators and prosecutors generally operated separately of each other with little to no coordination. It is reported that better and faster conviction results are obtained.

E. Sustainability

During this review, we have not found a coherent national strategy to maximise the benefits of this training, although a system of report-back to seniors is in place. In isolated instances, training of peers has taken place, including visits to schools and other institutions. A Drug court was started in one province of one of the participating countries. However, the majority of interviewees saw the need for a national strategy to be put in place and indicated their willingness to participate in training/mentoring exercises.

To ensure sustainability of actual and expected project results, project management should embark on a more aggressive strategy to harness this enthusiasm to ensure that national follow-up training is institutionalised so that the '...flow of benefits is continuous', in each country and in the region.

Implicit in the Project Document is an expectation that a coherent national strategy should be in place to sustain the work of the project. To this end, groundwork towards implementation of national strategies should start during the remainder of project operations, to ensure that the intended impact of the project is sustained after project completion. Recommendations to this end are contained in Chapter Five of this evaluation report.

CHAPTER IV

OVERALL CONCLUSIONS

A. Drug Control Objective

The fact that the actual training and its relevance, is in large part well received and commented on, can (and does) obscure the fact that only one of the four component parts of the Drug Control Objective (training) is being reached in the short term. The other longer-term component parts (reduction in the sub-region; sustainability and effective dealing with drug cases) might and will be compromised in countries where cognisance is not taken of parallel policy formulation, upgrading of legislation and Human Resources practices such as transfers and deployment. As stated before, many countries have limited resources and the UN cannot compel sovereign states to reallocate their resources so that its project can be successful in the long term.

'Promising practices', depending on one's perspective, are however emerging in those countries where enabling legislation is in place. Every country involved in the project has a different context, therefore what qualifies, as 'best practice' in one country, may not be regarded as such in another. For example, in one country visited, two respondents suggested that their social structure is of such a nature, that it would punish entire extended families and small communities if they were to pursue the notion of going after the 'proceeds of crime' in the way that South Africa is doing it. Others considered some aspects of asset forfeiture and related actions as a violation of Human Rights. Still others felt that it was counterproductive to be provided with examples of countries that are better resourced and therefore able to implement various strategies.

B. Immediate Objective

Four component parts are embedded in the immediate objective of the UNODC project. These parts, while analytically distinct, are integrated in the training package. These integrated objectives are (1) to transfer know how to (a) country nationals with the expectation that (b) a national transfer of 'know how' will emerge to enlarge and sustain the knowledge base; and (2) that more effective (a) international and (b) regional cooperation will result. Respondents' awareness of what was required of them as individuals, their country and the region to advance the projects' objectives, varied greatly.

However, when respondents were invited to suggest ways in which knowledge gained from the training could be multiplied in their context, they offered several ideas that would require the minimum of resources to consolidate and expand the work of the project. These ideas are reflected in the consolidated recommendations.

C. Impact

Since we interviewed respondents who attended different courses, in different countries, at different times; and since these respondents work within different agencies/departments in different countries with different resources and contexts, reported 'impact' varies.

This led us to understand that we cannot immediately look for long-term impact envisaged in the Drug Control objective, but that one must rather look for the more immediate *outcome* of training. The best outcome one can hope for in the short-term is that participants apply the skills and knowledge that they have acquired. Further, there is seldom a direct line from application of knowledge and skills to the desired long-term impact. Instead one must look for an 'impact chain'. In our experience, during this mission, we have found that the impact chain straddles the actual training i.e. there are pre- during- and post training aspects that require attention.

We have become aware of different 'links' in the impact chain in different countries. For the sake of convenience it is presented here in synthesised form.

- (a) The impact chain straddles the 'training event' and has pre- during- and post training elements;
- (b) The first link is the selection criteria suggested by UNODC;
- (c) The second link is application of the selection criteria by the NFP (in one example the NFP chose a person who was senior and had training experience, this person, because of his seniority, could go back and immediately start a 'Drug Court'. He was able to select from the training materials what was relevant for his circumstances, and impart 'know how' to his colleagues).
- (d) The third link is that the training methodology used by lecturers be designed to ensure that participants are able to recall and apply the knowledge that they have gained under real life circumstances.
- (e) The fourth and most important link, once participants return to their place of work, is not only if they are *willing* to apply what they have learnt, but also if they operate in an 'enabling environment'.
- (f) Factors that facilitate smooth linking of the impact chain include: -
 - i. *enabling legislation*;
 - ii. transfer and deployment *policies* that take into account the necessity to consolidate capacity;

- iii. in order to apply the notion of diversion away from the Criminal Justice System, *infrastructure* in the form of treatment centres and rehabilitation programmes should ideally be in place. This applies to diversion at arrest (police); in Court (prosecution); alternative sentencing options (judgement) and on release (prison).
- iv. the actual reduction envisaged in the Drug Control Objective, is way at the end of the chain, and cannot be achieved unless, to steal a phrase from the Ugandans, ‘...the chain is linked’.

