

# **“Awareness Raising on & Protection of Human Rights in Asia”**

(Project No.: 20130119)

By: AHRC-ALRC

Supported by: Bread for the World-  
Protestant Development Service

Evaluation  
Report

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14<sup>th</sup> October 2016

## Acknowledgements

I would like to take this opportunity to express my heartfelt gratitude to all the team members in ALRC-AHRC. Everyone in the organization took time out from their busy schedules and patiently dialogued with me on numerous points. I was enriched by these open and honest conversations. Particularly, the country desk officers painstakingly put together all the data that I sought over the course of this evaluation and shared their insights on the evolving context in their respective countries. I would like to thank Chris (CDO, Indonesia) for his warm hospitality, creative scheduling of my time in Indonesia and opening his wide contact-base to some stimulating discussions. I would also like to thank Bijo (Executive Director, ALRC) for his patient and open accompaniment of me in this evaluation process as well as his efforts to ensure that I have a trouble-free logistical experience. Special thanks are due to Basil (Former Executive Director & Now, Director Policy-Programmes, AHRC) who took special efforts to patiently explain to me the nuances of the work and the context as well as arranged for an enriching time for me in Sri Lanka. I would like to thank Sanjeewa (Legal Advisor, AHRC & assistant to the Sri Lanka desk) for accompanying me during my time in Sri Lanka and honestly reflecting with me on several topics related (and also not related) to this evaluation. I would also like particularly thank Neeraj for his warm hospitality and looking after all my logistical requirements. Last but not the least I would like to thank Suki (Administrative Assistant, AHRC) for going out of the way to ensure that my stay in Hong Kong was hassle-free.

I would also like to thank all the local partners and other stakeholders from the government, quasi government agencies, human right defenders, lawyers, media, and former interns who took time out from their busy schedules to share their reflections on the *local context and AHRC's work*. I would like to especially thank the more than fifty victims of human rights violation who agreed to engage with me, in the process relieving their traumatic experience, trusting me with their painful stories and sharing many insights on how to continue the work in future.

Finally, I am grateful to ALRC-AHRC and Bread for the World for providing me this opportunity to undertake this evaluation wherein I was able to intensely engage for more than 45 days at a stretch with the issue of human rights and justice system reengineering in Asia. I am enriched by this experience!

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## Management Response

### Management Response to the Evaluation report on the project 20130119 - Awareness Raising on & Protection of Human Rights in Asia, supported by the Bread for the World Protestant Development Service

We thank you for the evaluation undertaken on the project, covering a wide range of issues, including but not limited to the project's relevance, effectiveness, and the change that the project has brought on to the human rights landscape in Asia, and about the project's sustainability. We appreciate the fact that despite the short time that was made available for the work, and the multi-faceted matrix of the project that the evaluator had to study and assess, the evaluator has undertaken a commendable and thorough work. We thank you for the extensive debriefing held in Hong Kong and for sharing and discussing in detail about the findings in the evaluation.

The management accepts the process and assessment tools used by the evaluator, and agrees to the findings arrived at in the report based on the results of the evaluation process. The management affirms that the evaluation has answered the questions raised in the TOR, regarding the project components, and that the evaluation has fully met the criteria set for the process. The management also agrees to follow-up on the recommendations made by the evaluator, about which an implementation plan framework is annexed to herewith.

Overall the process was learning and sharing experience for the ALRC and our partners and we are confident that the organisation and the movement it leads will benefit from the process.

<b>Date:</b>	10 <sup>th</sup> October 2016
<b>Title of the evaluation:</b>	Awareness Raising on & Protection of Human Rights in Asia - Project 20130119
<b>Overall responsibility / leadership on the part of the contracting organisation:</b>	Contract the evaluator, draft the TOR, supervise the evaluation and its logistics, and participate at all stages of the evaluation.
<b>Name/s of the evaluator/s:</b>	Mr. Kaustubh Devale
<b>Date of final version of final report:</b>	14 <sup>th</sup> October 2016
<b>Who is part of the elaboration of the implementation plan:</b>	The senior management at the ALRC (at the implementation stage - experts consulted to follow-up on skill development of the staff members at the ALRC) & and the staff members and partners of the ALRC.
<b>Responsibility for monitoring the implementation plan:</b>	ALRC - senior management team led by the Executive Director

**Brief overview of the target of evaluation:** The evaluation commissioned by the ALRC for its project on - Awareness Raising on & Protection of Human Rights in Asia has confirmed that the work undertaken is unique in Asia and has to be expanded and encouraged. The project activities have been assessed to be the "need of the time" and that "there are no better alternatives" to achieve the results and impacts the project has attained. The evaluation also concludes that though there could be "fine-tuning" of the project implementation, for which the recommendations below are suggested by the evaluator, it is equally the responsibility of the donors and the global human rights community to assist the ALRC in continuing its mission and wherever possible expanding it.

The target of the evaluation is to assess the 'efficacy of project and ascertain whether it is contributing towards the envisaged outcomes and impacts as well as to bring in learning and recommendations for enhancing the implementation of this project and similar human rights' initiatives in the Asian region.'

Recommendations from the evaluation report / results requiring action	Is the recommendation shared?			If "yes": designation of important partial steps or indicators for the implementation of recommendation If "partly" or "no", the reasons the recommendation cannot be implemented, if necessary, alternative proposals (with sub-steps)	(Until) when (M/Y)	Responsible
	YES	PARTLY	NO			
<b>Recommendation 1:</b> On broad-basing; partnership strengthening; celebrating success & mourning loss; the role of victims; local language literature	X			This set of recommendations applies to all work that the ALRC is engaged in, even outside the project and hence will also form part of the organisation's policy in work. All of the recommendations could be implemented effectively only through active partner participation and involvement, as well as the country desk officers at the ALRC. The indicators over the next project phase hence would be (i) gradual increase in partnership base, (ii) forging partnerships with national institutions, including educational institutions, (iii) increase in local community involvement in project activities, including victims of violations, media and professional bodies, (iv) and increase in the production of literature in local languages that are specific to country situations	During the entire period of the next project phase, and beyond in all activities of the organization	1. ALRC senior management; 2. ALRC country desks; 3. Partners
<b>Recommendation 2:</b> Country-Strategy: "It would be a value addition if a country-specific 'Theory of Change' is developed keeping in mind a six-year horizon. Development of this country-vision document would not only provide a framework for country-specific programming but also contribute in	X			The country-strategy paper to be developed by the organization is vital to the organization's development and hence will be implemented with immediate effect. The CDOs will develop the paper, and this paper will form one of the cornerstones upon which ALRC's work will be based. The paper will also consider the possible changes to political circumstances that could change in the	With immediate effect and perpetually.	1. CDOs; 2. Senior Management

the capacity building of the country desk officers (CDOs). "				countries, and will be revisited at regular intervals. The CDOs will be responsible for the drafting of the paper, which will be shared with the entire organization. The partners in the countries will participate in the process of drafting as well as reviews. Indicator: Country strategy paper prepared		
<b>Recommendation 3:</b> Country Desk Strengthening: through- (i) putting in place a plan for systematic enhancement of the CDOs' capacities particularly on enhancing their skills on strategizing, situation analyses, diversified partnerships, collective ideation, actions' prioritization, research, and use of ICT in their work as well as on innovative ways of mentoring the CDOs; (ii) establishing an 'In-Country Assistant' to the CDOs wherein a local HRD / activist / successful intern is tasked with supporting the CDO's work from within the country and being the "eyes & ears" in the country of the CDO; (iii) evolving a country-desk specific interns' database and a plan for regular engagement with the interns in the country... considering them as an asset / resource for furthering the HR-JS reengineering work in the country; and (iv) supporting the country desks in coming out with an annual analytically-dense publication on the HR and JS reengineering status for the respective countries.	X			This is one of the most important recommendations and is in essence related to recommendation 2 above, since equipping the CDOs and enhancing their capacity is vital for the organization for its better performance. However these recommendations also involve additional financial commitments to be made by the organization. Hence while implementing this recommendation, the ALRC will also have to reach out to donors to augment ALRC's existing donor support, as well as reach out to identify new donors. The senior management as well as the CDOs will implement the recommendation jointly. The recommendation that the CDOs come out with 'analytically dense publications' is already underway. Indicators: (i) An overall country specific plan of action prepared for the next phase of the project; (ii) In-country assistant where such in-country presence is possible and funds available to support such action; (iii) Annual papers on countries	With immediate effect and as and when additional funds are available	1. CDOs, 2. Senior management
<b>Recommendation 4:</b> Basket of actions: The project team needs to collectively evolve a 'basket of actions' for 'low-flame' situations	X			This recommendation is also related to (2) above. The CDOs will be responsible for the action, guided by the senior management. Indicator: Tailor-made strategies made available for countries.	Along with the development of country papers; within the first quarter of the next project phase	1. CDOs, 2. Senior management
<b>Recommendation 5:</b> PME: This PME needs to be differential i.e. attuned to country-contextual realities instead of a generic overall exercise.	X			This, as already indicated by the evaluator is also connected to (2) above. The recommendation will involve the senior management along with the CDOs consulting an external expert to assist the organization in improving the PME. Indicator: An advanced PME formulated within the first quarter on the next phase of the project	Within March 2017	1. CDOs, 2. Partners, 3. Senior management

<p><b>Recommendation 6:</b> ‘Gendering’ of work: There is a strong need for ‘gendering’ the work by- (i) bringing in a gender perspective in the situation analyses, project designing-implementation and monitoring; (ii) systematically building the perspective and skills of the project team on how to overcome gender stereotypes and gender mainstreaming in their work; (iii) provision of technical support to the team in terms of undertaking a gender-based analysis of HRVs (including domestic violence), designing specific actions for safeguarding the HR of the LGBTQ community and actions to be incorporated in the HR-JS reengineering work in the countries.</p>	X		<p>Gender is a crosscutting theme. This recommendation will be implemented in consultation with an expert on the subject, who has experience on Asian justice institutions and the challenges they pose. Indicator: Gender inclusiveness in the work reflected in materials published and reforms suggested.</p>	Over the next three years of the project phase	<p>1. CDOs 2. Senior management</p>
<p><b>Recommendation 7:</b> Communication: Documents, videos, audio-visuals, and online content are presently developed keeping in mind multiple stakeholder categories but these communication materials do not get customized for various stakeholder categories. Having such a customization in terms of content as well as media form would help in reaching out more.</p>	X		<p>Reorganizing and customization of the web content as well as the content of the original materials produced is underway.</p> <p>Indicator: (i) Reorganized web content; (ii) Substantive content also organized to cater to specific stakeholders</p>	Within the next three years of the project phase	<p>1. ALRC TV desk, 2. CDOs, 3. IT desk</p>
<p><b>Recommendation 8:</b> Overall strengthening of the Organisation: a. A strategic envisioning and organizational development process with expert facilitation might help in reflecting upon organizational issues to be addressed, strategic actions to be initiated at regional and global levels and ensuring financial sustainability amongst others. b. The current canvas and pitch of the organization needs to be widened to make it pan-Asian in nature. At the moment, the work and team seems to be rooted in few countries’ contexts rather than in the overarching Asian context. This has resulted in largely in-country and global (i.e. UN) engagement but hardly any regional and sub-regional strategic engagement. Further, there are still quite a few Asian countries wherein HR-JS reengineering needs to be done</p>	X		<p>(a) Related to development of the PME as well as expert consultation as mentioned in (7) above;</p> <p>(b) The implementation of this recommendation is subject to the availability of funds since it requires activities to be carried out in the countries where the ALRC does not have a presence;</p> <p>(c) This will be part of the exercise (a) above as well as dependent upon the capacity of the organization to identify new activists joining the ALRC;</p> <p>(d) &amp; (e) This work is already under way, for instance publications like Article 2 and Human Rights Report. However, subject to availability of funds further research could be commissioned;</p> <p>(f) The TOC will be revisited after the drafting of the Country Strategy Papers and revised if necessary.</p>	Within the next project phase	<p>1. CDOs, 2. Senior management, 3. Partners</p>



<p>and AHRC does not have any presence. Broad-basing the team with activists from other Asian countries and establishing an advisory board or a strategic support group comprising regional / sub-regional level experts may contribute towards bringing in a pan-Asian pitch to the organization.</p> <p>c. This is an opportune time for initiating systematic efforts for evolving 2nd line of leadership within the organization as well as the various Country Desks.</p> <p>d. Research gaps and requirements about JS reengineering in the 12 countries need to be assessed and accordingly research needs to be undertaken / commissioned. Few research areas / topics that came up in discussions with various stakeholders during this evaluation are- (i) analysis of JS institutions in European / G-20 countries, (ii) analysis of JS institutions in the 12 countries and emerging practical actions for reforms, &amp; (iii) international good practices pertaining JS institutions' procedures and practices. This research would be useful not only for lobbying but also for capacity building of local HRDs and 'socialization' process.</p> <p>e. It would be useful to analyse the status of HR and JS in Asia (country and regional level) on a regular basis. The analysis process itself would help in capacity building of CDOs and local partners and this analysis could be published as well as used for 'atmosphere' creation.</p> <p>f. The recently developed Theory of Change (ToC) needs to be refined in light of the above and evolving context. It would help to have expert facilitation in this ToC development process.</p>			<p>Indicators: (i) More country represented; (ii) engagement with regional entities like Asian Parliamentary Network and its engagement with the AAATI of ALRC; (iii) Development of the TOC</p>		
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## Executive Summary

The Asian Legal Resource Centre (ALRC) and its partner organization, Asian Human Rights Commission (AHRC) need to be appreciated for their pioneering work since more than three decades on the issue of human rights with an emphasis on reengineering justice system and protection of human rights defenders in Asia. The scope of ALRC-AHRC's work has widened in this third phase of its work that started since the early 2000's while the focus has sharpened through engaging with justice systems institutions for bringing about a rule of law. This work, over three phases, spread across three decades has been supported by many donor organizations, which also need to be appreciated for their long-term support to ALRC-AHRC on such an issue. As part of its long term programming, ALRC-AHRC conceptualized a project titled, "Awareness Raising on & Protection of Human Rights in Asia" (Project No. 20130119), which has been mainly funded by the Bread for the World-Protestant Development Service (BftW) through three-year project phases. The present second phase started in January 2014 and is scheduled to end by December 2016. This evaluation was commissioned in August 2016 by ALRC along with BftW for the current project phase in order to assess the efficacy of project and ascertain whether it is contributing towards the envisaged outcomes and impacts as well as to bring in learning and recommendations for enhancing the implementation of this project and similar human rights' initiatives in the Asian region.

