

**Evaluation of the projects:
“Enhancing and Protecting the
Civic Space” and “Strengthening
the Senior Women Protection
Advisor: Preventing and
Responding to Conflict-Related
Sexual Violence in the Democratic
Republic of Congo”**

Evaluation Report

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External Consultants have prepared this report. The views expressed herein are those of the Consultants and therefore do not necessarily reflect the official opinion of OHCHR.

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Table of acronyms

ADF	Allied democratic Forces
AWP	Annual Work Plan
CACH	Cap pour le Changement
CNDH	Commission Nationale des Droits de l'Homme
CSAC	Conseil supérieur de l'audiovisuel et de la communication
CSO	Civil society organisation
CPAS	Comprehensive Performance Assessment System
CRSV	Conflict-related sexual violence
CS	Civic Space
DDR	Disarmament, Demobilization, and Reintegration
DDCRS	Disarmament, Demobilization, Community Reintegration and Stabilization
DEXREL	Donor and External Relations Section
DPO	United Nations Department of Peace Operations
DRC	Democratic Republic of the Congo
EQ	Evaluation questions
ESRP	External relations and strategic planning
ESCR	Economic Social and Cultural rights
FARDC	Forces armées de République Démocratique du Congo
FCC	Front commun pour le changement
FO	Field Office
FOTCD	Field Operations and Technical Cooperation Division
GBV	Gender-Based Violence
GoDRC	Government of DRC
HDP	Humanitarian, Development and Peace nexus
HR	Human rights
HRBA	Human Rights Based Approach
HRD	Human Rights Division
HRV	Human rights violations
HQ	Headquarters
IMCHR	Inter-ministerial Committee of Human Rights
INEC	Independent National Electoral Commission
INGO	International non-governmental organization
JIT	Joint investigation team
KII	Key informant interview

MARA	Monitoring Analysis and Reporting Arrangements
MHR	Ministry of Human rights
MONUSCO	UN Organization Stabilization Mission in the Democratic Republic of Congo
MPDVP	Ministry Delegate for Persons with Disabilities and other Vulnerable People
NHRI	National human rights institution
NRI	National Reporting and Investigation
OHCHR	Office of the United Nations High Commissioner for Human Rights
OMP	OHCHR Management Plan
OSRSG – CRSV	Office of the Special Representative to the Secretary General on CRSV
PNC	Police Nationale du Congo
POC	Protection of Civilians
PPMES	Policy, Planning, Monitoring and Evaluation Service
QIP	Quick impact project
RBM	Result-based management
RC	Resident Coordinator
RIR	Renforcement Institutionnel et Reformes
SDG	Sustainable Development Goal
SEK	Swedish Krona
SGBV	Sexual Gender-Based Violence
SRSG	Special Representative of the Secretary General
SVC	Sexual Violence in Conflict
SWPA	Senior Women Protection Advisor
TOC	Theory of change
TOR	Terms of Reference
TU	Thematic unit
UN	United Nations
UNCT	United Nations Country Team
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children Fund
UNHCR	Office of the United Nations High Commissioner for Refugees
UNJHRO	United Nations Joint Human Rights Office
UNWOMEN	United Nations entity for Gender equality and women empowerment
UPR	Universal Periodic Review
USN	Union sacrée de la Nation
WPA	Women Protection Advisor

1. Executive Summary

1.1 Background

This report presents the evaluation of the two projects “**Enhancing and Protecting the Civic Space (CS)**” and “**Strengthening the Senior Women Protection Advisor (SWPA): preventing and responding to Conflict-related Sexual Violence in the Democratic Republic of Congo (DRC)**” implemented by the United Nations Joint Human Rights Office (UNJHRO) between March 2020 and December 2021 with funding from Sweden. The Swedish funding earmarked for “Enhancing and Protecting the Civic Space”¹ is part of a bigger project named ‘Civic Space – Elections II’ that started at the end of 2018 with funding from Norway and the Netherlands.