For this project to reach its immediate and long-term objectives in the fifteen months it has left, it would need to focus simultaneously on all components contained in the Drug Control, Immediate and sub objectives in the Project Document. For this to happen, the human resource capacity of this project needs to be increased.

CHAPTER V RECOMMENDATIONS

A. ACTIONS/DECISIONS RECOMMENDED

Recommendation 1: With the assistance of the drafter of the Project document or his appointee, it is recommended that Project Management facilitate the drafting of a Logical Framework Matrix based on the Project Document. To distribute the matrix to NFPs, ROEA and the Training Colleges so that they are aware of the Objectively verifiable Indicators, Means of Verification and Assumptions/Risks at the

Goal (Objective), Purpose, Output and Activities levels of this project. A uniform understanding of the 'logic' of the project, will enhance participation and input by partners on matter such as risk assessment and risk management (amongst other issues) at the Annual Tripartite Review Meetings. The overall effect of creating this 'common purpose' should in the end, maximise the impact that this project is able to leverage.

Recommendation 2: Reschedule the next training workshops to allow enough time for the new Project Manager and assistant managers to familiarise themselves with all aspects of the project and particularly with feedback provided by this evaluation.

Recommendation 3: Free up new Project Manager from training commitments, to concentrate purely on job description set out in the project document to ensure that all project components function smoothly and that the project is aligned to its objectives.

Recommendation 4: Employ a second Assistant Project Manager to ensure that the project has a dedicated research capacity. This should make up for the gaps in research coordination (caused by the overload experienced by most NFPs).

Recommendation 5: An Assistant Project Managers should begin a database of country profiles and should be responsible for monitoring the upgrading of laws in participating countries for the purpose of evaluating whether the Drug Control Objective will be reached.

Recommendation 6: To maximise the impact of training, consider separating countries with different legal traditions and language while keeping the twin goal of national capacity building and regional co-operation in focus.

Recommendation 7: Frame training for investigators and prosecutors with the mock trial as a practical exercise at the end of training, in mind. Devote more time to the mock trial, as most participants find that this exercise assists them to recall and apply training content. This is one of the main links in the impact chain. Brief all lecturers on this feedback from participants.

Recommendation 8: Pace the amount and timing of information given in the 5-day workshop for Judges. Request that lecturers make the learning participatory.

Recommendation 9: Include step by step 'how to' notes for magistrates and judges so that they are able to apply what they have learnt immediately, instead of wading through reams of reading material. Alternatively suggest follow-up national training to give attention to practical aspects of what they term, 'information-driven' training. This will improve their ability to apply what they have learnt with immediate effect, thereby increasing the impact of training.

Recommendation 10: Update Annexure A to the Project document referring to the data on national resources provided by the Rustenberg workshop participants

Recommendation 11: Regular risk assessment and risk management sessions need to be done, including at the Annual Tripartite Review meeting. The Logical Framework document needs to be updated accordingly and adjustments made and recorded. Project manager and assistant manager to lead.

Recommendation 12: For sustainability of national capacity building the project should target Policymakers, Human Resource Personnel and other senior decision-makers in participating countries.

They should be kept informed of the objectives and activities of the project; and how their drug control, redeployment and transfer policies, can support/undo the objective of the training that their government is a counterpart to.

Recommendation 13: Suggest to countries to consider mentor courts or, where there is a lack of resources, an alternative to mentor courts as a means to reaching the objective of multiplying and sustaining enhanced capacity to effect the Drug Control Objective nationally, regionally and internationally. Some interviewees suggested that residential weekend training courses be held nationally to consolidate and render practical the information gained during the UNODC training. Other suggestions included the training of peers under similar circumstances. It was suggested that UNODC could become a resource at national training events.

B. Project Revisions

Recommendation 14: Include an objective with a focus on Treatment and Rehabilitation of drug consumers in the updated Logical Framework Matrix.

Recommendation 15: It is recommended that the ROSA and ROEA office staff involved in the project meet to have at least one facilitated discussion, where a common understanding and joint vision can be forged (possibly before or after the TRipartite Review meeting, to minimise costs). It is further recommended that telephone conferencing be considered from time to time, to enhance and sustain a team spirit so that the ROEA office participates more fully in all aspects of project activities, insofar as this is possible.