Keeping in mind the purpose of this evaluation, a framework of analysis was designed in line with the OECD-DAC evaluation criteria of relevance, effectiveness, efficiency, impact, and sustainability. Recognising that evaluating human rights work particularly that which aims for justice system reengineering and bringing in a rule of law is quite challenging from methodological point of view, this framework of analysis was underpinned by an appreciative enquiry approach that was participatory, learning-focussed and which drew upon complex adaptive systems thinking wherein change brought about by the project was assessed in terms of stakeholders, institutions (including laws & policies) and the complex process of change itself. Project leadership was a core part of the evaluation designing and analyzing of the findings process. Four countries (including ALRC-AHRC in Hong Kong) were shortlisted for in-depth on-site engagement while 194 Persons and 23 Organizations were interacted with across 12 stakeholder categories. 200 plus documents (Urgent Appeals, Statements, Articles, Letters, Reports, and Books) were analyzed. An 'Activity-Change' matrix was developed for detailed analysis, for which each country desk officer provided quantitative and qualitative data for the three years of this project phase.

This report starts off with an introduction section comprising project overview and background and design of the evaluation. The findings and discussion section presents the findings of this evaluation as per the OECD-DAC criteria. The report then goes on to present the recommendations and overall conclusions. Annexes detailing the evaluation terms of reference, schedule, stakeholders met, and data-document analyses matrices are provided at the end of this report.

The key findings of this evaluation are presented as per the OECD-DAC criteria.

**Relevance:** This project is relevant because the idea and vision behind this project are quite apt for the current as well as emerging contextual realities of the 12 countries and the design and implementation of this project largely engages with these contextual realities. Further, there is clear evidence suggesting that this project has enabled victims of human rights violations, human rights defenders and local civil society organizations in speaking out against these violations and pursuing legal redressal. Substantial changes are not required in the project and activities are largely in the right direction. Some 'fine-tuning' of the interventions in terms of country-specific strategies and activities thereof coupled with some additional components like 'socialization' of the human rights and justice system reengineering issue and engagement with all the justice system institutions, amongst others, will enhance the relevance of the project further.

**Effectiveness:** This project is effective to a certain extent. The project team particularly the country desk officers (CDO) are playing a crucial role in championing the justice system reengineering agenda in their respective countries, however their (CDOs) significantly varying experience and capabilities influence the manner in which the CDOs fulfil their role resulting in significant difference in the work across the 12 project countries. Two objectives have been more or less achieved while the third objective (China-programme) is largely not achieved due to the contextual constraints. The project outcome is measurable to a large extent, which suggests that quite a few changes in terms of outputs and outcomes have resulted during the project duration. However, a significant variance exists in the level of achievements and diversity of actions undertaken across the 12 countries. Translating the Planning-Monitoring-Evaluation (PME) manual in practice is still at the nascent stage given the recentness of this manual, the 'activist background' and limited exposure to outcome-oriented PME of the CDOs including the senior management, and the limited technical backstopping provided to the team. Partnership is one of the key cornerstones of AHRC's functioning overall and in this project phase. However during this project phase it appears that the involvement of local partners is primarily in priority setting, overall action planning and in-country implementation but hardly there in project design and monitoring per se. There is still a lot of scope and need for AHRC to evolve a space for further meaningful participation by the partners in collective envisioning and strategizing of the work, project designing, prioritization of in-country as well as regional actions, and periodic review of the work.

**Efficiency:** This project was implemented in a more or less efficient manner. The UA, letters, statements, and related documentation and follow-up thereof are done in quite an efficient manner. Creation of literature in local languages in few countries on the issue of human rights and justice system reforms has contributed quite a lot in enhancing efficiency in terms of being able to reach out to a wider group of people, influencing and sustaining the local discourse and easier capacity building. The internship programme has been efficiently managed with interns coming in from most of the project countries and the entire internship process being well established. Capacity building undertaken as part

of this project has been efficient to a certain extent in terms of number of local HRDs trained in at times challenging circumstances. Efficiency in overall capacity building, done as part of this project, can be definitely enhanced through- (i) undertaking of country and actor specific learning needs analysis that then guides the designing of an overall country-specific capacity building plan, (ii) evolving more local / in-country trainers on HR-JS reforms agenda would help reach scale and save costs, & (iii) systematic capacity building of the CDOs based on a differential needs' plan. There do not appear any 'better alternatives' for achieving this project's objectives. This project's efficiency may be enhanced by incorporating components like- 'broad-basing' the work, evolving local networks and wider dialogue within the local community ('socialization').

Impact: Some of the impacts that this project has contributed towards are- (i) institution creation (for strengthening of justice system in some countries and AHRC itself as a regional platform for supporting human rights defenders and promoting human rights in Asia); (ii) bringing in the criticality of rule of law and reengineering of justice system in the discourse and getting it prioritized in Asian countries; (iii) sustained international pressure on governments in 4-6 Asian countries; & (iv) changing the societal perception on the causality of torture from it being ethnic-social group based to wider systemic-structural based causality. Hardly any negative impact (or outcome) was observed.

Sustainability: Assessing sustainability of a 'project' focusing on safeguarding of human rights and justice system reengineering is quite peculiar due to practicality of as well as rationale of such an exercise. It can be said that the seeds of sustainability are sprouting now in three countries (viz. Sri Lanka, Pakistan and India) while the groundwork for sowing seeds of sustainability is yet to be completed in remaining countries. Programmatic sustainability is indirectly ensured in countries where the local CSO partnerships are well established and more so due to the fact that these partnerships are issue-based rather than funding based. Incorporating in the current and subsequent phases of this project few factors like country-context specific programming and evolving a role for victims of human rights violations, amongst others would enable the project to grow and eventually sustain.

Gender & Inclusion: Gender and inclusion were considered as cross-cutting criteria in this evaluation keeping in mind the realities of discriminatory values in society and polity and the normative reluctance to address the gender stereotypes in most Asian countries as well as the significant time and energies required to bring about a perspective, attitude and behavioural change pertaining gender and inclusion in the society as well as amongst project team members. Gender and inclusion aspects are at a nascent stage in this project. There is a basic level of recognition of gender aspects by project team, which has translated in to some specific initiatives to overcome gender-based violations in few countries. Most project team members are quite attuned to the inclusion related challenges, which has translated in some initiatives to promote inclusion in the project actions. There is a nascent level of conceptual and practices' related understanding within the project team on gender-based work in the context of human rights safeguarding and reengineering of justice system. This has resulted in the gender and inclusion

related understanding not yet getting systemically translated and embedded in the project design, implementation and monitoring.

Key recommendations of this evaluation are:

- 1) Intensifying the ongoing work by- (i) Broad-basing the in-country work through systematic engagement with all the justice system institutions and all levels therein as well as engaging with civil society organizations (like religious institutions, youth groups) that have hitherto not yet been partnered with. Broad-basing the regional level work through strategic engagement with regional & sub-regional bodies like Asian Parliamentarian Association, South East Asian NHRC's Forum and such; (ii) Strengthening existing partnerships through space creation for more meaningful participation as well as bidding for and undertaking joint projects; (iii) Wider sustained dialogue in the local community and other stakeholders on the cases of human rights violations and judgements thereof through detailed discussion of the cases and the judgements by involving the various media forms; (iv) Evolving a role for victims of HRVs and their family members in the local work in addition to the ongoing work of providing support in seeking legal redressal; & (v) More emphasis needs to be given on developing local language literature including urgent appeals, statements, letters, and such and thereby evolving a body of documentation in the local language(s).
- 2) Given the varied contextual realities across all 12 countries, it is imperative that 'Country Vision' document is developed and AHRC adopts a country-context specific differential programming approach. This document needs to have country-specific comprehensive analysis of the HR-JS situation, temporal priorities, approach, strategies, nature of engagement with various JS institutions, and short term action plan.
- 3) There is a strong need to strengthen the country desks through- (i) Systematic capacity building of the country desk officers; (ii) Establishing an 'In-Country Assistant' as the "eyes & ears" in the country of the country desk; & (iii) Evolving a country-desk specific interns' database and a plan for regular engagement with the interns in the country.
- 4) Planning-Monitoring-Evaluation (PME) needs to be differential i.e. attuned to country-contextual realities instead of a generic overall exercise. Efforts need to be taken to make this PME participatory-peer based as well as outcome-impact oriented. Given the current capabilities and limited 'comfort zone' of project team in the existing PME manual, it would be good to put in place technical backstopping measures wherein periodic and need-based technical support is provided to the project team.
- 5) There is a strong need for 'gendering' the work by- (i) bringing in a gender perspective in the situation analyses, project designing-implementation and monitoring; (ii) systematically building the perspective and skills of the project team on how to overcome gender stereotypes and gender mainstreaming in their work; (iii) provision of technical support to the team in terms of undertaking a gender-based analysis of HRVs (including domestic violence), designing specific actions for

safeguarding the HR of the LGBTQ community and actions to be incorporated in the HR-JS reengineering work in the countries.

Conclusions of this evaluation are:

- 1) Most of the results, except in China programme, are being achieved as envisaged. Particularly, systematic engagement on reengineering of the justice system policy-institution architecture and procedures therein has commenced. However, there is large need and scope to overcome the significantly varied levels of results' achievement across the 12 countries as well as ensure strategic conceptualization of the work and practice thereof in most countries.
- 2) The achieved results are contributing towards the overall goal of AHRC both in qualitative (pitch, process and practices) and quantitative terms.
- 3) Existing internal capacities and systems are sufficient for basic level of project management while the information management capacities and systems are optimal. Systems for CDO's capacity enhancement, research, communication, and PME specifically need strengthening.
- 4) Some of the critical refinements necessary for enhancing the work are: broad-basing the work in countries, partnership strengthening, 'socialization' of the JS reengineering work, strengthening country desks, evolving clear strategies for engagement with various JS institutions in light of the countries' contexts, 'gendering' of work, and strengthening CDO's capacities.
- 5) There is a need to ensure uninterrupted funding for this project, in fact for the overall programme. This is imperative to ensure intensified engagement where the context has opened up the space and opportunity for justice system reengineering as well as ensure basic actions where the context is such that human rights' excesses and lack of justice is an every-day occurrence. Stopping or substantial reduction of actions in both these contexts due to lack / limited funding will corrode the decade-plus work and concomitant positive changes achieved till date. Till the local societies (in countries where the work is being done) become 'mature' in terms of resources and priorities it is the moral responsibility of the global civil society, including support organizations, to ensure uninterrupted funding support to the project.

## Introduction

### Background

The Asian Human Rights Commission<sup>1</sup> (AHRC) and Asian Legal Resource Centre (ALRC) have been working along with civil society partners in Asia since 1984 on the issue of human rights with an emphasis on reforming the Justice Delivery Mechanisms (JDM) and safeguarding Human Rights Defenders (HRD). AHRC and ALRC are partner organizations headquartered in Hong Kong with work in 12 Asian countries<sup>2</sup> and at the United Nations in Geneva (the Special Rapporteurs on Human Rights and Torture). This work has evolved over the decades with programmatic support from many donor organisations. In order to fulfil its mission of “*radical rethinking and fundamental redesigning of justice institutions in Asia, in order to render the transformed institutions capable of providing relief and redress to victims of human rights violations, as expected in Common Article 2 of the International Conventions, making them effective instruments of human rights protection and guarantors of the rule of law and democracy*”<sup>3</sup> AHRC / ALRC has conceptualized a project titled, “Awareness Raising on & Protection of Human Rights in Asia”, as part of a long term programme. This project (Project No. 20130119) has been primarily funded by the Bread for the World-Protestant Development Service (BftW) through three-year project phases *with some additional support by Dignity Foundation and Misereor for complementary / top-up activities*.