According to the Terms of Reference (ToR) the evaluation objectives were to identify:

- i) UNJHRO adaptability to the country situation and to the needs of stakeholders, both duty-bearers and rights-holders, involved in the CS and SWPA projects.
- ii) Key achievements including successful synergies with the United Nations Country Team (UNCT) and mainstreaming of a Human Rights Based Approach (HRBA) and gender/youth/disability approach in the frame of the CS and SWPA projects.
- iii) Areas where no results could be achieved and where strategic readjustments have been made.
- iv) Areas where significant contribution has been achieved and is likely to sustain thanks to an adequate/targeted empowerment of national stakeholders.
- v) Geographic and thematic areas to prioritize in the future in the transition to peacebuilding and UN Organization Stabilization Mission in the Democratic Republic of Congo - MONUSCO phasing out.

The evaluation considered the following key contextual factors under which the two projects were designed and implemented: i) UNJHRO mandate; ii) the cooperation with MONUSCO as an integrated Office and the UN Country Team, iii) Office of the High Commissioner for Human Rights (OHCHR) global and country strategy consistency with the evaluated projects; iv) positive developments since Tshisekedi’s elections in January 2019 and sustained concerns in view of the 2023 elections, v) the implications of MONUSCO gradual draw down from the country for the UNCT and UNJHRO.

1.2 Methodology

This evaluation was conducted between September 2021 and February 2022 by a team of two independent external consultants. The inception phase consisted of documentation review, scoping interviews with use of ten staff from OHCHR Geneva and two from UNJHRO, and submission of an inception report on October 29, 2021. Because of restrictions related to the COVID-19 pandemic, the evaluation was conducted remotely. The virtual data collection phase took place from November 22 to December 14, 2021. The triangulation and reporting phase took place between December 14, 2021 and January 11, 2022, following which the first draft report was submitted.

¹ The Election II – Civic Space final budget amounted \$US 5,854,591 to which Sweden contributed up to 24,321,000 SEK (i.e. approximately \$US 2,800,00) according to the agreement signed with OHCHR in March 2020. This contribution also covered activities related to the Senior Women Protection Advisor (SWPA) project which amounted \$US 651,751.

The evaluation worked under a tight timeframe and accessed to a full set of documentation and contacts which took place the first two weeks of November 2021. Evaluation tools were adapted in the light of interviewees' responsiveness and availability. After informed discussion with UNJHRO and the Policy, Planning, Monitoring and Evaluation Service (PPMES) in Geneva, and in agreement with them, it was decided not to conduct the survey and case studies foreseen in the inception report.

The evaluation used qualitative data collection tools. In addition to the 12 interviews from the scoping phase, 62 (40 men and 22 women) semi-structured individual interviews were conducted with counterparts based in DRC. Interview guides in both English and French were developed in consultation with UNJHRO. Interviews were triangulated with the analysis of UNJHRO documentation and official websites.

1.3 Main findings

Findings are assessed along three performance categories: low, moderate and high. Low indicates poor or limited performance with key areas of improvement; moderate indicates good results hampered by some limitations, high is overall very positive and indicates good approaches and results.

Relevance: [Overall assessment: **High**]. The UNJHRO Civic Space and SWPA projects were highly relevant to the DRC post electoral context. The Government had identified transitional justice, including for victims of conflict related sexual violence (CRSV), and human rights as key national priorities through strategic roadmaps and commitments. This was reflected in government initiatives such as the "Programme des cent jours" and "Immediate Zero Tolerance Campaign against crimes of sexual and gender-based violence". The long-standing presence and support of the Office to a broad range of national and international stakeholders meant that there was a good understanding of technical needs as well as access and privileged collaboration with both duty-bearer and rights-holder. The CS and SWPA projects are consistent with the Country Office's mandate, the Country Programme, OHCHR's mandate, the OHCHR Management Plan (OMP) and broader strategic UN references such as the Sustainable Development Goals 5, 16 and 17 for gender equality, peace and UN partnership. The CS and SWPA projects not only focused on political and civil rights but extended to economic, social and cultural rights (ESCR) which are relevant to the country transition to peacebuilding. The flexibility granted by the donor contributed to the projects' and activities' adaptability to unpredictable situations such as COVID-19, Mount Nyiragongo's eruption and the State of Siege in Ituri and North Kivu, and allowed the Office to keep up with DRC's fast-paced dynamics and stakeholders' needs.

