



AF: ARTF-2nd Judicial Reform Project (P118028)

SOUTH ASIA | Afghanistan | Governance Global Practice |
 Recipient Executed Activities | Specific Investment Loan | FY 2012 | Seq No: 8 | ARCHIVED on 27-Jun-2016 | ISR24294 |

Implementing Agencies:

Key Dates

Key Project Dates

Bank Approval Date:21-May-2012	Effectiveness Date:31-May-2012
Planned Mid Term Review Date:17-Jan-2016	Actual Mid-Term Review Date:17-Jan-2016
Original Closing Date:01-Jun-2017	Revised Closing Date:01-Jun-2017

Project Development Objectives

Project Development Objective (from Project Appraisal Document)
 The objective of the project is to increase the access to and use of legal services.

Has the Project Development Objective been changed since Board Approval of the Project Objective?
 No

Components

Name
Legal Empowerment:(Cost \$2.80 M)
Organization and Capacity of Justice Institutions:(Cost \$18.40 M)
Implementation Capacity:(Cost \$3.80 M)

Overall Ratings

Name	Previous Rating	Current Rating
Progress towards achievement of PDO	● Unsatisfactory	● Moderately Unsatisfactory
Overall Implementation Progress (IP)	● Unsatisfactory	● Moderately Unsatisfactory
Overall Risk Rating	● High	● Substantial

Implementation Status and Key Decisions



The 2nd Judicial Reform Project was approved by the ARTF Management Committee on May 21, 2012. The original grant amount signed was US\$40 million out of a total approved amount of US\$85.5 million. Overall, the pace of implementation of key activities under the Project has been considerably behind schedule, with limited progress towards achieving its development objective after four years of implementation. So far, the Project has disbursed about US\$16.12 million (equivalent to about 40 percent of the grant amount (US\$40 million) released to the Project, and only 19 percent of the approved amount of \$85.5 million). All four Project components are rated “Moderately Unsatisfactory” (MU), and although several outputs have been achieved, none of the PDO targets has thus far been met.

Overall, the Project has been heavily affected by political transition and political economy factors. These include insecurity and a prolonged absence of leadership in all three justice institutions during the political transition and the post-election vacuum. This resulted in delay of the Project’s Mid-Term Review agreed initially for May 2014 - to address key project challenges. Mid-Term Review was eventually carried out over December 2015 and January 2016. The Project has also been impeded by suboptimal implementation arrangements and capacity, and an overly complex design. The Project sought to implement the Government’s National Priority Program (NPP), mitigate the impact of the transition, put the system on a sustainable path for long-term results, and improve service delivery. The current broad scope of Project activities can therefore not be achieved in the absence of clear justice sector reform policies.

In this context, the project was restructured to reflect counterparts’ recognition that, in the absence of a clearly defined strategy and vision for the overall justice sector, the Project was delivering limited results but that a scaled down and more narrowly focused operation could still have a positive impact. Consequently, the following changes to the Project were requested by the Government of Afghanistan through a letter dated February 23, 2016: (i) Change in Project scope and design by dropping Component 1: Partnership for Justice and streamlining the scope of activities supported under other components; (ii) Partial fund cancelling of the original amount approved for the Project; (iii) reallocation of resources among Project components and related changes to the financing plan; (iv) Revision of the Results Monitoring Framework to reflect the new scope of the Project; and (v) Change in implementation arrangements to consolidate and streamline management of Project resources.

The Project restructuring process was concluded and approved in June 2016. The enacted restructuring changes aim to increase the likelihood of achieving the Project Development Objectives (PDOs) and ensuring efficient utilization of Project resources. This is to be achieved by streamlining and realigning the scope of the Project to focus on activities that reflect the current priorities of the Government, and help to lay the foundation for eventual reform of the justice sector to which the Bank and other partners may contribute through a programmatic approach. Such an approach could be based on a common vision and results framework into which all activities fit, rather than relying on a single financing mechanism such as the 2nd Judicial Reform Project.

Inputs retained by the restructured Project are those which are sufficiently advanced and/or have the required political commitment to be likely to be completed by Project closing. These include key consulting services associated with the development of a Legal Aid Roadmap, Human Resource Management (HRM) Strategy, Justice Institution (JI) mapping etc. The Ministry of Justice (MOJ), the Supreme Court (SC), and the Attorney General’s Office (AGO) - have an important need of physical infrastructure. However, owing to the limited implementation time remaining and the difficulties associated with overseeing construction, most of the original civil work activities planned under the Project have been cancelled. The limited number of civil work activities and associated goods (e.g. furniture, IT equipment, internet) retained are not intended to serve the full needs of the JIs but are those that have been determined as critical. These activities are essential both for purposes of supporting a basic and conducive working environment and institutional reforms within the three JIs. Minimal operating costs required to administer the Project up to closing have been maintained and reflect efforts to streamline and consolidate the Project implementation structures.