The present evaluation was commissioned in August 2016 by ALRC along with BftW for the project phase of January 2014 to December 2016. Kaustubh Devale<sup>4</sup> was contracted as the evaluator. This is the report of the evaluation.

### Project Overview

This project (Project No. 20130119) titled, “Awareness Raising on & Protection of Human Rights in Asia”, is implemented in 12 Asian countries with the project objective “to encourage grassroots level human rights activists to speak about human rights abuses, most directly, by assisting victims of human rights violations to file and pursue their complaints”. As per the project application<sup>5</sup>, this project phase (January 2014 to December 2016) comprises three components viz. Urgent Appeals, Training and Scholarships and China-Programme with the following objectives respectively:

- (1) Urgent Appeals Component: Victims of human rights abuses receive assistance to seek and obtain redress, thereby breaking off from the clutches of fear of repercussions from the state.
- (2) Training and Scholarships Component: Professionally trained and equipped human rights defenders are available across Asia to undertake sustainable and safe human rights activities on national level and provide documentation for the regional and international

human rights advocacy work of the AHRC and its partners on key human rights issues in Asia.

- (3) China-Programme Component: Chinese civil society actors are equipped to promote justice reforms and contribute to human rights discourse in China.

This was meant to be achieved through activities focussing on reengineering of justice institutions, capacity building and protection of Human Rights Defenders (HRDs) and evidence generation through documentation and publications for influencing the discourse and policy on human rights in Asian countries as well as globally.

Project work is done through the Country Desk Officer (CDO) and Civil Society Organizations (CSO) and HRDs as partners in the countries. The CDO, typically an experienced Human Rights (HR) activist from the country, is meant to play a pivotal role in influencing the HR and Justice System (JS) reengineering agenda in their respective countries, internationalizing the issue and programmatic support to local partners. The CDOs are based out of the AHRC headquarters (except for the Indonesia CDO, who is based out of Jakarta). The CDO is the first point of contact for in-country partners towards highlighting a Human Rights Violation (HRV), who then issues an Urgent Appeal (UA) or letter as appropriate based on details provided by the local partner. Usually, the UA / letter is followed up with pertinent local authorities as well as with the media and with the UN Special Rapporteur's Office. In some HRV cases, legal and other support is provided to the victim through the project and as well by the local partners. Further, along with the local CSO partners, advocacy and lobbying work is undertaken as part of this project towards reengineering of justice institutions and capacity building of HRDs. Each reported HRV case is documented on the AHRC website along with the action taken thereof (UA / letter). Regular publications, at times in local language, by the CDOs and local partners are also done as part of this project that helps in influencing the discourse and policy on HR-JS in the respective countries. Finally, the "internationalization" of the HRVs and the broader JS deficit issue is done through communication with the UN Special Rapporteur's Office, issuing statements, wider sharing of UA through email networks, social media participation, updating on the AHRC website, and regular newsletters and publications.



## Evaluation Design

The design of this evaluation is presented below in the form of the framework of analysis, sampling, methods, and tools.

### Principles guiding this evaluation

Optimal time was used with the project team and all other stakeholders during this evaluation for engaging about relevant information, analysis and perspective without affecting their daily schedules. Principles of “optimal ignorance” and “proportionate accuracy” applied along with the understanding that safeguarding of human rights, particularly reforms in justice delivery mechanisms and protection of HRDs, is a uniquely challenging work wherein ‘results’ (as typically understood in development work) may not come about linearly / sequentially (results chain) and as per predetermined temporality (project phase). Further, given the complexity of the issue and context (across 12 Asian countries) at hand as well as multiplicity of actors and initiatives in human rights work, attribution of observed change to certain work done in a particular project phase may not be easily possible. This necessitated an “appreciative enquiry”, wherein the stakeholders involved shaped the discussions as per their interests and contexts thereby providing an additional source of information, guiding the evaluation.

### Framework of Analysis

Purpose of this evaluation was to assess the efficacy of project and ascertain whether it is contributing towards the envisaged outcomes and impacts as well as to bring in learning and recommendations for enhancing the implementation of this project and similar human rights’ initiatives in the Asian region. The focus<sup>6</sup> of this evaluation was to:

- 1) Assess progress made towards the achievement of results at the outcome and output levels;
- 2) Determine if the results contribute to the AHRC/ALRC's overall goal of "justice institution reengineering work as foundational to human rights protection in Asia";
- 3) Assess and ascertain ALRC/AHRC's internal capacity, and professionalism in undertaking the project, particularly through the PME system;
- 4) More specifically, the evaluation is to focus on - but not be limited to - reporting on progress in achieving results relating to project outputs and outcomes as follows:

Framework of analysis for this evaluation adheres to the OECD-DAC evaluation criteria of relevance, efficiency, effectiveness, impact, and sustainability with gender and inclusion as cross-cutting aspects. Specific questions for each of the criteria points were developed in the ToRs (see Annexure 1) for this evaluation.

The following table summarizes the key focus of each of the criteria:

Criteria	Main focus
Relevance	Appropriateness of the project conceptualization vis-a-vis the issue of human rights within the context of the project area and whether the project is on right track or not.
Effectiveness	Role of project design, implementation and team in project management as well as in achieving the envisaged outcomes and the factors for the same.
Efficiency	Aptness and utility of the project design in reaching the intended stakeholders and achieving the envisaged change.
Impact	Achievements till date and negative changes (if any) due to the project.
Sustainability	Measures in place for ownership and continuation of the project initiatives.
Gender & Inclusion	Actions for participation of women and men, especially vulnerable (as per age, sex, ability, income, caste-community-creed), in the project interventions.

This evaluation recognises the complexity of HR work focussing on reforming JS in Asia as well as that of 'measurement / analyses' of HR work especially of a specific project phase. It did not seek to alter the narrative of AHRC's HR work or disproportionately shape the context to make it 'more measurable' however the evaluation did seek to bring what is at the essence of any evaluation viz. intention to learn and opportunity for course correction / refinement in future. To ensure this, the framework of analysis draws from complex adaptive systems thinking, building upon the dynamics of human agency, social and governance structures, systems and its characteristics, and change processes. Why? Because, the objectives and core activities of ALRC-AHRC and this project phase entail a dynamic change process involving diverse-

- (i) **Stakeholders** (marginalised sections of the society, activists and champions of human rights, project team, and perpetrators of violence / human rights violations amongst others) who have a definite agency and are embedded in their respective societal and governance structures;
- (ii) **Institutions** (judiciary, local governance structures, civil society / human rights organisations, bar associations / legal-police commissions, and community groups) are rooted in their contexts and systems with its inherent characteristics and functioning; and
- (iii) **Structural / systemic change** is a complex process involving a dynamic interplay of stakeholders (individuals and institutions) and systems within the evolving local and global contextual influences.

Recognition of these complex systems and their interactions was consciously adopted to ensure a contextually rooted analysis. This framework has been depicted in the following matrix wherein a primary actor mapping lists out stakeholders and institutions pertinent to ALRC /

AHRC and this project phase; this actor mapping then combines with the organizational strategies and activities of this project phase to trace out envisaged and potential change in tune with the project objective:

**Framework Matrix**

Actors (Stakeholders & Institutions)	Strategies	Envisaged & Potential	
		Actions	Change (Outputs / Outcomes)
ALRC & AHRC	Internationalisation of violations	-Publications	-Redressal (compensation, punitive action) -Systemic reform -Reduction in human rights violations -Channel of timely and accurate information about human rights violations in Asia -Empirical evidence generation on human rights violations and 'Internationalization' of the issue -Networking & partnership amongst HRD -Reform in justice delivery
The State including Police, Armed Forces and Judicial Institutions		-Country Email Networks -Websites -Human Rights Mechanisms	
Asian Alliance against Torture and Ill-treatment (AAATI)	Lobbying / advocacy with state institutions	-Urgent Appeals -Policy/ Legislations -Legal Interventions	
Asian Alliance of Parliamentarians Against Torture (APAT)	Building / sustaining discourse	-Publications -Events -Schools, curriculum	
UN (OHCHR)	Regional support to local HRDs	-Building for Case	
European Governments		-Documentation, Psychosocial Support, Legal Assistance	
Local Human Rights Defenders (individuals, organisations, associations, & media)	Capacity Building support to HRDs	-IT & Documentation Support	
Marginalized Communities		-Publication of Guidance Material -Design of Modules, Training Workshops & Follow up support	

This framework matrix was used along with the OECD-DAC criteria questions for analysis of the processes and changes in this project phase. This also guided the design (and application) of the below mentioned methods and tools to be used in this evaluation.

## Methods and Tools

1. **Literature Review:** Documents related to the project (project application, M&E framework, narrative reports, and other publications) as well as other pertinent publications (including audio-visuals) of AHRC/ALRC and other organisations were reviewed.
2. **Initial Team Meeting:** An initial meeting was undertaken with the project team including the executive director of ALRC and representatives of country desks in Hong Kong to gain a deeper insight about the project and evolve common understanding about the evaluation design.
3. **Partner Teams' Meeting:** An initial meeting was undertaken with the project team within the partner organizations in each of the three countries visited (viz. Indonesia, India and Sri Lanka) to gain a better understanding about the local context and the project as well as evolve common understanding about the evaluation design.
4. **Key Informant Interviews (KIIs):** KIIs were undertaken with select representatives of all stakeholder categories (listed in the subsequent section on 'Sampling' below) to bring out in-depth understanding about the project.
5. **Structured Group Discussions (SGDs):** GDs were undertaken with select representatives of all stakeholder categories (listed in the subsequent section on 'Sampling' below) to draw out nuanced analysis of the process as well as result level changes brought about at the community, HRD and partner level.
6. **Data analysis:** Basic data analysis was undertaken to bring forth evidence on the achievements of the project as well as areas to focus on for in the future.
7. **Documentation Analysis (DA):** DA was undertaken with the project team members based on the publications' dossiers developed by ALRC/AHRC during this project phase.
8. **Dissemination Workshop:** Initial findings and key recommendations were shared with the project team in Hong Kong to validate the findings and deliberate upon the recommendations.

## Sampling

Given the nature of AHRC's work and this project, purposive sampling was undertaken for selection of the number and nature of stakeholders and locations to be covered. Select representatives from the following **stakeholders** were met with as part of this evaluation:

1. 4 Countries (viz. Hong Kong, Indonesia, India, & Sri Lanka) visited.
2. 12 Stakeholder Categories (viz. AHRC, Partner-CSO, HRD, HRV-Victim, Justice Institution, Govt. Official, Rtd. Govt. Official, M.P., Intern, Community, Media-personnel, & Lawyer) interacted with.
3. 194 Persons & 23 Organizations met with.
4. 200+ Documents (UA, STM, Article, Letter, Book, & Report) analyzed.

5. Multiple rounds of discussions with the Executive Director and Director, Policy-Programme (ALRC).

This sampling was finalized in discussion with the project team in Hong Kong and partner organizations in respective countries. *This has been provided as Annexure 2.*

## **Evaluation Challenges**

Given the nature of this project and scope of the evaluation, following limitations were experienced:

- 1) Three out of the 12 project countries were shortlisted for this evaluation by AHRC. Given the varied contexts across these 12 countries, it would be thus not practical and ethical to consider that the findings and recommendations emerging from this evaluation may apply to all the 12 countries.
- 2) The 'China Programme' is an important component of this project phase but due to the contextual realities of HR work in China, the China Programme has been without much demonstrable progress<sup>7</sup>. China was not shortlisted for evaluation visit by AHRC hence the analysis of China Programme was based primarily on the perceptions of project team.
- 3) The evaluator was not fully conversant with the various languages and dialects popular in all three countries visited hence services of translator were used wherever required that may have resulted in nuances and finer analyses not getting understood fully thereby influencing the overall analysis.

## Findings and Discussion

This section provides the findings of the evaluation along with the discussion thereof. The findings have been analysed based on the framework of analysis and are organized as per the OECD-DAC criteria of relevance, effectiveness, efficiency, impact, sustainability, and gender-inclusion.

### Relevance

This section largely answers the following key questions:

- 1) Is the idea and vision behind the project relevant to the countries where project is implemented?
- 2) Are there any substantial changes required in the project, and whether the activities undertaken through the project in the right direction?
- 3) Are there any additional components that should be incorporated into the project that could augment the achievement of the objectives under the project?
- 4) Has the project assisted in ALRC / AHRC being able to promote grassroots activists to speak about HR abuses, most directly, by assisting victims of HRVs to file and pursue their complaints?
- 5) To what extent has local partnerships contributed to the advancement of the overall goal of ALRC / AHRC?