Recommendation 16: Draft clear ToRs for Training Centres. (a) Clarify paragraph 58 of the project document re payment of 'outside lecturers'. (b) Define 'outside lecturers' clearly as those outside of the employ of government. (c) Consider what incentive countries with legal training facilities have to co-operate with UNODC by incurring national costs for regional training. (d) Consider if this is a reasonable expectation (in the case of countries with limited resources) and if this is in fact what participating governments have agreed to, as distinct to 'support in kind' agreed to and reflected in the ToRs for NFPs.

Recommendation 17: Reconsider the notion of a single NFP and consider how the full involvement and co-operation of Judges can be ensured in line with the Letters of Agreement signed by their governments and with decisions and recommendations of the General Assembly at its 20th Special Session in June 1998. Specifically the Political Declaration adopted at the Special Session, which identified *judicial co-operation* as one of the key areas to be improved by the year 2003.

Recommendation 18: Make the role of regional organisations more explicit, (e.g. existing co-operation, opening of political doors, complementarity of activities and objectives), so that countries are aware of how the UNODC training fits into current and proposed regional activities; and how the impact of the training can be harmonised and maximised within the region and beyond.

CHAPTER VI
LESSONS LEARNED

A. General

1. Project Managers should be trained in the Logical Framework *Approach* and how to read the Logical Framework Matrix so that they are immediately able to understand the 'mind' of the drafters by being able to decipher the internal logic of the project document. This will enable them to accurately align day to day management of the project and will guide them with regard to identification of risks and assumptions.
2. Since this project is located within national, subregional, regional and international contexts, Project Managers should be shown (during induction) how the logframe for their particular project is 'nested' into other programme logframes so that they are able to see, at a glance, exactly how their particular project fits into the 'bigger picture' of the UN 'Drugs and Crime' agenda.

B. Design

3. A coherent Logical Framework Matrix where the Objectively Verifiable Indicators (OVIs), Means of Verification (MOVs) and Assumptions and Risks are included at each level of the document should be drafted to make planning, management, monitoring and evaluation of the project a smooth and more precise process.
4. Quality, quantity and time should be reflected in the basic performance indicators contained in the project document.
5. Clear ToRs, for all project components should be annexed to the Project document, not only for clarity and the prevention of misunderstandings, but also to reflect the status and levels of involvement of project partners, particularly ROEA and the Judicial Colleges.

C. Implementation

6. Country profiles should be updated on a regular basis so that project progress in this regard can be monitored against the objectives.
7. Risk Assessment, Risk Management and subsequent updating of the logframe matrix should happen at regular intervals and should be an integrated part of project management. The overall effect should lead to more precise navigation towards all component parts of UNODC programme and project objectives.

UNITED NATIONS INTERNATIONAL DRUG CONTROL PROGRAMME

MID-TERM EVALUATION

TERMS OF REFERENCE

Project Number and Title:	UNODC Pretoria AD/RAF/99/E13 and UNODC Nairobi AD/RAF/99/E14 – Judicial System Training in Drug-related Casework in Southern and Eastern Africa
Duty Station:	Pretoria, South Africa and Nairobi, Kenya
Duration:	Four years
Starting Date:	1 November 2000

I. BACKGROUND INFORMATION

The project mid-term evaluation is undertaken within the framework of the execution of project activities, which started in October 2000 for a planned period of four years.

The objective of the mid-term evaluation is to assess the project's achievements in the 19 participating countries (Angola, Botswana, the Democratic Republic of Congo, Eritrea, Ethiopia, Kenya, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, the Seychelles, South Africa, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe) and to review the effectiveness of the project components and outputs. It is also expected to make recommendations on the feasibility of the project activities as planned and/or to propose a possible redesign/revision of the project outputs if necessary.

Drug Control Problem to be addressed

The drug control problem to be addressed by this project is for judicial and prosecutorial officers to become more effective in dealing with both drug-related casework and requests to and from other countries for legal and judicial cooperation. A lack of access to continued education and training on drug control has resulted in many judges and prosecutors having a limited understanding of their national drug control laws, the international legal context in which they operate, and material differences between their own country's legal system and those of other countries involved in this project.

Drug investigations and prosecutions aimed at combating international drug trafficking in one country often result in investigations being undertaken in other countries. The movement of drugs, precursor chemicals and the proceeds of crime across national borders necessitates cooperation not only between countries within the Southern and Eastern African regions and Africa generally, but also with other countries throughout the world.

Thus, it was deemed appropriate that those judicial and prosecutorial officers responding to drug enforcement related requests should have a thorough knowledge and understanding of the global procedures and standards to be applied. This, in turn, would enable them to cooperate with countries that request their assistance in an effective and timely fashion.

