

# **Executive Summary of Mid-term Evaluation Report**

## **Project Title: Access to Justice, Human Rights Education and Community Mediation Work**

### Background

NU came in to being in 1995. It is working in 9 upozilas of 5 districts across rural Bangladesh. One of its projects is "Improving Access to Justice through Human Rights Education and Community Mediation" - a 3 year intervention launched in August '04 with funding from EED and BftW of Germany and C A, UK. It is generally aimed "to uphold human rights, especially to promote women's rights and improve their access to gender sensitive mediation procedures at the grassroots level". NU's goals and objectives are as follows:

- ◆ Establish social justice and democracy irrespective of gender and social status through mediation, legal aid and other activities.
- ◆ Promote popular participation including women's participation in the electoral system to ensure it is fair and free participatory and accountable to them.
- ◆ Educating and training to raise awareness of human rights and women's rights among the community people; NGO workers, and human rights activists.

### Objectives and Components of the Project

The project in question--a 3 year intervention since August '04 is being carried out in 30 unions under 5 upozilas of 4 districts. Its major specific objectives are as listed below.

- ◆ Build-up sustainable community institutions for better access of the poor people-women and men to justice.
- ◆ Develop leadership among the village women and support them build-up their own rights organizations linked with Salish, and for collective actions.
- ◆ Empower the poor, especially women by raising their human rights awareness to make them claim their rights and have better access to justice through gender-sensitive mediation and legal aid provision and to basic services; while improving their self-confidence and changing social attitudes towards them.

The components of the project are institution building at the community level, human rights education and awareness raising, promoting alternative dispute resolution, strategic alliance, documentation and publications, legal aid provision, and staff capacity development.

### Evaluation Objectives and Methodology

The overall objective of this mid-term evaluation has been to assess the relevance and effectiveness of the project including organization and management issues over the period August '04- June '06, with a set of recommendations.

The evaluation is based on both primary and secondary sources for information. Data were generated through discussions with NU staffs, members of organized committees and networks of project-participants, and cross sections of the wider communities. Data were generated also through reviewing of documents. Checklists were used as a tool.

### Project Implementation Performance

- Institution Building at the Community Level

NU has made good strides to developing community organizations at the grassroots and to bring about positive changes and facilitate poor women's access to democratic gender sensitive community mediation. Over the last 2 years it has formed almost all WSCs, LACs, GWNs respectively at ward, union and upozila levels across project areas, as planned. The anticipated results are quantitatively well attained. With NU support they are functioning well. All 20 training workshops planned for 2 years have taken place during the first year, attended by 978 members of organized committees, accounting for as many TPDs. Most members including UP female members trained have had preliminary understanding of human and women rights. Their interest to have more of such training indicates a positive effect. With NU support they have organized leadership networks at village and union levels. UWLDC is the representative coordination body of the union level women's organizations at the upozila level. There are 5 such networks, one in each of 5 project-upozilas. They want to see their networks independent and self-reliant organizations in the long-run. The project staffs have carried out most of the monitoring meetings with committees and networks as planned. This component shares the specific recommendations made for the next component.

- Human Rights Education and Awareness Raising

As people see it NU provides them not only salish but also knowledge on social and cultural human rights and gender rights. LAC members and women leaders have had some training and are aware of the negatively biased social institutions. They play proactive roles in NU salish. However, The members' perceptions of human rights largely shaped by the local customs and norms influence salish verdicts that do not always conform to human rights. Women leadership networks at union and upozila levels are elected bodies, and include female UP members. This shows community recognition to them. Yet, there is no strategy to make the committees and networks self-reliant and self-sustaining. Collective sense of agency is poor among the members. Their long-run roles as perceived by neither their leaders nor NU are very clear. Moreover, the selection criteria for women leaders are rather arbitrary and could be based on subjective perceptions of the NU staffs.

#### Specific Recommendations

These specific recommendations relate to the first two project-components together.