#### **This project is relevant because of the following reasons:**

- The idea and vision behind the project of working towards safeguarding of HR and reengineering of JS in terms of its policy and institutional architecture as well as practice-procedures is quite relevant to the countries where the project is implemented. This project becomes particularly relevant given the worsening justice and HR situation in most of the 12 countries focussed upon in the project. The well described contextual aspects in the project application form have in fact worsened in most of the project countries due to consolidation of authoritarian regime, shrinking independence of the judiciary, constricted space for civil society functioning-particularly dissent, systemic reluctance for reforms in justice institutions (viz. police, prosecution-defence, magistracy, higher judiciary, prison, and attorney general's office), and the sharpening of societal normative expectations-behaviour regarding "strong-quick police & justice".
- The project in its design and implementation largely engages with these key contextual factors. This project phase's conceptualization is based on the learning from the earlier phase and country-specific experience of AHRC, which is quite relevant in the sense that it builds on the previous work. Yet, there appears quite a bit of scope for differential pitching

of actions (i.e. which actions to prioritise, what approach / strategies to adopt) and partnerships so as to be more coherent to the contextual nuances and better addressing the differential needs in the 12 countries.

- Substantial changes are not required in the project and activities are largely in the right direction. Some 'fine-tuning' of the interventions in terms of country-specific strategies and activities thereof regarding the nature of engagement with justice institutions pertinent to country contexts would definitely enhance the relevance and consolidate the working in the right direction.
- Some additional components like "socialization" of HRV cases and court judgements, engagement with all the justice system institutions, structured involvement / role for HRV victims and their family members, more systematic engagement with local media, follow-up engagement with interns, and research (each of this component has been elaborated in the recommendations section) may augment the achievement of the project objectives as well as contribute towards sustainability.
- There is clear evidence of this project enabling HRV-victims, HRDs and local CSOs in speaking out against HRVs and pursuing legal redressal through provision of information about the law and seeking justice, legal aid, case follow-up, international-national pressure, and solidarity to them. This is also evident from the fact that legal support has been provided to 1983<sup>1</sup> victims of HRVs from January 2014 till date.
- Local partnerships have contributed to a large extent in pursuing the overall goal of AHRC and advancement in the same. This is highlighted more in countries where AHRC team members (CDOs / Senior Management) were (are even today in some countries) not allowed to be physically in / visit most of the project countries thereby severely hampering the work on HR-JS reforms locally. In these situations, the local partnerships enabled identifying and highlighting of HRV cases, legal aid to victims, sustaining the discourse and practice within country, and furthering the environment for reengineering of JS in these countries. *In a way the local partnerships have ensured that the embers don't die down and fire was (and is still) kept burning...*

*"AHRC not only widened our perspective about the deficiencies in our justice system institutions but also equipped us with the skills to support the victims in seeking legal redressal and importantly documenting these cases."*

*- Mr. Brito Fernando, President, Right To Life Human Rights Centre, Sri Lanka*

<sup>1</sup> Based on the data provided by the project team to the evaluator. Summary of data analysis provided as Annexure 3.



## Effectiveness

This section largely answers the following key questions:

- 1) What are the role, responsibility, efficiency and importance of the local staff of the ALRC/AHRC based in Hong Kong in the implementation of the project?
- 2) To what extent has planning, activities and implementation contributed to the project objective?
- 3) Have AHRC partners been actively and meaningfully involved in project design, implementation, and monitoring?
- 4) To what extent has the objectives of the project achieved or are likely to be achieved?
- 5) What are the short-term and long-term outcomes of the project?
- 6) What are the major factors that have positively/negatively affected the project implementation?
- 7) Is the project outcome measurable?
- 8) To what extent have local partnerships promoted in assimilating gender perspective in the project?
- 9) Has there been an increase in the participation of local partners over time?

### **This project is effective to a certain extent because of the following reasons:**

- There are five kinds of team members of ALRC-AHRC who are based out of Hong Kong viz. Senior Management (Executive Director & Director, Policy & Programmes), Country Desk Officers (CDO<sup>II</sup>), Urgent Appeals (UA) Desk, Media Desk, and Administration-Support Unit. Amongst these, the senior management, CDOs and UA Desk play a crucial role in the implementation of the project. The criticality of their role and responsibilities is depicted in the following visual (subsequent page):

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<sup>II</sup> **Full-Time:** Burma, Bangladesh, India, Indonesia, Nepal, Pakistan, Philippines, and Sri Lanka; **Additional Charge:** Cambodia, China and South Korea; **Intern:** Thailand.

### Senior Mgmt.

- 1) Strategic envisioning and direction to the organization.
- 2) Overall governance and project management plus donor communication.
- 3) Project and country-interventions' planning and monitoring support.
- 4) Capacity building and need-based support to of CDOs.
- 5) "Face & Voice" of the project and organization in regional and international forums.

### CDO

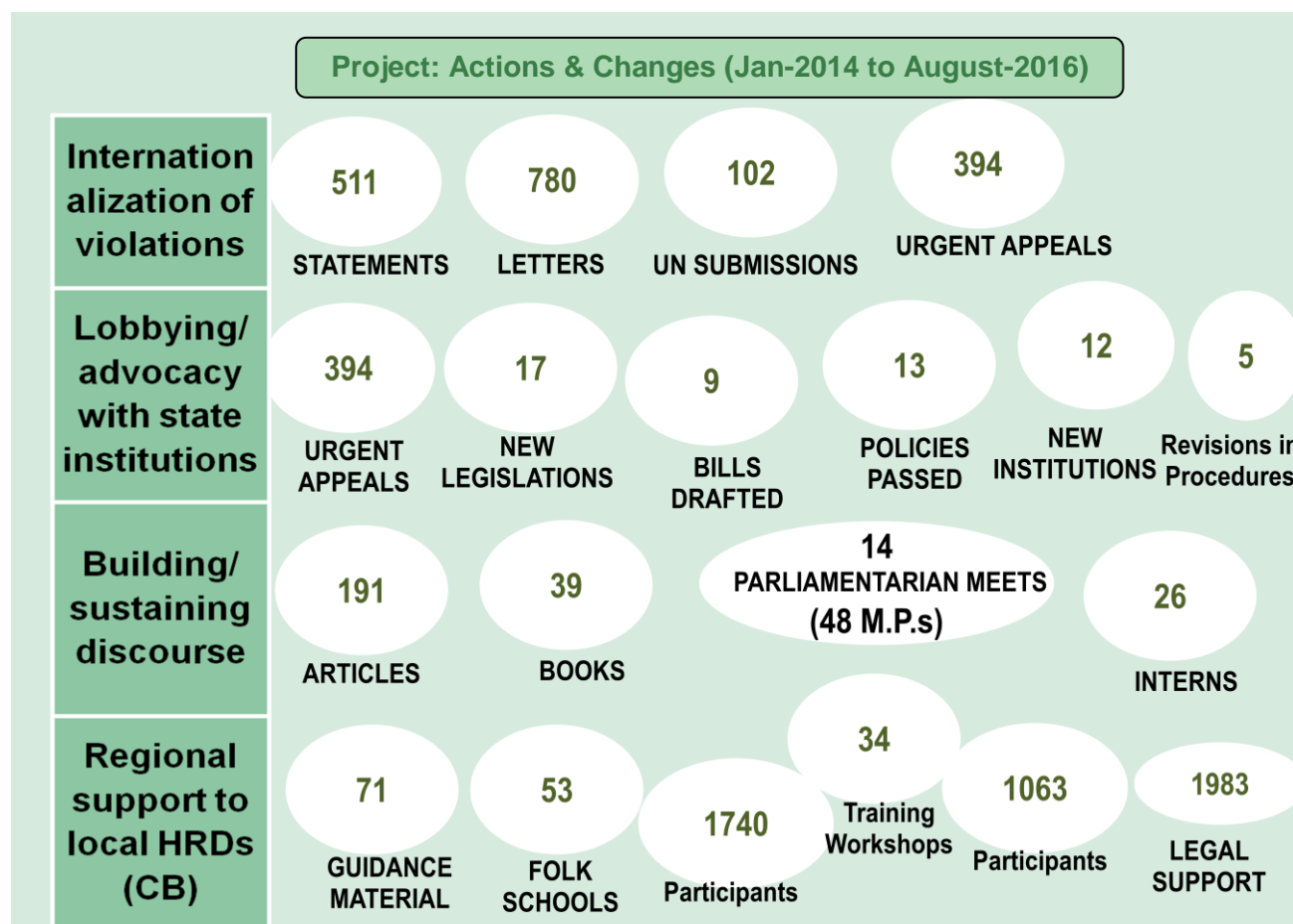
- 1) Strategic envisioning and direction to the HR-JS reforms work in the country.
- 2) Engagement with local CSO partners and through them victims of HRV.
- 3) Sustained communication and discourse on HR-JS reforms in the country.
- 4) Contributing to the internationalization of the HR-JS issue.
- 5) Creating a "solidarity environment" to HRDs in the country.

### UA Desk

- 1) Support to the victims of HRV in the form of Urgent Appeal (UA) and follow up.
- 2) Communication to the UN Special Rapporteur's Office.
- 3) Internationalization of the HR-JS issue.
- 4) Archiving cases of HRVs and creating an online repository of the same.
- 5) Providing an opportunity to people for follow-up on HRV cases (online letter).

- CDOs particularly play a crucial role in pursuing the HR-JS reengineering agenda in their respective countries through strategic leadership, pivoting the discourse and influencing the practice of local civil society in safeguarding human rights. This role is quite pertinent to the overall context in these countries. However, the significantly varying experience and capabilities across the CDOs influences the manner in which the CDOs fulfil their role resulting in significant difference in the work across the 12 project countries. There is lot of scope to overcome these varying capabilities amongst the CDOs and bring in some common minimum strategic orientation and leadership capabilities in all the CDOs so as to qualitatively better steer the work in their respective countries in tune to local contextual nuances and requirements.
- The media, IT and administration-support desks appear to be providing need-based vital support in project implementation through various regular print & audio-visual publications, web presence, robust IT systems including security and back-up, and financial as well as human resources related support to the project team.

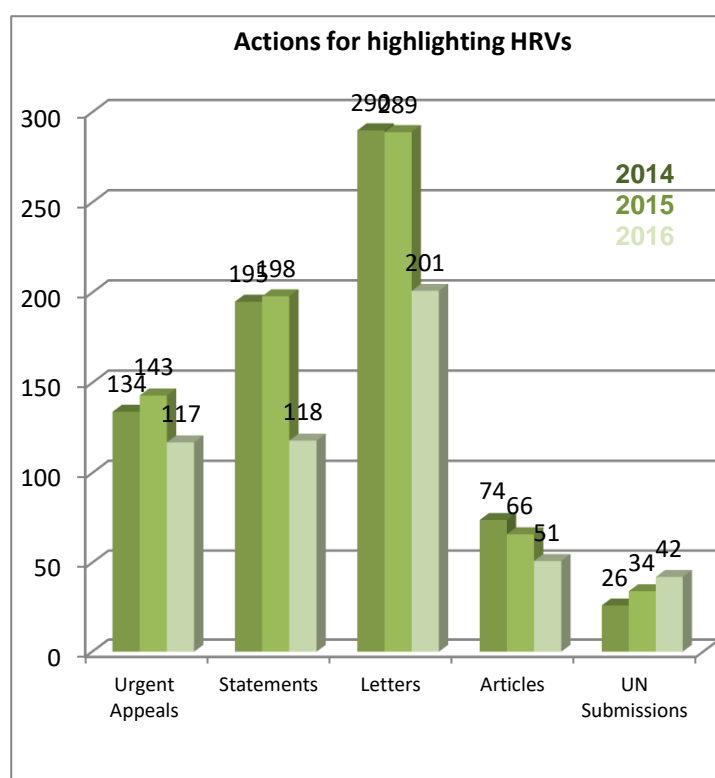
- As mentioned earlier in the project overview section, there are three project objectives. The one on Urgent Appeals has been fully achieved; while the one on Training-Scholarships is largely achieved in terms of quantity *but qualitative improvement in reporting of HRV cases by local CSOs is still limited*; while that on China Programme has hardly been achieved. This can be discerned from the following visual that depicts the key actions and resultant changes in the project countries in this project phase:



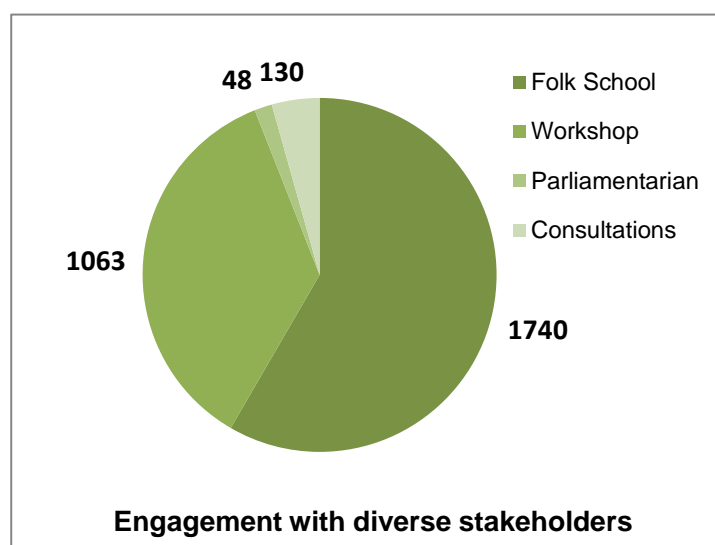
- The project outcome is measurable to a large extent. As depicted in the above visual on project actions and changes, quite a few changes in terms of outputs and outcomes have resulted during the project duration. *Of course, attribution as well as measurement for a project on safeguarding human rights and reengineering justice systems is touch. This is due to the fact that change per se is a complex process and more so pertaining HR & JS reforms... this complexity is not only in terms of time required for the change to come about but also in terms of marginal and incremental changes in themselves are significant hence need to be considered as outcomes... apparently no 'positive' change occurring but the HR / JS situation not deteriorating needs to be also considered as a change when compared to earlier situation where HRV and denial of justice was a frequent occurrence. Further, attribution of any outcome level change particularly in HR-JS reforms to any single organizational effort would be a fallacy but what could be examined is the extent of role*

*played (contribution made) by any particular organization in bringing about the outcome level change.* This challenge of attribution and measurement was experienced during the evaluation and was overcome through using the framework of analysis, tracing the changes that have occurred in the context (legislation-policy-institution-practice) and relying on perceptions of various stakeholders involved in the change process including project team and documents in the public domain (for e.g. media reports). Key short-term and long-term outcomes occurring due to this project are as follows:

1. A key short term outcome of this project is the large volume of documentation done of the HRV cases in the project countries and follow-up thereof (see adjacent graph). This documentation is also available on AHRC website, which will serve as a freely available evidence-data in future for various organizations including the UN. This documentation along with 39 books and 71 guidance materials (some in local languages) has influenced local and international discourse and helped in building capacities of local stakeholders. This has sustained “animation & internationalization” of the HRV-JS issue.

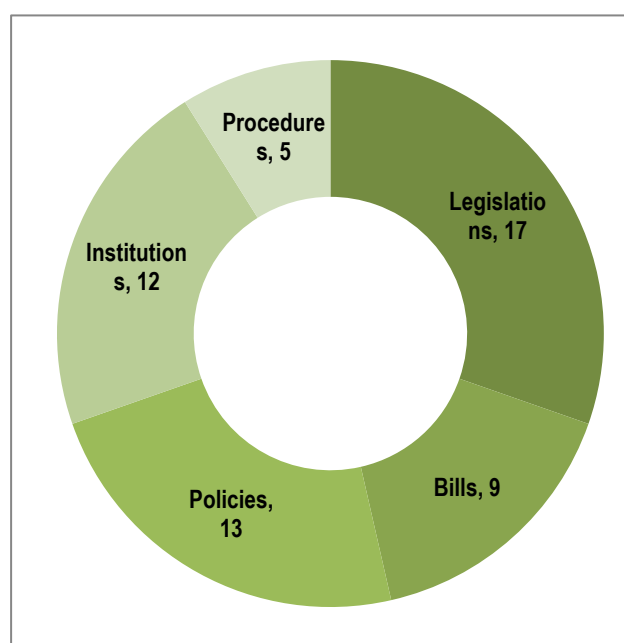


2. Another output level vital change occurring due to this project is the varied type of stakeholders engaged with and trained on the issue of safeguarding HR and reengineering JS. Stakeholders ranging from local CSO activists to members of judiciary to police personnel to parliamentarians were engaged with (some trained on specific topics) during this project period (see adjacent graph).



3. Till date, 26 interns have been trained as part of this project phase. Interns are selected by CDOs for their respective countries based on a selection criteria<sup>III</sup> and process (application, shortlist and interview). Usually, not more than 12-odd interns get selected in a year with each intern spending not more than three months with the country desk at AHRC headquarters. Interns are exposed to HR-JS context in Asia and specifically about their respective countries, legal provisions and procedures, strategies and techniques of seeking legal redressal for HRV victims, writing urgent appeals and related documentation, and such skills during the three months of internship. This internship programme has contributed in: (a) perspective and skill building of the interns, (b) evolving a group of trained legal professionals in the country, (c) local CSO partners' support to victims of HRVs, (d) sustaining the discourse-practice locally, and (e) some interns joining AHRC as CDOs. A basic database of the interns is maintained centrally at AHRC level. It would be good to decentralise and update (current contact details) this at the country desk level. Further, there is lot of scope for the CDOs to have a structured engagement with the interns (which is lacking at the moment) and include them in the various initiatives in their respective countries. There needs to be a plan on how to capitalise on the interns as an asset / resource in the country for furthering the HR-JS reforms agenda.

4. A critical outcome of this project phase is the reforms in the policy-institutional architecture in some countries (see adjacent graph). Of course, this change has come about because of work done in earlier phase and sustained follow-up with related stakeholders in this phase. Significantly, 17 new legislations and 13 new policies were passed while 12 new institutions were formed pertaining HR-JS reform in this project phase. These changes not only further reengineering of JS work but also create an enabling environment for safeguarding HR and seeking legal redressal for victims.



5. Another vital outcome of this project has been the support provided to the local HRDs (CSOs & individuals) in terms of their perspective and skill building especially on methods to support victims of HRV. This has translated into sustained support to victims

<sup>III</sup> Nomination by local CSO partner, preferably staff of local CSO, some legal experience / background, readiness to return to the country and work for HRD, concerned about the HRV and JS related issue, and such

of HRVs in pursuit of legal redressal & counselling for e.g. many victims of torture were saved from further torture (with some stopped from being executed) or as many as 1983 victims of HRV were provided legal support. This has been bolstered due to a sense of solidarity experienced by the local HRDs because of ALRC-AHRC's regional presence and technical support. Overall, all this has helped in raising the HRDs & HRVs' expectations and collective consciousness on HR-JS, which will help in furthering and sustaining the JS reengineering agenda in these countries.

6. Some of the process and 'keeping the fire burning' level changes occurring in this project phase are the sustaining of dialogue with various justice system institutions as well as CSOs for e.g. the police reforms process initiated in Sri Lanka and in Kerala, India or the regular engagement with the national human rights commission in Pakistan and Indonesia or the inclusion of HR as a subject in university syllabus in Bangladesh.

- Available evidence seems to point out that within the 12 countries the level of achievements vary significantly for e.g.- (i) passing of legislations, policies and forming new institutions is quite high in Sri Lanka and Pakistan; (ii) legal support to victims of HRVs is high in India and 3-4 countries; (iii) a strong network of CSOs focussing on HRD has been evolved in Sri Lanka, Pakistan and Indonesia; (iv) UAs, letters, statements, and related documentation and follow-up thereof is particularly high in Indonesia and South-Asian countries. This conveys a significant variance in level of achievement / progress across the 12 countries. This variation is also apparent in the diversity of actions undertaken across these countries (*please, refer to Annexure 3 & the country-specific data analysis excel files*). Varying contextual factors and history of AHRC's work in the respective countries plays a high role in this variation but the varying capabilities of CDOs also acts as a major influencer.
- It seems that the China programme related objective may not be achieved in this project phase given the restrictive conditions in China in recent times, which mostly may continue.
- Project planning, activities and implementation have largely contributed in the achievement of the objectives as mentioned in earlier. Overall project phase planning is done by senior management with country-specific suggestions from CDOs to a certain extent. This is reflected in the project application for this phase. However, the project application comes across as a bit generic and 'one size fit all', particularly in its objective and indicator statements. There appears to be lack of differential / country-specific detailed planning during the project application stage. This unknowingly may have set a generic framework for country-specific annual planning by the CDOs. Each CDO is responsible for developing an annual work plan, who develops it individually and finalizes it in consultation with the senior management. Monthly team meetings are held for fine-tuning these plans and reviewing the work, however a lot of scope is there to bring in a spirit of collective envisioning-planning and peer-based work review. This will surely enhance the quality of planning and review.

- A Planning, Monitoring and Evaluation (PME) manual exists, which was developed in a participatory manner through expert external facilitation. This PME manual is meant to guide the PME work of AHRC. Translating / adopting this manual in practice is still at the nascent stage in AHRC given the recentness of this manual and limited exposure to outcome-oriented PME of the CDOs including the senior management, and the limited technical backstopping provided to the team. Further, the bi-annual reporting format (of BftW) seems constrained in necessitating and enabling the project team to undertake outcome-oriented PME nor do the reports capture detailed information and analyses about the project work and context. This (limited practicing of the PME manual and primary-analytical reporting formats) may have contributed in the significant variance in the actions and achievements across the 12 countries (over and above the contextual factors).
- Partnership is the key cornerstone of AHRC's overall functioning and also in this project phase. Partnerships have existed since earlier times while some have been newly formed in all the 12 countries where this project is implemented. The nature of these partnerships is somewhat unique in the sense that it is primarily issue-based and not funding or 'network / umbrella organization' based. Local CSOs have their own mandates, approaches and operational as well as methodological priorities. Their partnership with AHRC is limited to working together on the issue of HR safeguarding and JS reforms as per the approach and priorities laid down by AHRC. These are not "implementing partners" who receive funds for specific activities under a project. Meaningful involvement of partners in project design, implementation, and monitoring logically flows from this nature of partnership. However during this project phase it appears that the involvement of local partners is primarily in priority setting, overall action planning and in-country implementation but hardly there in project design and monitoring per se. It seems that the participation of local partners in priority setting has increased over the years in sync with their increased awareness and local contextual understanding. There is still a lot of scope and need for AHRC to evolve a space for further meaningful participation by the partners in collective envisioning and strategizing of the work, project designing, prioritization of in-country as well as regional actions, and periodic review of the work. Further, in order to make this participation truly meaningful, some of the local partners also need to enhance their capacities for strategizing and context analyses.
- Major factors adversely affecting this project were- overarching framework conditions like authoritarian regimes (Thailand, Pakistan, China, Philippines), declining judicial independence (Bangladesh, Indonesia), society's normative acceptance of lack of rule of law, limited local civil society focus on the issue of JS reengineering, and diminishing resources. Major supportive factors for this project were- long term multi-dimensional work (Sri Lanka), sustained focus (India), local partners (Sri Lanka, Pakistan, Indonesia), change in government (Burma, Sri Lanka) and international support amongst others.



## Efficiency

This section largely answers the following key questions:

- 1) Is the project implemented in the most efficient manner?
- 2) What extent of the objectives has been achieved in time?
- 3) The project is expected to benefit 15000 local people through ALRC/AHRC's direct or indirect interventions, including at least 6000 women. The beneficiary groups are ordinary individuals in the countries where the project is implemented, including loosely organised gender/widow/Dalit and or other minority groups. To what extent has the project achieved this aim?
- 4) Are there any better alternatives to achieve the objectives under the project?
- 5) Can the project be made more efficient by including/removing specific components?

It is difficult to assess efficiency of a project focussing on safeguarding human rights and reengineering justice system across 12 Asian countries. This focus of project along with contextual factors limits creation of a counterfactual as well as the lack of a significantly different approach adopted by other organizations (*there are hardly any organizations focusing on JS reengineering issue in the first place*) makes it quite tough to assess efficiency of this project. Hence, this evaluation relied on three things for assessing efficiency viz. (1) perceptions of project team and local CSO partners, (2) posing the question of 'if this project was not there then what would be the costs to the society / intended beneficiary groups' and (3) exploring scope for operational improvement in key actions of this project (i.e. development of UA & related documentation, internship, capacity building, and such). It could be said that this **project was implemented in a more or less efficient manner based on the following reasons:**

- The UA, letters, statements, and related documentation and follow-up thereof are done in quite an efficient manner. There is a well established system in AHRC for issuing an UA / letter / statement for a case of HRV. This system has well established roles and responsibilities as well as timeliness for the same. There is some scope to ensure that there aren't even any minor procedural delays in issuing of an UA or letter... like a 'zero-tolerance' policy.
- Creation of literature (training modules, guidance material, books, and articles) in local languages (Sri Lanka, Nepal, Pakistan, Bangladesh, and India) on the issue of HR-JS reforms has contributed quite a lot in enhancing efficiency in terms of being able to reach out to a wider group of people, influencing and sustaining the local discourse and easier capacity building. There is further scope to enhance this local language literature creation in all the countries and in other local languages in the present countries.