Effectiveness: [Overall assessment: **High**]. To assess the effectiveness, the evaluation triangulated findings from initial projects' plans, general Country Office and project narrative reports with interviews from a diverse range of partners. On those grounds, the Office's performance is assessed excellent. The UNJHRO is a respected technical expert, especially on monitoring and legal matters; an estimated and non-complaisant advocacy player on actions against impunity, especially on preventing and ending CRSV; and a coach to National Human Rights Institutions (NHRI), Civil Society Organisations (CSO) and Human Rights Defenders (HRD). Part of the Office's good reputation is based on its presence and work across the country. The Field Offices' (FO) interventions such as

mobile courts and joint investigation teams (JIT) play a key safeguard role in addressing or preventing human rights violations in areas where State's presence is limited or not existing.

Efficiency: [Overall assessment: **Moderate**]. The assessment of efficiency is in part affected by the important share of in-kind contribution provided by MONUSCO such as premises, facilities, staff, transportation and security. These assets benefit the projects' implementation and budgets which do not need to cover for these expenses and can focus on other spending. This is supportive of a good ratio costs/results but it is likely to change as MONUSCO draws down, reduces budgets and continues closing Field Offices. Until now, UNJHRO could afford to allocate a high share of budget to human resources (approximately 70/30 for activities) which reflect the key role played by staff filling out multiple roles: as experts, focal points and managers. Efficiency in planning and reporting over results is limited if assessed against the resources allocated and visibility over results. Despite the massive workload required for their preparation, the current Annual Work Plan (AWP) and End of the Year Report (EYR) templates and frameworks were not fully conducive to strategic analysis, thinking and planning. They also respond to internal accountability requirements but they do not support or promote qualitative analysis such as SWOT or adequately present the results achieved and support their visibility. Similarly, the project reports that the Evaluation team could analyse showed the same limitations: they focus on the planned activities and despite being very comprehensive and requiring an important amount of work, the information and analysis on impact and visibility of the results are limited.

Impact: [Overall assessment: **High**]. The Office works on immediate and long-term changes. It positively and directly affected the lives of thousands of people through temporary relocation assistance to Human Rights Defenders, training and awareness raising to security forces, and legal assistance to survivors of CRSV. The impact is plural and affects behaviours, knowledge and physical integrity. The positive impact is also indirect and leading to longer structural changes through the amendment and strengthening of laws and adherence to human rights' standards. UNJHRO's work and presence is said to have a triple effect: dissuasive, encouraging and protecting. Armed groups are known to be aware of increased risks to be arrested and judged for their crimes; population have evidence of justice processes happening through Mobile Courts and exhumations. The Office is contributing to restore trust in Rule of Law which has high symbolical value in the DRC context.

Sustainability: [Overall assessment: **Moderate**]. The UNJHRO strategy to strengthen CSO and NHRI capacity and local protection networks, contributes to maintaining high political engagement against impunity and to building ownership and accountability. This is achieved through capacitating existing national mechanisms such as the "Actes d'engagement" for the Police nationale du Congo (PNC) and the Forces armées de la République démocratique du Congo (FARDC) to fight impunity and sexual violence among security forces. Sustainability orientation by the Office is further demonstrated by exploring alternative operational patterns such as co-location with other UNCT agencies or deploying mobile teams; this demonstrates an understanding of the transition logistical stakes. The Office is working on setting conditions for a handover of responsibilities and roles while anticipating the impact of altered financial resources. Partners are committed; civil society organisations in evaluated FO are considered 'vibrant' and highly motivated, so are some NHRI in the capital and provinces. Evidence highlights the need for sustained donor support seeing the persisting challenges, especially in provinces and even more outside the provincial capitals where low awareness of human rights standards prevails.

Gender and disability inclusion: [Overall assessment: **High**]. Gender equality and more particularly the fight against gender-based violence and conflict related sexual violence is met by the SWPA project's objectives. Gender is mainstreamed throughout the Civic Space project, including through women's participation in activities, empowerment in the support to victims and witnesses of violations, and through systematic data disaggregation. Advocacy sessions and awareness

campaigns against conflict related and gender-based violence and on parity and gender equality were conducted including among security forces. A gender perspective was adopted to document and capture the impact of the pandemic on women, considering increased difficulties to access health or justice, generate incomes and face gender-based violence. However, there is too little disclosure of more qualitative gender analysis beyond women participation and awareness raising. Norms and social relations between men and women, and gender perspectives, are yet little explored.