- ◆ Redefine the selection criteria for women leaders so as to accommodate more of them from the extreme poor while making the selection more participatory and ensuring more active involvement of those already on the committees.
  - ◆ Let the staffs have better understanding of human rights, laws, organizational skills including facilitation skills. Make them have more supportive role to the organizations for empowering women and bringing about positive changes.
- Promoting Alternative Dispute Resolution

NU salish has gained legitimacy due to its simplicity and transparency and as for there is virtually no cost involved. It is successful in winning support of the influential people irrespective of class, religion or political identity for bringing about changes in salish. If salish fails, NU supports the victims with legal-aid. In fact, UP chairmen and members see NU's role in salish as complementary to that of UP itself. Their referring 318 cases to NU is its recognition. Some UP members trained on human rights, gender, etc regularly take part in NU salish. In addition, 1776 salish cases were registered in 2 years, indicating women's awareness of their rights and their seeking justice as 'right bearing individuals'. However, NU salish verdicts are often more in line with the 'conservative' norms and attitudes towards women, which often clash with the principles of human rights. The very poor are not accommodated in WSC or LAC. They are not accepted

as salishdars in the community. NU falls short at ensuring their participation as mediator. Moreover, staffs and NU supported salishdars-WSC and LAC members might not have sufficient skills for better gender sensitive mediations based on human rights norms.

#### Specific Recommendations

Continue with complementing the work of UP and develop a mechanism to make it accountable to the community including the very poor.

- ◆ Have a strategy to allow poor women as mediators with decision making authority to effectively take part in NU salish.
- ◆ Let LACs and WSCs meet more frequently and undertake certain activities at their own initiatives in order to develop their sense of agency.

#### ▪ Strategic Alliance

AJIN is a good alliance of 13 local NGOs with NU as the lead agency since August , 04. NU is confident that it could continue with extending capacity development assistance to its partners. It is aware of its fund constraints for the purpose. They actually need both technical and funding support to develop their institutional capacities. AJIN is yet to visibly pick up towards relatively greater interventions and impacts. It has been growing in terms of mutual cooperation and support particularly helping the members undertake human rights work. NU itself is comfortable with the level of achievement registered in qualitative terms, while hopeful of doing better in the days to come.

#### Specific Recommendations

- ◆ Clearly redefine the specific issues relating to access to justice and right to information.
- ◆ Organize a collaborative strategic planning for further development of the network.

#### ▪ Documentation and Publication

The project staffs regularly undertake monitoring field visit and carry out FGDs with the local community people. This enables them to stay linked with them and responsive to their needs. The general readership is a fairly wide variety of people-e.g. the wider community people, UP chairmen and members, local NGOs; public officials at upozila and district levels, et al. With a circulation size around 2000, each quarterly is distributed mostly free of cost. There are civil society groups and NGOs subscribed to

Nagorik Udyog Barta. The newsletters are primarily meant for the wider community people and are fairly well received by them.

However, they should find things in the newsletters that give them not only education but also entertainment. The newsletters could be made more user-friendly and down to earth in terms of both forms and contents. NU produces a good deal of documents, both in the vernacular and English on varieties of activities and issues. Some vernacular documents are well-written and are useful not only to its own staffs but also to the wider general readership. The resource and documentation centre is a very small but well-organized reference library.

#### Specific Recommendations

- ◆ Define indicators for monitoring of the activities of each of organized committees and networks through FGDs and other means.
  - ◆ Publish a selection of best case studies both in the vernacular and English for a wider readership including policy decision makers and donors.
  - ◆ Periodically critically review the contents of the newsletters based on feedbacks from a cross section of the readership.
- Provision of Legal Aid

NU's salish is more accepted for there is an opportunity to appeal to the court with legal aid provided by the organisation. This ensures better enforcement of verdicts from NU salish and has made NU's salish more accepted even by defendants. NU legal aid enables the poor people, especially women to assert their rights in a more effective and sustained manner. It does not only help complainants financially to file cases at court but also morally empowers them, as they see their cases legitimate. Backing by NU means freedom from arbitrariness and corruption that a person normally faces in her/his pursuit of justice. NU's support offset the disadvantage of a vulnerable complainant given the judicial environment and brings a balance in the equation. The provision for appeal to court also makes NU role complementary rather than competitive to the formal legal system. This encourages people to settle disputes through NU salish at the community level. However, selection of litigants for legal aid is often arbitrary and based on subjectivism as there have been no selection criteria for them. It is feared that the legal aid is not reaching the most vulnerable victims. The quantitative target of providing legal aid to at least 65 individuals in first two years is not fulfilled.