- The internship programme has been efficiently managed with interns coming in from most of the project countries and the entire internship process being well established. There is however some scope to enhance the efficiency in the internship programme in terms of interns coming in from **all** the countries **regularly** and more importantly the CDOs engaging with the interns in a structured manner post-internship.
- Capacity building undertaken as part of this project has been efficient to a certain extent in terms of number of local HRDs trained in at times challenging circumstances (Bangladesh, China, Sri Lanka, Pakistan, Thailand). Organizing training workshops outside a country for participants from that particular country will definitely increase costs but these increased costs need to be juxtaposed with the non-benefits if these training workshops were not conducted at all and adverse impacts in terms of HRVs on the local populace. Also, the local language guidance material and training has added to the efficiency. Efficiency in overall capacity building, done as part of this project, can be definitely enhanced through- (i) undertaking of country and actor specific learning needs analysis that then guides the designing of an overall country-specific capacity building plan, (ii) evolving more local / in-country trainers on HR-JS reforms agenda would help reach scale and save costs, & (iii) systematic capacity building of the CDOs based on a differential needs' plan.
- Leveraging of local resources through local CSOs, like it was done in Pakistan, India and Sri Lanka, has enhanced the implementation efficiency in these countries.
- Two (on UA and Training) of the three project objectives have been achieved largely on time while the third objective of China-programme is not achieved on time. Aim of direct-indirectly benefiting 15000 people (6000 women) in this project has been exceedingly achieved (see Annexure 3 for details). On a different note, the evaluator is of the opinion that the project application had probably set lower levels of achievements than what the project team is capable of... *the bar was set a bit low...* Further, detailing of what construes as direct and indirect benefits of the project would add value in future analysis.
- There do not appear any 'better alternatives' for achieving this project's objectives. It appears that ALRC-AHRC is the pioneering organization for taking up the JS reengineering agenda in Asia and the approach evolved over time by it of supporting victims of HRVs, strengthening local HRDs, internationalising the issue, engagement with justice system institutions, and documentation of the same seems to be best suited for the context.
- This project's efficiency may be enhanced by incorporating the following components (*these would be detailed out in the recommendations' section*):
  - Broad-basing the in-country work through engagement with more civil society stakeholders and all justice system institutions (for e.g. Bar Associations in India, Prison Department in all countries, lower judiciary in all countries, Police Department in most of

the countries, Attorney General's office in all countries, and such) wherever practically possible.

- Evolving networks' comprising CSOs, local law colleges, Bar Associations, and Press Councils for comprehensive lobbying and advocacy.
- Wider dialogue within the local community (and other stakeholders) on the HRV cases and judgement ("socialization" mentioned earlier).

## Impact

This section largely answers the following key questions:

- 1) Are there noticeable and measurable positive changes that the project has achieved?
- 2) Would the beneficiaries of the project have attained similar benefits without the project?

*As is well known, it takes significant time and efforts coupled with supportive changes in the contextual conditions to contribute into an impact level change. This complexity in bringing about impact level changes gets further knotty in the work on safeguarding of HR and JS reengineering. Hence as part of this evaluation, contributions made by this project phase in achievement of impacts was assessed using the framework of analysis, tracing the changes that have occurred in the context (legislation-policy-institution-practice) and relying on perceptions of various stakeholders involved in the change process including project team and documents in the public domain. **This project phase has contributed towards the following impacts:***

- Establishment of a regional platform for HRDs towards strengthening the pursuit of human rights' safeguarding-promotion as well as protection of HRDs in Asian countries.
- Bringing in the criticality of rule of law in the discourse and getting it prioritized in Asian countries.
- Establishment of the rationale of urgency of reengineering of JS and bringing it into the discourse.
- Demonstration of the linkage between theory and practice wherein the theoretical framing of bringing in a rule of law and JS reform has been brought into practice through the sustained work on prevention of torture, provision of support in seeking legal redressal and engaging on changes in the policy-institutional architecture. The use of UAs, statements, letters, and related documentation and follow-up of the same has been well established in practice (and discourse) as a crucial means for engaging on the issue of HRV and bringing pressure on the relevant local-national authorities.
- Change in perception on the nature and causality of torture and other HRV from ethnic-social group based causality to wider systemic-structural based causality. This has also gradually come into the local discourse as well.
- Sustained international pressure on governments in 4-6 Asian countries.
- Hardly any negative impact (or outcome) was observed.
- Given the context in Asia, it seems difficult that various 'beneficiary' groups would have benefitted to this extent without this project.

## Sustainability

This section largely answers the following key questions:

- 1) Is the project sustainable and on a path of growth and development?
- 2) Are there factors that should be considered to be incorporated into the project plan during the remaining phase of the project and in the continuity phase of the project?
- 3) What are the major factors which influenced the achievement or non-achievement of sustainability of the programme or project?

*Assessing sustainability of a 'project' focusing on safeguarding of HR and JS reengineering is peculiar due to practicality of as well as rationale of such an exercise. The fundamental question here is whether organizations focusing on this quite crucial work at such a scale (geographic as well as thematic) should be bothered with the question of ensuring sustainability (financial) rather than devoting its complete energies on the work per se... Isn't the onus of ensuring sustainability more a responsibility of the larger society, including support organizations, rather than the implementing organization per se? Ideally the local society (in the countries where the work is being done) has to fulfil this role but till the time these local societies become 'mature' in terms of resources and priorities, who has to shoulder the burden of ensuring sustainability? What kind of solidarity mechanisms need to be established both at local and international level to ensure sustainability (financial & programmatic)? Finally, in contexts where HRV and 'lawless laws' (i.e. laws and the practice of justice that is not in line with the basic principles of justice) is a common practice of the justice system as well as endorsed by the normative social expectations and behaviour, isn't it morally imperative to ensure that the work continues... aka 'embers are kept alive and fires are kept burning'... and sustainability is ensured by the larger society? In this backdrop, sustainability of this project was assessed through perceptions of the project team and local partners as well as analysis of the context and the approach of AHRC.*

- **It can be said that the seeds of sustainability are sprouting now in three countries (viz. Sri Lanka, Pakistan and India) while the groundwork for sowing seeds of sustainability is yet to be completed in remaining countries.**
- Programmatic sustainability is indirectly ensured in countries where the local CSO partnerships are well established (Sri Lanka, Pakistan, India, & Indonesia-to a certain extent) and more so due to the fact that these partnerships are issue-based rather than funding based. This coupled with some 'positive' changes in the context (Sri Lanka, and to a certain extent in India, Nepal & Indonesia) will help in enabling programmatic sustainability. However, this has and will not translate into ensuring the overall project sustainability from a regional (pan-Asia) point of view. In these 3-4 countries, the project is poised to grow and develop rapidly in the near future which is why now is quite an opportune time for

intensifying the work not only to progress in achieving the overall goal but also to 'nurture the sprouts' of sustainability.

- There is potential to broad-base the project, sow the seeds and enable rapid sprouting of shoots of sustainability and thereby attain 'critical mass' in four countries (viz. Burma, Cambodia, Indonesia, and Philippines) given the slightly favourable contextual factors (in Philippines even though recent developments point out renewed large scale HRVs but the local civil society is well established to engage with the government on this issue).
- Contextual factors in remaining countries (Bangladesh, China, Thailand, and Pakistan-to a certain extent) necessitate a "low-flame" approach i.e. doing the ground work of identifying and reaching out to local HRDs, documenting HRVs, identifying and engaging with sympathetic individuals within the authoritarian regimes, sustaining international pressure, and such... all below the radar so as to not worsen the security risks to local activists.
- There are a few factors to be incorporated in the current and subsequent phases of this project for it to grow and eventually sustain. These factors are as follows (*detailed in the recommendations section*):
  - Adopting a country-context specific approach and action plan.
  - Evolving a role for victims of HRVs and their family members in the local work in addition to the ongoing work of providing support in seeking legal redressal.
  - Wider dialogue within the local community (and other stakeholders) on the HRV cases and judgements ("socialization" mentioned earlier).
  - Broad-basing the in-country work through engagement with more civil society stakeholders and **all** justice system institutions (for e.g. Bar Associations in India, Prison Department in all countries, lower judiciary in all countries, Police Department in most of the countries, Attorney General's office in all countries, and such) wherever practically possible.
  - Evolving networks' comprising CSOs, local law colleges, Bar Associations, and Press Councils for comprehensive lobbying and advocacy.
  - More emphasis on developing local language literature including urgent appeals, statements, letters, and such and thereby evolving a body of documentation in the local language(s).
- The major factors that influenced the limited achievement of sustainability of the project are:
  - Persistent decade-plus work in the countries on the issue of HR safeguarding and JS reforms.
  - Limited engagement by local intelligentsia-civil society on overcoming the structural / systemic causes of collapse of the justice system in their respective countries.

- Evolution of issue-based partnerships with local CSOs has contributed but the limited systematic efforts towards making local partnerships more participatory and broad-based has hampered.
- Diminishing funding support on the issue of JS reengineering in this region.
- Shrinking space due to increasing media control, targeting of civil society, residual influence of past authoritarian regimes on JS institutions, and society's normative expectations-behaviour.
- Non-investment by AHRC in systematically enhancing the capacities of CDOs.



## Gender & Inclusion

This section largely answers the following key questions:

- 1) To what extent have local partnerships promoted in assimilating gender perspective in the project?
- 2) Whether specific actions for participation of women and men, especially vulnerable (as per age, sex, ability, income, caste-community-creed) were undertaken in the project?

*Gender and inclusion have been considered as cross-cutting criteria in this evaluation. This evaluation recognises that the work on overcoming gender stereotypes and promoting inclusion in most Asian countries is quite challenging given the discriminatory values in society & polity, normative reluctance to address the gender stereotypes and weak information systems to capture and analyse the gender and exclusion based excesses practiced routinely in the society. Further, it is a common experience that many projects (and project team members) which are not 'directly focussed' on addressing gender and / or inclusion related issues typically perceive and approach gender and inclusion related work as an 'add-on' to their 'core' work and there are hardly any systematic efforts taken by the organization to address the gender and inclusion related prejudices and biases of the project team as well as their limited skills to embed actions on gender and inclusion strengthening in their 'core' work. Finally, this evaluation also recognises that it takes significant time and energies to bring about a perspective, attitude and behavioural change pertaining gender and inclusion in the society as well as amongst project team members. In this backdrop, gender and inclusion aspects of this project were assessed.*

**Based on the following, it can be said that the gender and inclusion aspects are at a nascent stage in this project:**

- There is a basic level of recognition of gender aspects by project team. This has translated in to some specific initiatives to overcome gender-based violations initiated in Pakistan as part of the project as well as in ensuring use of gender-sensitive language in the UAs, letters, statements, and related documentation by the entire project team.
- Most project team members are quite attuned to inclusion related challenges. This has translated in some initiatives to promote inclusion in the project actions for e.g. the work on protecting the HR of former drug users in Indonesia, safeguarding the HR of with minority communities in Pakistan, Sri Lanka and India.
- There is a nascent level of conceptual and practices' related understanding within the project team (& some partners met) on gender-based work in the context of HR safeguarding and reengineering of JS for e.g. which gender related aspects to include in the engagement with JS institutions or the fact that hardly any special efforts were undertaken to analyse the HRVs and to safeguard HR of Lesbian-Gay-Bi-sexual-Transgender-Queer (LGBTQ)

communities in project countries. There is not much evidence or instances of local partnerships contributing in assimilating the gender perspective in the project.

- This has resulted in the gender and inclusion related understanding not yet getting systemically translated and embedded in the project design, implementation and monitoring.

## Recommendations

This section provides the recommendations primarily for the project being evaluated keeping in mind the upcoming phase of the project. Few recommendations have also been made given that ALRC-AHRC is internally engaging on its organizational and programmatic strategic future. The recommendations are as follows:

1. There is clear evidence pointing out that the current approach is contributing towards the desired change hence the ongoing work needs to be continued and intensified further by focusing more on:
  - a. **Broad-basing:** Widening the base of the in-country work through engagement with **all** the various JS institutions (police, prosecution, judiciary, prison, probation, community-based 'correction', and attorney general's office) and *importantly all levels therein*. Engagement with the JS institutions, wherever practically possible, needs to be focussed on refining their operational procedures and practices, which are at present coloured by lack of justice and patriarchy. One way for this might be engaging in the development, implementation and oversight of National Human Rights Action Plans of governments. Further, broad-basing needs to be done by engaging with newer civil society organizations like youth groups, religious institutions, law universities, and press councils. Finally, broad-basing also needs to be done at the regional and sub-regional level through strategic engagement with regional bodies like Asian Parliamentary Association, South East Asian NHRC's Forum and such.
  - b. **Partnership Strengthening:** Existing partnerships need to be strengthened in three ways viz. (i) creating the space for collective envisioning with the local partners on strategic priorities, approach, programmatic planning-design and periodic review; (ii) evolving local networks' comprising CSOs, local law colleges, Bar Associations, and Press Councils for comprehensive lobbying and advocacy; & (iii) bidding for and undertaking joint projects either with individual local partners or local networks.
  - c. **'Celebrating Success-Mourning Loss':** Wider dialogue in the local community and other stakeholders on various HRV cases and judgements need to be systematically undertaken wherein each case of HRV is discussed in detail and more so the judgement. This needs to be a wider society level sustained dialogue wherein the laws applicable to the HRV case, interpretation of these laws in the judgement, nature of prosecution-defence arguments, evidence, and such aspects are discussed threadbare at all levels. This would not only enable deconstruction of the JS and concept of rule of law but also aid in the "socialization" of the HR safeguarding and JS reengineering issue. In this entire dialogue(s) process, the role of various medias (print, radio, television, online, social, theatre, and such) need to be carefully

integrated. This dialogue process also needs to be used creatively in the follow-up on ongoing cases of HRVs.