The rights of the most vulnerable, such as persons living with disability are integrated in proposals and programming. Advocacy and support to institutions led to the promulgation of the organic law on promotion and protection of people living with a handicap. Nonetheless, more explicit attention is needed in the implementation of activities and to better reflect the Secretary General Strategy for disability inclusion.

1.4 Recommendations ²

R1. Planning and monitoring (ESRP, HQ). Ensure monitoring is organised by results instead of activities/outputs, and linked to country strategic result frameworks. Engage in a discussion with HQ on readability and strategic utility of global reports by pillars at country level. Consider the option to report results under pillars instead of reporting to pillar results; – to expand result reporting to financial reporting, increase visibility on expenses and funding allocation to donors; review financial reporting templates and AWP's to track resources planned for activities, outputs and results. Introduce donors and Geneva counterparts in charge of financial reporting at the start of the to build a mutual understanding on information needs and technical limitations. Task the newly recruited M&E officer in UNJHRO with reviewing of templates according to a result-based approach and objective to make reporting a coherent set by using the OHCHR soon to be released United Nations Joint Human Rights Office (UNJHRO) programming manual and training modules.

R2. Fundraising (ESRP, DEXREL). Mobilise donors to fill gaps in funding transitional justice. Communicate on the political momentum around transitional justice, and communicate to donors on expressed needs and opportunities. Extend cooperation to actors not part of the former

projects, such as armed groups, in cooperation with MONUSCO DDR, Child protection and the newly elected CENI ahead of 2023 elections to mitigate risks of backsliding.



R3. Human rights violation monitoring (NRI & M&E, SWPA, RIR). Continue NHRI and CSO capacity building on monitoring, reporting, and documenting human rights violation along international standards. Maintain the good practice of **monthly meetings** with the national and international communities. Improve communication on **methodological basics** and ensure figures are understood as an indication of

the country situation as opposed to an exhaustive review. Consider **circulating on a case by case basis** non-sensitive and non-confidential information from the human rights violations case database to international and national organisations on given cases or topics to support fact checking.

R4. National capacity (FO, RIR, PU, ESRP, HQ). Continue capacity building efforts and further handover responsibilities to NHRI and CSO who expect a willingness to be entrusted with this responsibility. **Shift capacity building approach to a “learn by doing” and result oriented scheme** in the Capital. Support local CSO, Human Rights Defenders and authorities in the provinces with **logistics and materials; while encouraging local networks.** Explore ways to **speed up the grant allocation system.** Review good practices from peacekeeping Quick impact projects’ (QIPs) procedures; consider partial decentralization of the validation system; at country level based on grants amounts; develop expedite validation procedures for emergencies and life risk situations committing less than \$5,000; adopt bi-monthly and ad hoc assessment meetings to review and approve grants more regularly, ensure procedures are open and public.

R5. MONUSCO drawdown by 2024 (ESRP, PSMS DEXREL). Continue to assess the impact on

² ESRP: External relation and strategic Planning, HQ: Headquarters, DEXREL: Donor and External Relations Section

NRI: National Reporting and Investigation, SWPA: Senior Women protection advisor, RIR: Renforcement

Institutionnel et réforme, FO: Field Office, PU: protection unit

UNJHRO's budget and activities when MONUSCO logistics and financial assets are or will no longer be available. By mid-year, develop a mock 100% UNJHRO budget, covering all costs such as staff, premises, travels, and security, assess support costs covered by the Kinshasa Office and HQ in Geneva to gauge MONUSCO contributions to budget with accuracy and related impact on operations that: i) will not be possible to pursue in the next 2 to 4 years; ii) will require significant extra funding to pursue activities in priority regions. **Communicate estimated lags to donors, including on support costs, to anticipate increased funding needs in the next programming period** on the basis of the most pressing priorities. **Continue to explore and budget options to sustain local and physical presence** through co-location with UNCT, mobile teams and local networks in provinces to sustain observed dissuasive, encouraging, and protecting impact.