Project Strategy and Design

A report prepared in 1998 by UNDCP ("The Drug Nexus in Africa", UNDCP, Research Section, Vienna; 1998) found that the drug problems of production, trafficking and consumption were increasing in size and severity in the region. It found that there has been a significant increase in illicit drug production, trafficking and consumption in the last 10-15 years. According to the UNDCP Technical Series No.7, Vienna, 1996, Africa has in recent years become a major transit point for illicit drug trafficking to markets in Europe and North America.

The Project aims to develop the capacity of judicial, prosecutorial and investigative sectors in each participating country to more effectively conduct drug-related investigations, prosecutions and related proceedings such as asset forfeiture, and to more effectively cooperate with other countries in such casework. Also, by providing training in treatment and rehabilitation of drug abusers to judicial officers and prosecutors, inter-disciplinary performance of the criminal justice and health care systems would be strengthened.

Legislative assistance in upgrading the domestic legislation of participating countries on drug control and serious crime will continue to be delivered and funded by the (Vienna based) Global Legal Assistance Project.

The following 5-point strategy is intended to achieve the project's objectives:

1. Ensure high local involvement in project design and execution, particularly in the content, conduct and evaluation of training to be delivered under it.
2. Meet short-term training needs through two existing national (justice) training colleges.
3. Targeting initial training at courts and justice system professionals in each country with the highest drug-related caseloads.

4. Meeting longer term training needs by: (a) expanding the initial training institution network, where appropriate; and (b) exploring the feasibility of developing selected courts as permanent "mentor courts" for on-the-job training.
5. Routinely evaluating training results through: (a) regular feedback from heads of justice system services whose staff have trained under the project; and (b) performance indicators from basic monitoring systems established or strengthened in each country.

The project mid-term evaluation is designed to allow for any changes to ensure successful implementation and to increase the impact of the project activities in the beneficiary countries.

Project Implementation

The implementation of the four-year project started on 1 November 2000. The project document was signed in May and June 1999. The total budget of the project is US\$ 2,828,803 including support costs.

Training is done by project staff and some staff members at United Nations Office on Drugs and Crime (UNODC), Regional Office for Southern Africa (ROSA) in Pretoria, with the assistance of two training Colleges: the Judicial College of Zimbabwe in Harare⁵ and the Justice College in Pretoria. Both Colleges provide their staff to lecture at the training sessions in the subject in which they have expertise, and where outside expertise is required the Colleges obtain experts from different sectors of their governments. In accordance with the project document, an additional training institution, the Ugandan Law Development Centre in cooperation with the Ugandan Directorate of Public Prosecutions, has been identified. Some training sessions will be held from Uganda in cooperation with the Law Development Centre assisted by the Ugandan Directorate of Public Prosecutions in 2003-2004.

National Focal Points (NFPs) of Governments of beneficiary countries are required to provide the names of training candidates to the project management for scheduled training sessions. They are also required to notify training candidates from their countries where to pick-up their pre-paid tickets as well as their daily subsistence allowance (DSA). Twice a year, each NFP is required to submit evaluation reports to the project management on the impact of training in his/her country.

⁵ In August 2001, the Judicial College of Zimbabwe notified the project management that its governing body was reviewing its future participation in the project. There is a policy difference between the College and the project management concerning the demand by the College that resource persons from the Zimbabwean public service contracted by the College be paid an honorarium. At the time of writing these ToRs, the Judicial College has not yet communicated the decision of its governing body on whether it will resume its participation in the project.

In February 2001, the project management called a meeting of NFPs to explain to them the aims of the training programme under the project and what is required of them. Prior to the commencement of training in March 2001, the project management designed and sent a questionnaire to all 19 National Focal Points to assess the status of drug control legislation in the participating countries as well as the status of investigations, prosecutions, convictions, confiscation of proceeds of drug trafficking and other serious crimes. The questionnaire was meant to serve two purposes: (1) to assist the project management in assessing the status quo in participating countries before training commenced, and (2) to assist the project management in assessing the impact of training in participating countries after training commenced.

Towards the end of 2001, when it became apparent that most NFPs were not clear on what they were supposed to include in their reports on the impact of training in their countries, guidelines on writing the impact reports were designed and sent to the NFPs.

Training is divided into three training groups, i.e., investigators and prosecutors, magistrates, and judges.

Training commenced in March 2001 in Harare at a commercial venue (Holiday Inn Harare). It was conducted with the assistance of the Judicial College of Zimbabwe which provided some of the resource persons as well as limited logistical support. Two training sessions for two training groups (investigators and prosecutors, and magistrates) were held in Harare, and three sessions were held in Pretoria. Training for investigators and prosecutors, and magistrates was held at the Justice College and for judges at a commercial venue (Burgers Park Hotel). The duration of training for investigators and prosecutors and magistrates was 10 working days, while training for judges was 5 working days.