- d. **Role for Victims:** Evolving a role for victims of HRVs and their family members in the local work in addition to the ongoing work of providing support in seeking legal redressal. Further, it needs to be explored whether some kind of 'support group' (on the lines of the one existing in Kandy, Sri Lanka) could be evolved for the victims of HRVs as well as local HRDs in all the countries. This would be particularly useful in countries where the context is not so conducive for safeguarding of HR.
  - e. **Local language literature:** More emphasis needs to be given on developing local language literature including urgent appeals, statements, letters, and such and thereby evolving a body of documentation in the local language(s).
2. **Country-Strategy:** Given the varied contextual realities across all 12 countries, it is imperative that 'Country Vision' document is developed and AHRC adopts a country-context specific differential programming approach. This document needs to have country-specific comprehensive analysis of the HR-JS situation, temporal priorities, approach, strategies, nature of engagement with various JS institutions, and short term action plan. It would be a value addition if a country-specific 'Theory of Change' is developed keeping in mind a six-year horizon. Development of this country-vision document would not only provide a framework for country-specific programming but also contribute in the capacity building of the country desk officers (CDOs).
3. **Country Desk Strengthening:** There is a strong need to strengthen the country desks through- (i) putting in place a plan for systematic enhancement of the CDOs' capacities particularly on enhancing their skills on strategizing, situation analyses, diversified partnerships, collective ideation, actions' prioritization, research, and use of ICT in their work as well as on innovative ways of mentoring the CDOs; (ii) establishing an 'In-Country Assistant' to the CDOs wherein a local HRD / activist / successful intern is tasked with supporting the CDO's work from within the country and being the "eyes & ears" in the country of the CDO; (iii) evolving a country-desk specific interns' database and a plan for regular engagement with the interns in the country... considering them as an asset / resource for furthering the HR-JS reengineering work in the country; and (iv) supporting the country desks in coming out with an annual analytically-dense publication on the HR and JS reengineering status for the respective countries.
4. **Basket of actions:** The project team needs to collectively evolve a 'basket of actions' for 'low-flame' situations i.e. different types of strategic and programmatic actions to be undertaken in a country when the country-context is not conducive for active-aggressive HR-JS reengineering work like in the present case of Bangladesh, China, Thailand, and Pakistan (to certain extent). Similarly, a 'basket of actions' need to be evolved for 'high-

flame' situations i.e. actions to be undertaken when the country-context is quite conducive for active-aggressive HR-JS reengineering work like in the present case of Sri Lanka, India, Indonesia (to a large extent), Nepal, and Burma & Cambodia (to a moderate extent).

5. **PME:** Planning-Monitoring-Evaluation (PME) needs to be guided by the above-mentioned country-vision document. This PME needs to be differential i.e. attuned to country-contextual realities instead of a generic overall exercise. Efforts need to be taken to make this PME participatory-peer based as well as outcome-impact oriented. Given the current capabilities and limited 'comfort zone' of project team in the existing PME manual, it would be good to put in place technical backstopping measures wherein periodic and need-based technical support is provided to the project team on differential, participatory-peer based and outcome-impact oriented PME. Further given that the country desks are independently responsible for their work planning (annual and day-to-day), the CDOs need to be communicated about the available 'resource envelope' and how the same would get distributed across the various countries.
6. **'Gendering' of work:** There is a strong need for 'gendering' the work by- (i) bringing in a gender perspective in the situation analyses, project designing-implementation and monitoring; (ii) systematically building the perspective and skills of the project team on how to overcome gender stereotypes and gender mainstreaming in their work; (iii) provision of technical support to the team in terms of undertaking a gender-based analysis of HRVs (including domestic violence), designing specific actions for safeguarding the HR of the LGBTQ community and actions to be incorporated in the HR-JS reengineering work in the countries.
7. **Communication:** There is a need to bring in differential programming in terms of the content as well as media form used for varied stakeholders. Documents, videos, audio-visuals, and online content are presently developed keeping in mind multiple stakeholder categories but these communication materials do not get customized for various stakeholder categories. Having such a customization in terms of content as well as media form would help in reaching out more.
8. **Organization Strengthening:** Given that ALRC-AHRC are currently strategizing on organization strengthening, following needs to be considered as part of the same-
  - a. A strategic envisioning and organizational development process with expert facilitation might help in reflecting upon organizational issues to be addressed, strategic actions to be initiated at regional and global levels and ensuring financial sustainability amongst others.
  - b. The current canvas and pitch of the organization needs to be widened to make it pan-Asian in nature. At the moment, the work and team seems to be rooted in few countries' contexts rather than in the overarching Asian context. This has resulted in

largely in-country and global (i.e. UN) engagement but hardly any regional and sub-regional strategic engagement. Further, there are still quite a few Asian countries wherein HR-JS reengineering needs to be done and AHRC does not have any presence. Broad-basing the team with activists from other Asian countries and establishing an advisory board or a strategic support group comprising regional / sub-regional level experts may contribute towards bringing in a pan-Asian pitch to the organization.

- c. This is an opportune time for initiating systematic efforts for evolving 2<sup>nd</sup> line of leadership within the organization as well as the various Country Desks.
- d. Research gaps and requirements about JS reengineering in the 12 countries need to be assessed and accordingly research needs to be undertaken / commissioned. Few research areas / topics that came up in discussions with various stakeholders during this evaluation are- (i) analysis of JS institutions in European / G-20 countries, (ii) analysis of JS institutions in the 12 countries and emerging practical actions for reforms, & (iii) international good practices pertaining JS institutions' procedures and practices. This research would be useful not only for lobbying but also for capacity building of local HRDs and 'socialization' process.
- e. It would be useful to analyse the status of HR and JS in Asia (country and regional level) on a regular basis. The analysis process itself would help in capacity building of CDOs and local partners and this analysis could be published as well as used for 'atmosphere' creation.
- f. The recently developed Theory of Change (ToC) needs to be refined in light of the above and evolving context. It would help to have expert facilitation in this ToC development process.

## Conclusion

This section presents the overall conclusions of the evaluation. These conclusions essentially reflect upon the four overarching questions central to the evaluation terms of reference<sup>8</sup> and have been presented below accordingly. Finally, some questions for the future that came up during the evaluation have been presented at the end of this section for the project team and the readers of this report to dwell upon.

### Four Conclusions:

#### 1) Are results being achieved as envisaged?

Most of the results, except in China programme, are being achieved as envisaged. Particularly systematic engagement on reengineering of the JS policy-institution architecture and procedures therein has commenced. However, there is large need and scope to overcome the significantly varied levels of results' achievement across the 12 countries as well as ensure strategic conceptualization of the work and practice thereof in most countries.

#### 2) Are results contributing towards overall goal of AHRC?

Yes! The results are contributing towards the overall goal of AHRC both in qualitative (pitch, process and practices) and quantitative terms. There is however a need to aspire and plan for "qualitatively more results" in a particular project phase. These "more results" need to be differential as per the countries' contexts.

#### 3) Are internal capacities and systems pertinent for project management?

Existing internal capacities and systems are sufficient for basic level of project management while the information management capacities and systems are optimal. Capacities and systems for internationalizing of the HRV issue are quite apt. However, given the varied contextual requirements, further capacities are necessary particularly for strategically promoting HR-JS reforms within many countries as well as for promoting the pan-Asian character of AHRC. Systems for CDO's capacity enhancement, research, communication, and PME specifically need strengthening.

#### 4) Are any refinements necessary in project implementation?

Yes, certain refinements are necessary in project implementation that have been detailed out in the preceding recommendations' section. Some of the critical refinements are: broad-basing the work in countries, partnership strengthening, 'socialization' of the JS reengineering work, strengthening country desks, evolving clear strategies for engagement with various JS institutions in light of the countries' contexts, 'gendering' of work, and strengthening CDO's capacities.



Another conclusion that emerged during this evaluation is the need to ensure uninterrupted funding for this project, in fact for the overall programme. This is imperative to ensure intensified engagement where the context has opened up the space and opportunity for JS reengineering as well as ensure basic, 'low-flame', actions where the context is such that HR excesses and lack of justice is an every-day occurrence. Stopping or substantial reduction of actions in both these contexts due to lack / limited funding will corrode the decade-plus work and concomitant positive changes in the HR-JS status, which then would not be easy to restart at a later time by which time affected communities and local HRDs may have lost hope. As mentioned earlier in sustainability section, the onus of ensuring uninterrupted funding for such a project should be the moral responsibility of the larger as well as local society, including support organizations. Of course, this doesn't mean that the implementing organization is exonerated of its responsibility of raising funds but its energies should be devoted more in strategizing and implementing. Till the local societies (in countries where the work is being done) become 'mature' in terms of resources and priorities it is the moral responsibility of the global civil society. Particularly, since current and emerging contextual realities in many Asian countries suggest worsening of the HR and systemic lack of justice situation. Efforts need to be taken to evolve various kinds of solidarity mechanisms both at local and international level to ensure uninterrupted funding and the implementing organization needs to do its two bits in this regard. This could be on the lines of gradually creating a corpus for ensuring continuation of core actions, tapping into individual 'giving' efforts especially by 'high-net worth' individuals in the local society, crowd-funding and online giving sources.

### **Questions for the future:**

- How to depoliticize the JS institutions as part of reengineering?
- What strategies and methods are needed to engage with JS institutions, which are set in their pitch and practices as well as carry the legacy of past authoritarian regimes?
- Whether and how to engage with the Attorney General's office?
- What causes and sustains change in society's normative expectations and behaviour on JS and rule of law? How to evolve a narrative on JS-rule of law where it does not exist and where there is opposition to it?
- How to overcome the normative reluctance of local civil society towards engaging on the issue of JS reengineering and bringing in a rule of law?
- How to attract new CDOs?
- How to widen / deepen the pan-Asian presence of AHRC?
- How to evolve a second line of leadership in AHRC?

- Which initiatives need to be taken at the European (and the “global north”) as well as within the Asian countries to ensure financial sustainability? What kind of international and local solidarity mechanisms would contribute towards financial sustainability?

Kaustubh Devale

Pune, India

October 2016

## Annexure 1: Evaluation criteria wise questions in ToRs

### Relevance:

- (a) Is the idea and vision behind the project relevant to the countries where the project is implemented?
- (b) Are there any substantial changes required in the project, and whether the activities undertaken through the project in the right direction?
- (c) Are there any additional components that should be incorporated into the project that could augment the achievement of the objectives under the project?
- (d) Has the project assisted in the ALRC/AHRC being able to promote grassroots activists to speak about human rights abuses, most directly, by assisting victims of human rights violations to file and pursue their complaints?
- (e) To what extent has local partnerships (as defined in (3) above) contributed to the advancement of the overall goal of the ALRC/AHRC?

### Effectiveness:

- (a) What are the role, responsibility, efficiency and importance of the local staff of the ALRC/AHRC based in Hong Kong in the implementation of the project?
- (b) To what extent has the planning, activities and implementation contributed to the objective of the project?
- (c) Have AHRC/ALRC partners (as defined in (3) above) been actively and meaningfully involved in project design, implementation, and monitoring?
- (d) To what extent has the objectives of the project achieved or are likely to be achieved?
- (e) What are the short-term and long-term outcomes of the project?
- (f) What are the major factors that have positively/negatively affected the implementation of the project?
- (g) Is the project outcome measurable?
- (h) To what extent have local partnerships promoted in assimilating gender perspective in the project? (Here it is to be noted that gender mainstreaming in developing countries must be viewed in context to determine realistic results. Difficulties are often accentuated by discriminatory values, a reluctance to change and weak information systems. Initial project returns will be incremental in eradicating gender-based discrimination and ensuring equity in all facets of society. Full impact may only register in the longer term.)
- (i) Has there been an increase in the participation of local partners over time?

### Efficiency:

- (a) Is the project implemented in the most efficient manner?
- (b) What extent of the objectives has been achieved in time?
- (c) The project is expected to benefit 15000 local people through ALRC/AHRC's direct or indirect interventions, including at least 6000 women. The beneficiary groups are ordinary individuals in the countries where the project is implemented, including loosely organised gender/widow/Dalit and or other minority groups. To what extent has the project achieved this aim?
- (d) Are there any better alternatives to achieve the objectives under the project?
- (e) Can the project be made more efficient by including/removing specific components?