2. Introduction

2.1 Programme background

This section explores the wider context in which the projects “**Enhancing and Protecting the Civic Space**” (CS) and “**Strengthening the Senior Women Protection Advisor (SWPA): preventing and responding to Conflict-related Sexual Violence in the Democratic Republic of Congo**” was implemented. It unpacks what contextual factors needed to be considered in the design, implementation and evaluation phases. These key contextual elements cover: i) UNJHRO’s mandate; ii) the cooperation with MONUSCO as an integrated Office and the UN Country Team, iii) OHCHR global and country strategy consistency with the evaluated projects; iv) developments since Tshisekedi’s elections in January 2019, v) the implications of MONUSCO gradual draw down from the country for the UNCT and UNJHRO more specifically.

UNJHRO Mandate and cooperation as an integrated Office

The United Nations Joint Human Rights Office (UNJHRO) was created in 2008, integrating the Office of the UN High Commissioner for Human Rights in the Democratic Republic of the Congo (DRC) and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, or MONUSCO, Human Rights Division (HRD).

The UNJHRO operates in accordance with both OHCHR/DRC and MONUSCO mandates to promote and protect human rights, monitor violations, and reinforce national institutions

Box 1. One Office, two mandates

The **MONUSCO Human Rights Division** (HRD), established in 2000, was mandated by the UN Security Council (Resolutions 1756 of 15 May 2007, 1794 of 21 December 2007, 1856 of 22 December 2008) to “assist in the **promotion and protection of human rights**, with particular attention to women, children and vulnerable persons, investigate human rights violations with a view to **putting an end to impunity**, assist in the development and implementation of a transitional justice strategy, and cooperate in national and international efforts to bring to justice perpetrators of grave violations of human rights and international humanitarian law”.

The **OHCHR/DRC**, established in 1996 by an agreement between the UN High Commissioner and the Government of the Democratic Republic of Congo (DRC), was mandated to **monitor the human rights situation** in the country, to present reports on human rights violations that require urgent interventions by any of the thematic Independent Experts, and to **reinforce national institutions** (both governmental and non-governmental) working on human rights issues to ensure that the DRC increased respect for provisions of international and regional treaties to which it is a State Party.

putting an end to impunity³. These mandated tasks are consistent with MONUSCO renewed strategic priorities for i) civilians' protection (PoC) and ii) the "support for stabilization, the strengthening of public institutions and the major governance and security reform"; and with the OHCHR mission to integrate and mainstream human rights among the UN country team (UNCT) which counts 21 active funds and agencies in the DRC. DRC is one of OHCHR biggest country portfolios - counting on average 150 staff, presence in eleven field offices (FO). According to the 2021 Annual Work Plan (AWP), it has annual budget needs of around US\$8,600,000, and is one of the three biggest UN Peace Keeping Missions with an annual budget over the billion thresholds. These conditions represent an opportunity in terms of logistics, resources and advocacy; and a challenge for the coordination it requires and the ways it impacts on perceived neutrality. The double reporting lines under which UNJHRO operates flags the political and strategic linkages with the Peace mission. The UNJHRO Director reports to the UN Special Representative of the Secretary General (SRSG) in the DRC and to the UN High Commissioner for Human Rights in Geneva Headquarters.

Projects alignment with OHCHR Global and country strategies

The review of the OHCHR global, country, Civic Space and SPWA project strategies reflects an effort to integrate multidimensional approaches such as the Humanitarian, Development and Peace (HDP) Nexus, emerging from the 2016 World Humanitarian Summit (WHS) recommendations and further mainstreamed in the 2030 Agenda; and the OHCHR Organisational Management Plan (OMP) for 2018-2021 four major shifts to: i) Help prevent conflict, violence and insecurity; ii) Help protect and expand civic space; iii) Support and further develop a global constituency for human rights, and iv) Deliver human rights in the context of emerging global concerns ('frontier issues').

OHCHR country strategy in DRC, the civic space and SWPA projects clearly refer to these global strategic frameworks and expand resolutions 1325, 2250 and 2474 on women, youth, and persons with disability inclusion in peace building processes. The evaluation concluded that the projects align with these key strategic frameworks in practice and make the most of its comparative advantage in relation to other actors in the country.