In 2002 four training sessions were held in Pretoria, two for investigators and prosecutors, one for magistrates and one for judges. Training was held between March– October. All training sessions except the one for judges were held at the Justice College. For the reasons indicated in footnote 1 above, all training sessions for 2002 were held in Pretoria. In accordance with the recommendations of the Project Review Meeting held in November 2001, the duration of the training sessions for investigators and prosecutors, and magistrates was reduced from 10 working days to 7 working days, to make the use of time more efficient. However, during the first training session in 2002 the project management realized that 7 working days were inadequate it thus decided to increase the training days from 7 to 8 working days. Under the project document the Project Manager has authority to make such changes in the interest of the project. The duration of training for Judges remained unchanged at 5 working days.

The status of training as at June 2003 is as follows:

According to the Project document each country was supposed to have trained the following number of candidates as at June 2003:

Investigators and prosecutors	15
Magistrates	6
Judges	4
Total:	25

The actual number of trained candidates per country is as follows **as at June 2003:**

Name of Country*	Investigators& Prosecutors	Magistrates	Judges
Angola	15	0	1**
Botswana	15	2***	0
DRC	15	6	4
Eritrea	15	3	2**
Ethiopia	15	6	4
Kenya	15	6	3**
Lesotho	15	6	4
Madagascar	15	6	4
Malawi	15	6	4
Mauritius	14**	6	4
Mozambique	14**	6	4
Namibia	15	6	4
Seychelles	14**	0***	2
South Africa	14**	6	2**
Swaziland	15	6	3**
Tanzania	14**	6	4
Uganda	15	6	4
Zambia	15	6	4
Zimbabwe	15	6	4
Sub Total	280	95	61
Grand Total:	436		

* Please note that each country was supposed to nominate/send the following number of candidates per group per training session: 5 investigators and prosecutors, 3 magistrates and 2 judges. Some did, a few did not.

** These countries nominated/sent fewer candidates than required.

*** Both Botswana and Seychelles have informed the project management respectively that owing to a court backlog, and a lack of Seychellois in the Judiciary, they would not be able to send magistrates and judges for training in 2003.

Out of a planned number of **76** judges **61** were trained.

Out of a planned number of **114** magistrates **95** were trained.

Out of a planned number of **285** investigators and prosecutors **280** were trained.

The total number of persons trained is **436** out of a planned number of **450** persons.

In accordance with the recommendations of the Project Review Meeting held on 18-19 November 2002, the project management has requested the countries that sent

fewer participants than required and those that failed to send participants to some of the training sessions, to send more than the allocated number of participants per year from 2003 onwards, in order to fill the training quota of those countries.

II. PURPOSE OF THE EVALUATION

The purpose of the mid-term evaluation is to assess the following:

9. Achievements made in the 19 countries participating in the project and problems encountered since project implementation started;
10. Appropriateness and effectiveness of all project components;
11. Impact of training in the 19 countries participating in the project;
12. Establish whether there are difficulties that National Focal Points may have encountered in assessing the impact of training in their countries, and what could be done to resolve those difficulties;
13. Establish whether the guidelines drawn up by the project management for use by National Focal Points when writing semi-annual reports on the impact of training in their countries are useful to the National Focal Points, and if they are not useful, to suggest how they could be improved.

To achieve this, the mid-term evaluation will consider:

- (i) The project strategy in terms of whether the drug control and immediate objectives, planned outputs and the level of activities and inputs were appropriate and achievable.
- (ii) The clarity, logic and coherence of the project document.
- (iii) The execution modality and managerial arrangements including project monitoring.
- (iv) The feasibility of adapting and replicating the regional training to national training in the countries participating in the project.

The mid-term evaluation will include:

- (a) Visiting a representative sample of the 19 countries participating in the project, including those which participate fully in the project, those whose participation is average, and those whose participation is very low.
- (b) Assessing the effectiveness of inter-agency and inter-departmental cooperation in obtaining candidates for training.
- (c) Assessing whether there has been an improvement in investigating, prosecuting and adjudicating drug-related cases following the training of judicial and law enforcement officers under the judicial system training.
- (d) Assessing whether candidates trained under the project from the three training groups (investigators and prosecutors, magistrates, and judges) have been deployed in places where they can utilize the skills acquired under training.