#### Specific Recommendations

- ◆ Put into practice the recently adopted legal aid policy including beneficiary selection criteria and panel lawyers' terms of reference with immediate effect while ensuring legal aid to those who need it most.
  - ◆ Undertake special training on legal aid for the field staffs and the panel lawyers.
  - ◆ Further sensitize the local government officials--particularly the police, for their supportive roles as they always do not duly cooperate with NU and its allies.
- NU Staff Capacity Development

NU itself is quite aware of its further staff capacity development training needs that are identified such as project management, rights based approach, development concepts, and facilitation skills at the senior management level; project management including HRD, report writing and language skills in both Bangla and English and gender at the mid-management level; and human rights and gender, leadership and organizing skills including negotiating and problem solving skills for the junior staffs. NU has some good training modules. It would need to further diversify the contents to include wider socio-economic issues. It has provided around 617 person days of capacity development training to the staffs, internally and externally. Some central staffs have attended special events abroad--events that are considered study tours. NU does not have any comprehensive foundation training as such for its staffs. Instead it perhaps emphasizes more on the in-house training. The human rights issues could be neither understood nor acted upon in isolation from the wider socio-economic issues. Thus these issues should also be duly included in the foundation course curricula and contents. NU is likely to have a staff capacity development policy or strategy soon.

#### Specific Recommendation

Assess the further staff training needs a fresh, and design fresh training courses based on them and strengthen the existing in-house staff capacity development training facility, preferably with external technical assistance.

- Organization and Management

NU had a General Body that virtually does not exist any longer. It is run and managed by an EB comprising 13 members with the CEO as ex-officio member secretary and 2-year is the tenure of office. However, there have been some changes in the EB membership from time to time, albeit always

not very properly. The EB does not very regularly hold its meetings, the CEO is happy with its cooperation and support in running and managing the organization. NU believes in programme approach rather than project approach in its work. The 3 projects are linked to one another in a kind of holistic manner. This project's 7 components are also linked with and complementary to one another. But they are too many often involving uncalled for duplication of activities. E.g., the first two components could easily be combined into a well-organized one for better implementation and management. The project goal, purpose and outputs are good in terms of details, but the OVIs could have been relatively better defined.

Remarkably, women are 50% of the 52 project staffs. Field staffs are 35 strong-54.28% females and 45.72% males. The central staffs are 38.46% females and 61.54% males. The project staffs are mostly academically fairly well educated, given their jobs. Almost all have had short-run in-house training, some a modicum of external training abroad. As feared, they are not adequately trained. This is a crucial weakness in the staff strength and capacity. A few have had relevant previous job-experiences.

The field level coordination and monitoring of project-activities is done mainly through weekly and monthly staff meetings. The monthly report for the area is based on the monthly reports from the CMs. Coordination among and across the areas is done mainly through the monthly coordination meeting in Dhaka--a meeting between AOs from all areas and the senior and mid-management staffs. The central staffs periodically undertake field-visits to area offices, networks and committees. This gives them a leeway to monitor field staffs. The field staffs organize WSCs and LACs and training workshops and keep liaison with local NGOs, UPs and upozila and district administrations. NU runs and manages its entire works through 8 organizational units viz. Programme, Advocacy, Networking, Training, Legal Aid, Theatre, Finance Administration and Publications at the center. Preparations are underway to further systematize them. Inter-unit coordination is a part of the organizational process and takes place through centrally held monthly staff meetings and other meetings. It has been using 7 or more reporting formats as monitoring tools, mostly recently introduced, for its MIS. It would be too early to critically look into them. NU itself intends to get them critically assessed and improved upon for the days ahead.