Recent developments in DRC position to Human rights

Tshisekedi's election

The first Civic Space project, funded by the Netherlands and Norway, was designed in the run for the 2018 general elections. It took place after an extensive pre-electoral period, lacking transparency, marred with episodes of electoral violence, arbitrary arrests, excessive use of violence in the policing of demonstrations, increase number of political prisoners, forced exiles such as the notorious Moïse Katumbi, and impediments on freedom of speech, with massive internet cuts, radio stations forbidden to air and serious threats to Human Rights Defenders. Tensions were further fuelled by the country geographic divisions and affiliations among candidates, and the poor quality of the infrastructure in a country where accessibility is an issue with 3500km of the 58 129km road network being paved, further delaying voter registration and votes in some of the most sensitive areas of the country - coincidentally affected by the Ebola outbreak.

Felix Tshisekedi, son of the historical opponent to the Kabilas, was announced President with 38.57% of the votes casted. Lengthy negotiations resulted, in August 2019, in the nomination of a government headed by Sylvestre Ilunga Ilunkamba from Kabila's Common Front for Congo (FCC), with 67 ministers and vice-ministers among which 43 were pro-Kabila. **The second phase of the Elections II project, named Civic Space, supported by Sweden, was designed in this context in**

³ MONUSCO HRD and UNJHRO mandates : [https://monusco.unmissions.org/en/human-rights#:~:text=What%20is%20the%20UNJHRO's%20mandate,DRC%20\(OHCHR%20FDRC\).](https://monusco.unmissions.org/en/human-rights#:~:text=What%20is%20the%20UNJHRO's%20mandate,DRC%20(OHCHR%20FDRC).)

October 2019. The majority coalition close to former President Kabila, the Cap pour le Changement (CACH) - Front Commun pour le Congo (FCC), collapsed a year later in December 2020. On 27 January 2021, several hundred members of parliament left FCC to join two opposition parties supporting the Union Sacrée de la Nation (USN), a coalition formed around President Félix Tshisekedi in April 2021.

Positive steps taken

The project's activities were implemented under this specific political background where key Ministries such as Human Rights, Justice, Gender, Family and Child reshuffled and working dynamics had to be reinstalled. In parallel, the President committed through the “Programme des cent premiers jours” to redress the country's situation. Announced in March 2019, the roadmap identified key priority areas such as infrastructures, education and health, but also justice and human rights, granting presidential pardon to political prisoners and supporting return for political exiles. The President asked the UN High Commissioner for Human Rights to support the establishment of a comprehensive and national strategy for transitional justice, and launched a public consultation on this topic.

Other positive developments were noted, such as the creation of the Human Rights Commission of the National Assembly in March 2019; a provincial decree to establish a Truth, Justice and Reconciliation Commission in the Kasai (June 2021 - through PBF funding); and the adoption of the law on promotion and protection of rights of persons with disabilities in December 2021. In August 2021, the President established a joint committee to discuss a national roadmap on transitional justice, including the mapping of judicial and non-judicial mechanisms, a national reparation fund for survivors of conflict related sexual violence under the First Lady’s patronage, vetting of security forces, preparing a memorial process, and ensuring linkages with the Disarmament, Demobilization, Community Reintegration and Stabilization Programme (P-DDCRS). On the 10th of December 2021, the Ministry of Human Rights announced the imminent launching of the popular consultation

Box 2. Long standing HR legislative processes

On 29 of November 2021, at a second reading, the Senate finally adopted the law on **promotion and protection of rights of persons with disabilities** and immediately after, on 6 December 2021, the Parliament adopted the law. The initial proposal was tabled in 2013 but needed to be reintroduced in September 2019. At the end of May 2020, it was declared admissible for a second time and sent for thorough review by the National Assembly external relations, human rights, political-administrative and judiciary Commission. The next step is the promulgation after the declaration of constitutional validity. On the same day, the National Assembly passed the bill to ratify the protocol to the African Charter on Human and Peoples’ Rights in relation to the rights of Persons with disabilities.

The bill supported for some years by Deputy Rubin Rashidi Bukanga considering the **promotion and protection of indigenous rights of Pygmies** was adopted by the National Assembly in April 2021.

A draft law calling for **the abolition of the death penalty** was tabled by Deputy André Mbata Mangu in August 2019 but progressed no further in the legislative process.