- (e) Establishing whether national legislation in the countries visited is adequate to enable those who underwent training to fully utilize the skills acquired from training.
- (f) Assessing the logistical arrangements, if any, put in place to enable the National Focal Points to prepare reports to the project management on the impact of training in their countries.
- (g) Assessing the feasibility of establishing mentor courts to facilitate continuing on-the-job training in the countries participating in the project.

Project Implementation

- (i) Level of implementation, quality and timeliness of inputs;
- (ii) Quality and timeliness of monitoring administrative and financial backstopping by the United Nations Office on Drugs and Crime (UNODC) Regional Office for Southern Africa (ROSA) in Pretoria and UNODC Headquarters in Vienna;
- (iii) The extent to which external factors beyond the control of the project management significantly affected implementation in a negative or positive way, i.e., elections, other country activities;
- (iv) The adequacy and timeliness of the project's response to external factors;
- (v) The extent to which the project counterparts fulfilled their obligations and responsibilities under the project by providing support in kind.
- (vi) Problems that project counterparts may have experienced that prevented them from fulfilling their obligations under the project.

Project Outputs and Impact

The project mid-term evaluation will determine the degree to which the project objectives have been achieved including:

- (a) Quality and quantity of project outputs to date;
- (b) Level of achievement of or likelihood of achieving the projects immediate objectives in the 19 countries on the capacity of the trainees to improve inspections;
- (c) The likely contribution of this project to strengthening and improving investigations, prosecutions and adjudication of drug-related cases in the participating countries as well as international cooperation in drug-related cases among the participating countries and beyond.
- (d) The sustainability of the results directly produced by this project;
- (e) The extent to which the project has had significant unforeseen impact, either negative or positive.

Context and external linkages

The mid-term evaluation will determine the complementarity of the project with other drug control activities in the region and with bilateral assistance provided to the 19 countries participating in the project. In particular the mid-term evaluation will assess the suitability of replicating best practices and lessons learned from the

project execution in the 19 countries participating in the project with or without any modifications.

III. DOCUMENTATION

Prior to undertaking the mid-term evaluation mission, for ease of reference, the project management at ROSA will provide the evaluators with relevant documentation pertaining to the project. This includes the project document, semi-annual and annual project progress reports, project-related mission reports, project meeting reports, samples of evaluation questionnaires, guidelines submitted to National Focal Points in compiling reports on the impact of training in their countries and other relevant correspondence deemed necessary for the overall assessment of the current project status.

IV. RECOMMENDATIONS AND LESSONS LEARNED

The specific findings and conclusions of the project's mid-term evaluation are to be recorded and, based on these, recommendations made to enable UNODC to determine whether to continue the project activities as initially planned in their current form or whether to revise/redesign the project outputs so as to respond effectively to the countries' needs.

In this context, the recommendations made should be specific, and concrete action should be proposed that could be taken in the future to improve or rectify undesired project outcomes.

Lessons learned from this project mid-term evaluation will be utilized during the remaining period of the project, and if they are beyond the project scope itself, they should be recorded and taken into account in the redesign/revision of the project activities and/or the design of any future programmes of similar nature.

V. METHODOLOGY

The mid-term evaluation will be conducted by means of:

- (a) Examination of documents and reports associated with the project.

The documents will include the following:

- i. Project document
- ii. Training curricular for the three training groups
- iii. Training Programmes for the training sessions held to date
- iv. Reports of National Focal Points on the impact of training in their countries, and analysis thereof

- v. Semi-annual and annual project progress reports
- vi. Budgets for RAF/E13 and RAF/E14 and statements of expenditure detailing how funds under the two budgets have been utilized
- vii. Any documents and materials related to the project which the evaluators may request

- (b) Interviews with National Focal Points and other relevant officials in some of the 19 countries participating in the project;

VI. COMPOSITION OF THE EVALUATION TEAM

Two independent experts, one with wide experience in legal and law enforcement training, especially expertise in the training requirements under the three international drug control conventions, and the other, with expertise in project management and evaluation. The two experts should not have been involved in the design, appraisal and implementation of this project.

The project evaluators shall be appointed by ROSA following initial consultations with the Africa Programme, Operations Branch, Vienna, the Legal Advisory Programme, Treaty and Legal Affairs Branch, Vienna, and the Division of Operation and Analysis (Senior Evaluation Officer).

The project management will provide all required documentation to the evaluators, and any assistance as required, including travel arrangements for country visits. It is understood that whilst taking any views/suggestions expressed by the project management or any parties involved in the implementation of the project, the evaluators will not act as representatives of any party throughout the evaluation.

The National Focal Points and heads of the training colleges as well as other stakeholders involved in the execution of the project will also act as resource persons for the evaluators.