Risks

Systematic Operations Risk-rating Tool

Risk Category	Rating at Approval	Previous Rating	Current Rating
Political and Governance	--	● High	● High
Macroeconomic	--	● Substantial	● Substantial
Sector Strategies and Policies	--	● High	● Substantial
Technical Design of Project or Program	--	● High	● Substantial
Institutional Capacity for Implementation and Sustainability	--	● High	● Substantial



Fiduciary	--	● High	● High
Environment and Social	--	● Low	● Low
Stakeholders	--	● High	● High
Other	--	● High	--
Overall	--	● High	● Substantial

Results

Project Development Objective Indicators

► Level of increase in legal aid (Number, Custom)

	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	480.00	480.00	650.00
Date	01-Jul-2012	07-Jun-2016	16-Jun-2016	01-Jun-2017

Overall Comments

The PDO: "to increase the access to and use of legal services" has remained unchanged following project restructuring, given that project activities although streamlined, are still focused around increasing the access to and use of legal services. However, the project's Results Framework has been adjusted to better capture the progress and contribution of the revised scope of the project to the PDO.

In this regard, the project is performing well against achievement of its revised PDO results indicator: "Level of increase in legal aid". This indicator is newly added and measures the increased level of legal aid (cases per month) provided by direct support of the project. The restructured project will support around 65 legal aid providers across the country by completion with each legal aid provider expected to handle 10 cases per month. The project is well on its way to achieving this target of 650 cases (on average) per month with an average of 480 cases currently being handled through direct support of the project.

Intermediate Results Indicators

► Proposed: Legal Information Center Established (Number, Custom)

	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	1.00
Date	01-Jul-2012	07-Jun-2016	16-Jun-2016	01-Jun-2017



▶ Proposed: State Legal Aid Roadmap in Place (Yes/No, Custom)

	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	N	N	N	Y
Date	01-Jul-2012	07-Jun-2016	16-Jun-2016	01-Jun-2017

▶ Proposed: HRM Strategy for Judges and Prosecutors in place (Yes/No, Custom)

	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	N	N	N	Y
Date	01-Jul-2012	07-Jun-2016	16-Jun-2016	01-Jun-2017

▶ Proposed: Number of Judges Trained (Number, Custom)

	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	125.00	125.00	165.00
Date	01-Jul-2012	07-Jun-2016	16-Jun-2016	01-Jun-2017

▶ New Reformed Courts and Prosecutorial Mapping Completed (Yes/No, Custom)

	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	N	N	N	Y
Date	01-Jul-2012	07-Jun-2016	16-Jun-2016	01-Jun-2017

Overall Comments

Changes made to Intermediate Indicators as part of restructuring revisions to the project's Results Framework include: (i) simplification: dropping/revising indicators that have proved difficult to measure and/or attribute to the project; and (ii) changes in design/components: introducing new and/or revising existing indicators to reflect changes in design and scope of project components. The revised intermediate indicators are therefore focused only on measuring the progress which is directly attributable to the ongoing or discrete activities that will be completed by the end of the project. In this regard, intermediate results targets have also been revised from original projections to reflect the limited implementation time remaining as well as the change in the scope of the project, as a result of the partial cancellation of the original



amount committed:

Training: Training targets are reduced from 450 to 165. As part of the more focused approach proposed by the restructuring, training will be targeted at judges of which 125 have already been trained, as opposed to all sub-sets of government legal sector practitioners (judges, prosecutors, and MOJ personnel). Trainings for the remaining 40 judges have already been scheduled.

Information Centers: The project will no longer pilot information centers in provinces (four centers were previously targeted). The project will instead focus support on the establishment of one center run by the MOJ. Establishment of this center is currently at over 50% completion - procurement and installation of necessary IT equipment and installation has been completed while staffing needs have been advertised and are in process of being recruited.

Justice Institution Mappings: Instead of undertaking two separate court and prosecutorial mappings, this will be consolidated under one mapping exercise for which the procurement process is completed and the contract is ready to be signed.