NU has its own way of doing its work-approach and strategy. It itself mainly on its own operates its project activities unlike its fraternal NGOs operating mainly through their partners. This allows NU to have relatively better control over the quality of its work while limiting its contribution to the

others' institutional capacity. It alone has 4 organization structures viz WSC, ASC, WLC and WLCC at 3 levels--ward, union and upozila. ASK has 3 organization structures but at 2 of these levels. Commendably enough, its policies relating to staff recruitment, services and welfare well could be examples for others to learn from. The NU staff structure consists of 6 levels and 12 grades in terms of pay-scales--rather too many. They should be reduced to as fewer as possible. NU understands its own institutional capacity development needs relating to research and HRD, and gender etc; but it is yet to have well-defined policies and strategies in these areas. The project is indeed very much relevant to the project-participants. However, there were neither any need assessment nor baseline studies carried out prior to the launching of the project. NU with the project in question is fairly well received in the midst of the communities--a great point of strength indeed.

#### Specific Recommendations

- ◆ Restore the GB, and make it effectively work as per both NU constitution and relevant legal provisions.
- ◆ Use fewer but better monitoring tools and devices and thereby reducing pressure on the field staffs for quicker management decisions and actions.
- ◆ Critically review and further rationalize the staff structure by reducing the levels and grades.

#### ▪ Concluding Considerations

Since its very inception NU is a learning organization. It is already widely recognized as a well-meaning human rights work. The project performance in the last 2 years appears to be very impressive indeed. The community people including the project-participants see NU not only as a salish provider but also as human rights knowledge provider. It plays a complementary role to the UP while acknowledging the formal justice system through legal aid. Empowering women through community level interactions, developing their networks, facilitating their access to human rights and justice etc are good efforts. Commendable are also the efforts relating to sensitizing female UP members on HRs through training and salish activities.

NU's salish is more accepted even by defendants due to the complainant's opportunity to appeal to the court, with legal aid. NU trained women are more or less aware about the social customs, and manners and gender-biases. Both formal and informal women leaders act as salishkaris. Their mediation skills have improved. Some of them manifest a nascent sense of

individual agency. NU's salish is only successful when both parties involved are poor or on equal footings. Its vision about the roles of women networks is not very clear. It has no strategy to make them independent and self-reliant as yet. A sense of collective agency might be missing among them. Capacity developing efforts are not sufficient either. NU's dependency on local elites for legitimacy could result into reinforcing the local power structure leading it to its alienation from the community. It is not visibly very much concerned about the local government while leaves aside the gram adalot. The ultra-poor remain bypassed.

The community continues to perceive NU as more of salish provider, than as facilitator. Legal aid is not outreaching the most vulnerable victims. Sometimes the areas of strength are areas of weakness as well. The staffs' dedication to the jobs is clearly strength, while their having insufficient training a weakness. Flexible personnel management too harbours both strength and weakness. It may not be always easy to strike a balance between the two ends. Outreaching the remote rural areas with human rights focused mediation and legal aid provisions especially to poor women, and strengthening community participation, are of course strengths. Difficulties and constraints faced, ill-trained staff strength and capacity, etc are sources of learning experiences. Struggling with relatively greater challenges such as establishing sustainability and replicability of its own work model helps it grow to maturity. NU is a story of succeeding with both strengths and weaknesses, while negotiating challenges, and and towards greater achievements and impacts. It is destined to go a long way ahead.

#### General Recommendations

- ◆ Aim at developing a sense of ownership and agency among the organized committees and networks both at individual and collective levels.
- ◆ Undertake a strategic planning to develop the women's networks in to self-sustaining institutional entities over time.
- ◆ Build-up a gender desegregated data base both on activities and participants of the project so as to generate new knowledge resources by involving both of them for new interventions.
- ◆ Have a staff capacity development training plan with implementation timelines taking the preliminarily identified needs or content areas as synthesized during the evaluation.