The project mid-term evaluation will be conducted in conformity with these terms of reference.

VII. BRIEFINGS, CONSULTATIONS AND ADMINISTRATIVE SUPPORT

Prior to the start of the mission, the evaluators will visit UNODC ROSA in Pretoria for a briefing on the project management and the status of the project execution. They evaluators will also visit the three training colleges, i.e., (1) the Justice College in Pretoria, the main training institution where training under the project has been held since project implementation started; (2) the Judicial College of Zimbabwe in Harare, another training institution which assisted with the provision of resource persons and some logistical arrangements during the two training sessions held in Harare in May and June 2001; and (3) the Law Development Centre which will assist in the

provision of resource persons for training that will be held in Kampala from 2003 - 2004.

While in Pretoria, the evaluators may also, at their discretion, contact/seek view/opinions of the donors in Pretoria,

The evaluators will also visit the UNODC Regional Office for Eastern Africa (ROEA) in Nairobi. The Project Manager at UNODC ROSA and the support staff at ROEA will ensure that adequate logistical arrangements and support in the countries to be visited are provided. The evaluators will establish contacts in the respective countries, as deemed necessary, for the smooth progress of the mission.

The evaluators do not have the authority to make any commitment on behalf of the project parties, i.e., UNODC, recipient countries and donors.

VIII. EVALUATION REPORT AND FOLLOW-UP

During the debriefing meeting which will be held at UNODC ROSA **in August/September 2003**, the evaluators will present a summary of the mission's findings and recommendations. Any observations and comments received from UNODC and the national counterparts during the mission may be taken into account by the evaluators and reflected in the final report as appropriate. The evaluators shall keep their independence and freedom of judgment in finalizing the report and in their conclusions and recommendations.

Within one week after the end of the mission (**end of August/ beginning of September 2003**) the evaluators will produce a draft report in English not exceeding 30 pages, excluding annexes. This will be circulated for comments to UNODC ROSA and ROEA, the Africa Programme, Operations Branch, the Heads of the three training colleges participating in the project, and the National Focal Points of four countries visited by the evaluators. The evaluators will then incorporate any comments in the final evaluation report that should follow, to the extent possible, the format and guidelines for evaluation reports. The evaluators will be required to complete the summary assessment questionnaire for the evaluation, a copy of which will be provided during the introductory briefing which will be held at UNODC ROSA, prior to the commencement of the mission.

At the Tripartite Review Meeting scheduled for **September 2003**, UNODC ROSA will make a presentation on the findings and recommendations of the evaluation mission.

X. TIME TABLE

The evaluation will be conducted within a contracted period of twenty-eight (28) days including weekends. The Project Manager, in consultation with the training Colleges and the National Focal Points in the selected countries to be visited for

purposes of the evaluation, and the evaluators will develop and finalize the evaluation agenda. The final agenda could be revised by the evaluators following prior consultations with UNODC ROSA.

LIST OF INTERVIEWEES

UNODC

Ms Loide Lungameni (ROSA)

Mr Charles Elem-Ogwal (ROSA)

Mr. Carsten Hyttel, Representative (ROEA)

Mr. John B.K. Gathecha, National Programme Officer (ROEA)

Mrs. Riham Saleh-Mughal, Administrative Assistant (ROEA)

Mr Andrew Wells (Vienna)

SADC

Mr John Strijdom

Judicial College of Zimbabwe

Rex T. Shana, Principal

Justice College, Pretoria

Cecille Van Riet, Head of College

Advocate Ray Nelson, UNDP/College Course Co-ordinator

Uganda Law Development Centre

Mr. John M.M. Mugisha, Head, Continuous Education

Botswana

Police

Mr. Merafe Kebonyemodisa

Mr. Manlibse Rakgole

Mr. Peloentile Chester Morolong

Mr. Kenosi Tsaanany

Mr. Victor Mutsu

Mrs. Miriam Kilano, Officer in Charge, Drug Section

Attorney General's Chambers

Mr. Stephen Tiroyakgosi, State Counsel

Mr. Kgosietsile Ngakaagae, State Counsel

Ms. Nomsa Moatsioi, State Counsel

Ms. Mako M.C. Abram, Principal State Counsel

Kenya

Directorate of Public Prosecutions

Mr. Phillip K. Murgor, Director of Public Prosecutions (DPP) (NFP)

Mr. Dominic Murithi Mate, Prosecutor, Nairobi Law Courts
Ms. Emily Kamau, Advocate, Principal State Counsel
Mr. Geral Kareru, Prosecutor, Bungoma Law Courts
Mr. Alex Oneieki, State Counsel