Several packages such as the development of HRM Strategy and the Training Needs Assessment have also been joined-up between Justice Institutions for the purposes of enhanced and more comprehensive results as well as efficiency and cost effectiveness. These are currently at different stages of procurement.

Data on Financial Performance

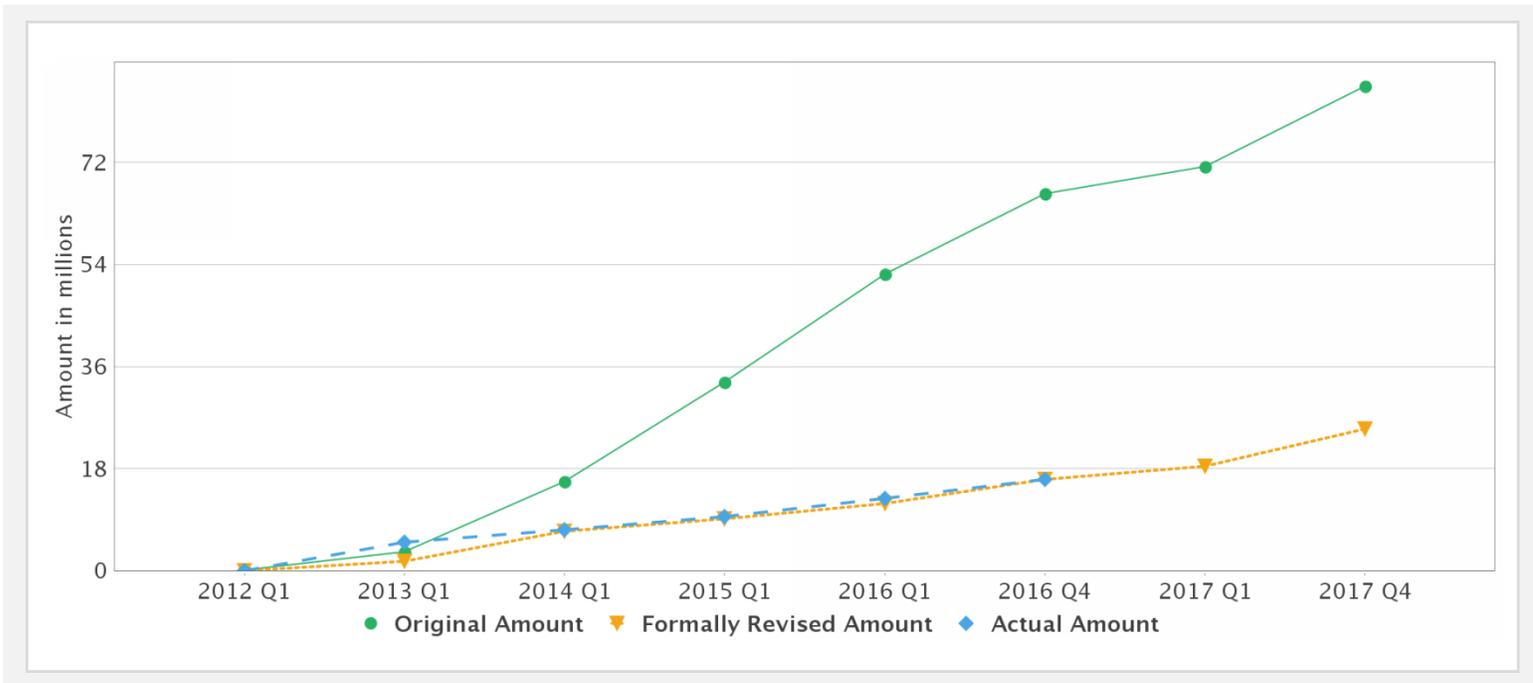
Disbursements (by loan)

Project	Loan/Credit/TF	Status	Currency	Original	Revised	Cancelled	Disbursed	Undisbursed	Disbursed
P118028	TF-12533	Effective	USD	40.00	40.00	0.00	16.12	23.88	 40%

Key Dates (by loan)

Project	Loan/Credit/TF	Status	Approval Date	Signing Date	Effectiveness Date	Orig. Closing Date	Rev. Closing Date
P118028	TF-12533	Effective	31-May-2012	31-May-2012	31-May-2012	01-Jun-2017	01-Jun-2017

Cumulative Disbursements



Restructuring History

Level 2 Approved on 09-Jun-2016

Related Project(s)

There are no related projects.