### Impact:

- (a) Are there noticeable and measurable positive changes that the project has achieved?
- (b) Would the beneficiaries of the project have attained similar benefits without the project?

### Sustainability:

- (a) Is the project sustainable and on a path of growth and development?
- (b) Are there factors that should be considered to be incorporated into the project plan during the remaining phase of the project and in the continuity phase of the project?
- (c) What are the major factors which influenced the achievement or non-achievement of sustainability of the programme or project?

## Annexure 2: Stakeholders met with during evaluation

Stakeholders met with AHRC Hong Kong Team August-September 2016				
No.	Person	Organization	Date	Location
1	Bijo Francis	ED, ALRC	10th August	Skype, Pune
2	Bijo Francis & Basil Fernando	ED, ALRC Director, Programmes, AHRC	14th August	Hong Kong
3	Team Meeting	AHRC	15th August	Hong Kong
4	Prakash	Nepal, Country Desk Officer (CDO)	15th August	Hong Kong
5	Zaman	Bangladesh, CDO & Coordinator, Asia-Europe Dialogue (A-E)	16th August	Hong Kong
6	Baseer	Pakistan, CDO	16th August	Hong Kong
7	Josefina	Documentaries & Communication	17th August	Hong Kong
8	Bijo Francis		17th August	Hong Kong
9	Basil & Sanjeewa		17th August	Hong Kong
2nd Round in September				
1	Bijo Francis & Basil Fernando	ED, ALRC Director, Programmes, AHRC	17th September	Hong Kong
2	Tharanga	Coordinator, Urgent Appeals Desk	18th September	Hong Kong
3	Kang	Intern, Thailand Country Desk	18th September	Hong Kong
4	Namal Fernando	IT Coordinator	18th September	Hong Kong
5	K. G. Shankar Pillai	Governing Board member, AHRC	18th September	Hong Kong
6	Sharing of Evaluation Results with AHRC Team		18th September	Hong Kong
Stakeholders met with in Indonesia August 2016				
1	Mr. Tomy Tobing, Mr. Revan Tambunan and Ms. Yunita Purnama	Jakarta Legal Aid (LBH Jakarta)	18th August	Jakarta
2	Mr. Abdul Haris Semendawai, S.H., LL.M, (Chairperson), and Dr. Azkari Razak, SH, MH (vice chairperson) and expert team	Victim and Witness Protection Agency (LPSK, Govt. Indonesia)	18th August	Jakarta
3	Mr. Bejo Untung (chair of the association of victims and family of victims 1965-1966 massacre), Mrs. Maria Sumarsih (family of victim student shooting in 1998), Mr. Zico Mulia (secretary of NGOs coalisiton for Truth Seeking )	Black Thursday Demonstration	18th August	Jakarta
4	Mr. Muhammad Daud Beureuh (vice secretary general of BAR Association)	Indonesian Bar Association (PERADI)	18th August	Jakarta
5	Mr. Totok Yulianto (Public Defender), Mr. Bambang Dwi Mulyanto (Paralegal), Mr. Andika (Paralegal)	Indonesian Drug User Network (PKNI)	19th August	Jakarta
6	Mr. Rusdy Marpaung (senior advocate), Mr. Ade Wahyudin (public defender), and Mr. Asep Komaruddin (Head Advocacy Division)	Press Legal Aid (LBH Pers)	19th August	Jakarta
7	Ms. Putri Kanesia (Head of Advocacy Division for Civil and Political Rights)	Commission for the Disappearances & Victims of Violence (KontraS)	19th August	Jakarta
8	Mr. Arvi Bambani (secretary general, AJI)	Independent Journalist Alliance (AJI)	19th August	Jakarta
9	Mr. M Najib, Mr. Junaidi Adi Putra, Mr. Maman, Mr. Bandi	Rumpin community members	20th August	Bogor, West Java
10	Mr. Yendra Budiana, Dr. Gia Pratama	Indonesian Ahmadiyya Congregation (JAI)	21 <sup>st</sup> August	Jakarta
11	Mr. Rizky Pratama, Ms Novia Astriani, Mr. Panjul	Sudut Kota (youth organization)	21 <sup>st</sup> August	Jakarta
12	Mr. Erwin Natasomal Oemar	HRD, Indonesian Legal Round-	21 <sup>st</sup> August	Jakarta

			table		
13	Mr. Arsul Sani		MP, Govt. of Indonesia	21 <sup>st</sup> August	Jakarta
14	Mr. Agung Santoso (Director of Human Rights Information), Mr. Sofyan (Director of public service and public relations), Mr. Bambang Iriana Djajaatmadja (Director of Human Rights Dissemination and Empowering Human Rights)		Directorate General of Human Rights, Govt. of Indonesia	22 <sup>nd</sup> August	Jakarta
15	Mr. Imdadun Rahmat (Chairperson), Dr. Ansori Sinungan (Vice Chairperson) and Mr. Sriyana (Senior Investigator & Head Planning of NHRC)		National Commission on Human Rights, Govt. of Indonesia	22 <sup>nd</sup> August	Jakarta
Stakeholders met with in India September 2016					
1	Naveen	Head, Nervazhi	Thrissur, Kerala	6th September	
2	Bijo Francis & Naveen	ED, ALRC & Head, Nervazhi	Thrissur		
3	Bijoy & Sojan	Volunteer & Lawyer with Nervazhi	Thrissur		
4	Dr. Shivdas	Superintendent, Chalkudi, Taluk Hospital	Chalkudi	7th September	
5	Mrs. Shirley	Wife of tortured Raju	Pattimutun		
6	Mother & Sister	Of custodial torture & death, successful court case	Kottarkaru,		
7	10 Volunteers	Local Civil Society individuals-CBO representatives	Naveen's home town	8th September	
8	Vishnu & Ambali	Interns at Nervazhi from Law College	Thrissur		
9	Naveen, Bijo & Sojan		Thrissur		
Stakeholders met with in Sri Lanka September 2016					
1	Sanjeeewa	Legal Advisor, AHRC & Assistant, Basil	Colombo-Kandy	9th September	
2	Fr. Nandana	Head, Human Rights Organization (HRO), Kandy	Kandy	10th September	
3	10 Team Members	HRO, Kandy (Legal, Communication, Counsellor, Prisons...)	Kandy	11th September	
4	10 HRVs	Human Rights Violation Victims	Kandy		
5	20 SGMs	HRO Support Group Members (citizens of Kandy)	Kandy		
6	3 HRVs	Home visits to HRVs in Tea Estate & Hilllock	Outside Kandy		
7	Phillip	Secretary, Right To Life Human Rights Centre (RLTHRC)	Colombo	12th September	
8	Brito Fernando	President / Board Member, RLTHRC	Colombo		
9	Vinod and 7	Administrative Manager and Team Members	Colombo		
10	3 HRVs	Sexual Abuse-Airport and Custodial Torture	Colombo		
11	Missing Persons (Tamil) Monument		Colombo		
12	Chitral Perera	Head, Janasansadaya (JS)	Panadura	13th September	
13	Shyamali Martha, Anusha Perera, Pradeepa Wickramarathna, & Amitha Priyanthi	Members, Working Committee, JS	Panadura		
14	Mr. M.K.M.Wijayadasa, Mr. P.Nagahawatta, E. K. Ariyadasa, W. A. L. Ariyadasa, P. V. S. Senarathna	Retired Inspector of Police Officer, Retired Chief Inspector Police Officer / Lecturer Police College, Retired Deputy Commissioner – Dept of Probation and Child Care, Retired Commissioner of Prison, Retired Senior community Base Correctional Officer	Panadura		
15	Ms. Ermiza Tegle, Mr. K.Diluka M.Silva, Mr. Janaka Amarasinghe	Attorney at Law	Panadura		
16	42 HRVs	Meeting at JS office with victims	Panadura	14th	

17	Ms. Shanthi Samaraweera, Ms. M.A. Shyama, Ms. Soma Hettige, Ms. H. Malani, Mr. Gamini Rthna Gunesena, Mr. S. Perera, Ms. Kusum Silva	4 NGOs from Monaragala, Galle, Kandy, and Gampha districts who are partners (new) of JS	Panadura	September
18	Kingsley & Ms. Inoma	Rule of Law Forum (RLF), AHRC local arm NGO	Colombo	15th September
19	Kishali Pinto	Senior Advocate and Board Member, AHRC		

### Annexure 3: Summary data analysis of project actions & changes

As part of the evaluation, each country desk was requested to share data about the various actions undertaken as part of this project phase (January 2014 till August 2016). This data was collated in an excel file and analysed for the purpose of this evaluation. Country-specific excel files have separately been developed, which along with the below-mentioned summary sheet have been shared with the Executive Director, ALRC, along with this report.

Activity-Change analysis matrix for 2014 to 2016								
Sr. No.	Action / Change	2014		2015		2016		TOTAL
		Number	Clarifications	Number	Clarifications	Number	Clarifications	
<b>A</b>	<b>Documentation</b>							
1	Urgent Appeals (UAs) issued	134	Mostly by partners, in some cases legal assistance provided	143		117		394
2	Follow up of above UAs	72		63		56		191
3	Case completed of above UAs	44	Many cases affected by delays in justice system. Examples from Indonesia.	40		31		115
4	Statement (STM) issued	195		198		118		511
5	Follow up of above STM	134	media, partners, institutions	145		80		359
6	Letter sent	290	Letters to local, state, national & UN authorities. Letters sent to the NHRC / State HRC are taken up by the NHRC / State HRC as complaints; Local partners follow up with relevant authorities in Nepal. Mandate holders and Special Rapporteurs write to government. Doesn't include Bangladesh	289		201		780
7	Follow up of above letters	261		263		184		708
8	Articles written (in total in various publications)	74		66		51		191
9	Submissions to UN	26	without India's numbers	34		42		102
10	Follow up of above submissions to UN	4		6		7		17
11	Result in above submissions to UN	0		0		2		2
12	Book published	15		12		12		39
13	Guidance material developed	20	Includes docs and videos (interviews)	29		22		71
<b>B</b>	<b>Training / Workshops</b>							
14	No. of Folk Schools held in the country	19		20		14		53



15	Total participants in these folk schools	597		656		487		1740
16	No. of training / workshops held in the country	10	Doesn't include Bangladesh since its data includes participants from various social action apart from training	16		8		34
17	Total participants in these training / workshops	373		485		205		1063
18	Number of parliamentarians meets	4	Doesn't include Pakistan since data inaccurate	7		3		14
19	No. of parliamentarians participating from the country in these meets	17		20		11		48
20	Consultations with various stakeholders in the country (Civil Society, Judiciary, Police, Prisons, Bar / Lawyers Associations, Media, & any other)	81	excludes 'several' from India, Pak and Nepal	30		19		130
<b>C Internship</b>								
21	Interns participating in the internship programme at AHRC	12		8		6		26
<b>D Outcomes</b>								
22	New legislations pertaining Human Rights (HR) / justice system (JS) passed	4		7		6		17
23	Bills pertaining HR / JS drafted	4		1		4		9
24	Policy pertaining HR / JS passed by government at national / sub-national level	3		3		7		13
25	New institutions pertaining HR / JS	1		8		3		12
26	Revision in the procedures of functioning of existing institutions for HR / JS	0		3		2		5
27	Legal support provided to victims of HR violations	731	645 from SL	677		575		1983
28	Result from above legal support provided	12		9		16		37

**Please note:** The data in the above matrix has been organized as per the project phase years and is of August 2016. It includes data from following 8 Countries: Bangladesh, Burma, India, Indonesia, Nepal, Pakistan, Sri Lanka, and Thailand. Wherever there was limited clarity regarding the data (for e.g. Submissions to UN & Number of parliamentarian meets), data for that particular country has not been included in this summary matrix.

## End Notes:

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<sup>1</sup> Factual information, pertaining the project and AHRC/ALRC, mentioned in this section is based on the ToRs and other documents shared by ALRC as part of this evaluation.

<sup>2</sup> Bangladesh, Burma, Cambodia, China, India, Indonesia, Nepal, Pakistan, Philippines, South Korea, Sri Lanka, and Thailand.

<sup>3</sup> Mission statement quoted from documents shared by ALRC as part of this evaluation.

<sup>4</sup> Kaustubh Devale, economist based out of India, is an independent development facilitator supporting civil society, government and UN organizations across Asia for a decade and half now. Support and expertise provided till date is on risk governance through strategic planning, development and disaster management programming, designing monitoring systems, team' capacity strengthening, and undertaking evaluation-impact assessments.

<sup>5</sup> Project Application Form as shared with the evaluator.

<sup>6</sup> As provided in Section 4 of the ToRs.

<sup>7</sup> As shared by the Executive Director in the initial project related Skype discussion with the evaluator and further reaffirmed by the Director, Policy and Programmes (who also doubles up as the CDO for China).

<sup>8</sup> As mentioned at the start of Section 4 of the ToRs.