Investigators

Mr. Nehemiah K. Bitok, Investigator, D.C. 10
Mr. Harris A. Ondego, Anti-Narcotics

South Africa

National Prosecuting Authority of South Africa

Trish Matzke, Deputy Director-National Prosecution Service (NFP)
Mark Dyson, Senior Public Prosecutor: Training Durban
Peter Volmink, Deputy Director, Asset Forfeiture Unit, (Resource Person for Training)

Mauritius

Directorate of Public Prosecution

Mr. A. Hamuth, Director of Public Prosecutions, (DPP) (NFP)
Mr. Dennis Mootoo, Acting Senior Counsel

ADSU Office

Mr. Sharir Azima, Inspector of Police

Judges/Magistrates

Mr. Indiren Sivaramen, District Magistrate
Hon. Mrs. Premila Balgobin, Supreme Court judge
Hon. A.A. Caunhye, Supreme Court Judge
Mr. Vinesh Kumar, District Magistrate (took course as a prosecutor)

Mozambique

Dr. Angelo Melo, National Focal Point (NFP)
Mr. Augusto Bombo, Police Investigator

Uganda

Directorate of Public Prosecution

Mr. Richard Buteera, Director of Public Prosecution, (DPP) (NFP)
Ms. Jane Okuo, State Attorney
Mr. Simon Semalemba, State Attorney

Uganda Police Headquarters

Ms. Elizabeth Kuteesa, Assistant Inspector General of Police, Director Criminal Investigations Directorate (CID)
Mr. Joseph Kyenda, Detective Corporal

Magistrates

Mr. Tom Chemutai
Ms Gladys Nakibwuwle

Zimbabwe

Directorate of Public Prosecutions

Joseph Musakwa, Director of Public Prosecutions (DPP) (NFP)
Mr. Jagada, Prosecutor

Criminal Investigation Division (CID)

Detective Inspector Bernard Maboke
Detective Constable, Mthandazo Ndlovu
Officer Commander Andrew Kadungure

High Court of Zimbabwe

Hon. Mrs. Justice R. Makarau, High Court Judge

United Nations Office on Drugs and Crime (UNODC)

**Project evaluation
Summary assessment questionnaire**

This questionnaire is to be filled out by the evaluator or evaluation team and to be submitted to backstopping office. A copy should be provided to the Senior Evaluation Officer, Division for Operations and Analysis. A separate questionnaire should be filled out for each project encompassed by the evaluation. The information provided must be fully congruent with the contents of the evaluation report.

The purpose of the questionnaire is to provide information for UNODC's evaluation database. The information will be used to establish evaluation profiles which should give a quick and correct overview of the evaluation of individual projects and programmes. It will also be used for the purpose of analyzing results across project evaluations to obtain a systematic picture of the overall performance of the Programme.

I. NUMBER AND TITLE OF PROJECT:

**AD/RAF/99/E13 AND E14 Judicial System Training in Drug related Casework in Southern
and East Africa**

II. SUMMARY ASSESSMENT:

1. Please provide an assessment for all categories listed (including categories constituting headings) by ticking one of the boxes ranging from 0 to 5. The ratings from 0 to 5 are based on the following standard favor-to-disfavor scale:

- 5 - Outstanding, highly appropriate, much more than planned/expected, certain to materialize
- 4 - Very good, very appropriate, more than planned/expected, highly likely to materialize
- 3 - Good, appropriate, as planned/expected, likely to materialize
- 2 - Fair, less appropriate, less than planned/expected, less likely to materialize
- 1 - Unsatisfactory, not appropriate, far below plans/expectations, unlikely to materialize
- 0 - Cannot determine, not applicable

4

	H	S	0	1	2	3	4	5
6. Drug control impact to be expected						x		
7. Likely sustainability of project results:						x		

3. If external factors had an impact on project performance please tick the appropriate boxes: external factors impeded: ____ / promoted: ____ project performance. The effect on project performance of this influence was significant: ____ / highly significant: _____. Please provide a short description of the nature of the external factor(s):

4. Did the evaluation recommend to:

- a) _____ abandon the project
- b) _____ continue/extend the project without modifications
- c) _____ continue/extend the project with minor modifications
- d) x continue/extend the project with some modifications
- e) _____ continue/extend the project with extensive modification
- f) _____ terminate the projects, as planned

(please tick the relevant category).

5. If a modification of the project was recommended did the evaluation recommend a revision of: the drug control objective(s): _____, the immediate objective(s): _____, the outputs: _____, the activities: x or the inputs: x . Please tick as appropriate.

It is recommended that the project be redesigned into a new project.

6. If the evaluation recommended that the project or significant elements of it be replicated please tick as appropriate: yes: x / no: _____