

EVALUATION BRIEFS

FINAL INDEPENDENT PROJECT EVALUATION

IMPROVING ACCESS TO LEGAL AID FOR WOMEN IN WESTERN AFRICA (1819U)

Region: Western Africa (Liberia, Senegal, and Sierra Leone)

Duration: May 2018 to June 2021

Donor: UN Development Account (UNDA) (administered by UN Department of Economic and Social Affairs (UN DESA))

Evaluation team: Ms. Camille Massey, External Evaluator; Mr. Patrick Burgess, Legal Aid Expert.

Full report:

https://www.unodc.org/unodc/en/evaluation/reports_year_2021.html

BACKGROUND AND CONTEXT

The evaluation examined the project on Improving Access to Legal Aid for Women in Western Africa (1819U), implemented by UNODC Justice Section, with the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) as an implementing partner and in coordination with the Office of the United Nations High Commissioner for Human Rights (OHCHR). The project aimed to improve women's access to Legal Aid services in Liberia, Senegal, and Sierra Leone through 1. Legal aid normative framework (legislative, regulatory, policy, institutional); 2. Legal aid provision; 3. Empowerment of women to use legal aid.

Legal aid is a fundamental area of the rule of law, which is underserved by governments and donors in the three countries. Women have less access than men to the limited

legal aid services available, whereas they face more obstacles than men in legal and judicial proceedings. They rely on a handful of dedicated and motivated legal aid providers whose outreach is curtailed by modest resources. In Liberia and Senegal, these legal aid providers are self-funded and have not benefitted from long-term institutional support.

MAIN FINDINGS

The project was highly relevant and tailored to the needs of its partners and end beneficiaries. Confronted with the COVID-19 pandemic, it adapted its modalities while staying coherently centered on legal aid provision. The project design can be scaled up: it constitutes a positive precedent, a trait of UNDA projects – but without continued funding, its effects in the three countries will be limited in time.

The theory of change of the project was fully realised at input and output levels: the financial resources of the UNDA mechanism, and the assets of UNODC, UN Women and legal aid providers were invested soundly and efficiently, drawing on complementarities. At outcome level, the project solidified the existing capacity of legal aid providers to provide adequate, gender-sensitive, accessible legal aid to women in need. It boosted their capacity and legitimacy to advocate for policy and legislation. Although the normative framework is slow to catch up in Liberia and Senegal, progress has been made. If sufficiently funded, legal aid providers will be able to advocate for more appropriate systems, while ensuring continuity of services. The project helped them find allies in the executive and the judiciary at national and local levels. At impact level, the project enabled legal aid providers to deliver significantly more and better gender-sensitive legal aid to women, particularly in remote communities: it increased demand. However, legal aid providers will likely not be able to meet this expectation without core funding, especially in Liberia and Senegal.



COVID rules check on market in Monrovia, Liberia (Reuters photo)

LESSONS LEARNED

The project sowed the seeds of change and demonstrated the worth of the approach, but it cannot make lasting difference without a long-term programmatic approach, because state funding is unlikely to become available promptly at a sufficient level, and a fee-based system would be unrealistic.

Regional cross-fertilisation was under-used, partly due to COVID-19 related constraints and the project's short timeframe.

Strengths

- High relevance
- Strong concept
- Service delivery led advocacy

Weaknesses

- Limited budget
- Limited regional exposure

Opportunities

- UN/LAPs synergy
- Replicability

Threats

- Limited state funding
- Immense/unmet needs
- Gender bias in judiciary

GOOD PRACTICES

Working through established legal aid providers who already prioritized women multiplied results without dispensing energy on upgrading the vision or values of grantees. The relationship with them was fluid, and it legitimized them in the eyes of duty bearers.

The project invested in direct, practical implementation of the key aspects of the legal aid system promoted through advocacy. The project prepared the ground and created locally owned, bottom-up incentives for future adoption of the relevant legal framework, instead of pushing for policy and legislative changes before implementing changes on the ground.

METHODOLOGY

The evaluation tested the theory of change of the project to analyse its relevance, coherence, effectiveness, impact, sustainability and efficiency. It was conducted remotely by an evaluation expert and a legal aid expert, based on the review of over 40 documents, interviews and focus group discussions with 35 persons, and direct observation of online project-funded events.

RECOMMENDATIONS

As per UNODC evaluation guidelines, recommendations are addressed to UNODC. Given the joint nature of the project, recommendations could be implemented in close collaboration with UN Women and OHCHR.

1. **Resource mobilization:** UNODC Justice Section, supported by the Gender Unit in the Office of the Executive Director, should advocate donors to recognize legal aid for women, and legal aid in general, as an essential service in all countries, and particularly in the poorer and/or post-conflict contexts.

2. **Programming:** UNODC Justice Section should design a regional, modular, multi-year, multi-partner regional intervention on legal aid for women, centred around civil society legal aid providers as an essential service.

3. **Follow up:** UNODC Justice Section should design a follow up programme prioritising Liberia and Senegal for a start in 2022.

4. **Synergies with connected programmes and projects:** UNODC Justice Section should closely link any programme or project on legal aid to broader interventions aiming to reform the law enforcement, judicial and penitentiary systems.

5. **Grant administration for legal aid providers:** UNODC Justice Section should continue the practice of core grants to legal aid providers.

6. **Advocacy:** In the countries where they are active in the area of justice reform, UNODC country team, supported by UNODC Justice Section should advocate for domestic normative framework on legal aid, including specific provisions on legal aid for women.



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