Another longstanding debate subsists **on a law with respect to the protection of Human Rights Defenders**. Deputy Jean Paul Segihobe endorsed the draft law. The NHRC in collaboration with HR CSOs initiated, for over two years, a law proposal guaranteeing the protection of Human Rights Defenders. It passed the Senate during the precedent legislature but did not pass the second reading. Appropriation workshops on this law were organized in May and in November 2021 to raise deputies’ awareness on the matter. The UNJHRO’s Director reminded this challenge and priority during the celebration of the international Human Rights Day along other key priority themes such as abolition of death penalty, Access to Information Act and racial hatred, xenophobia and tribalism banishment.

process. Key laws have long been in the process of drafting (see box 2 above) and this still calls for technical support and sensitization.

Sustained concerns

Despite positive steps, concerns remain on security in the East, rule of law effective enforcement, right to peaceful assembly and the run for the 2023 elections.

The state of siege declared in May 2021 in Ituri and North Kivu was extended another 15 days for the fourteenth time in December 2021; this escalated tensions and triggered public disapproval from provincial deputies for the negative impact on the Justice system – taken over by the Military, and the non-detering effect on massacres. In a review undertaken in August 2021, deputies concluded that the siege was unprepared and that there was a lack of strategic military objectives. Civil society called for its lifting and independent evaluation. The launch of joint Ugandan and Congolese military operations against the Allied Democratic Forces (ADF) rebels at the end of November 2021 and a recent security agreement between DRC and Rwanda increased tensions. Violence against journalists and attacks between armed groups were recorded in South Kivu as provincial deputies introduced a motion of censure against the government on November 26, 2021.

This illustrates the sustained concerns towards the right to peaceful assembly. Amnesty International highlighted several instances where peaceful protests were banned or violently dispersed. For example, on 17 January 2020, meetings called by opposition leader Martin Fayulu were banned in six cities, and violently dispersed in Kinshasa and Kindu, leaving at least five people injured. In November 2019, at least 10 protestors were shot dead by security officers in Beni as they protested civilian killings by rebels. Only a handful of security officers have been prosecuted in connection with the brutal crackdown on protesters in 2019, and during the electoral crisis, which began in 2015. This contributes to the popular impression of an elusive justice where the country's authorities and security agencies don't respect, protect and promote human rights, and suspected perpetrators of appalling violations and abuses remain at large.

The contested nomination of the Electoral Commission Chief in October 2021 may "lead the country to a new cycle of disorder" said Moïse Katumbi in an open letter to the President. Despite criticism from segments of civil society, including religious congregations, the IEC adopted a roadmap and budget for the electoral process and reiterated its commitment to run elections in 2023.

It is against this background that the UN Security Council renewed MONUSCO's mandate for a further one-year term.

MONUSCO gradual draw down ⁴

MONUSCO's progressive withdrawal reshapes the long-lasting cooperation with OHCHR and comes after louder calls for MONUSCO's departure⁵, and as the country organised its first peaceful, regular, Congolese-funded, general elections in December 2018. Acknowledging new political dynamics, the Security Council called for a strategic review of MONUSCO's role in its resolution 2463 (March 2019) and for a "phased, progressive and comprehensive exit strategy". The review recommended an "absolute minimum of three years" to ensure resources and operational capabilities are in place before drawing down the presence of the Mission and set 18 benchmarks; 8 of which are directly relevant to UNJHRO which ensued its own Transition Strategy. Close engagement with the Government and strengthening of civil society actors were presented as key

⁴ <https://www.ohchr.org/Documents/AboutUs/Evaluation/Evaluation-transitions-HR-components-peace-operations-to-other-types-field-presences.pdf>

⁵ Joseph Kabila Kabange, President of the DRC, addresses the 73rd session of the United Nations General Assembly at UN HQ in New York, September 25, 2018.

conditions to operate a successful transition. The strategic review also listed several “red lines” that, if crossed should pause any exit process. In the worst-case scenario, those red lines would see the security and protection crisis, armed groups proliferation in the Kivus, Ituri and Tanganyika worsen, and regional dialogue with DRC neighbours to seize. The Etat de siège, declared and extended since May 6, 2021 in North Kivu and Ituri suggest conditions in this part of the country will take longer to be met.

In its Resolution 2556 (Dec 2020), the Security Council approved its gradual exit strategy as presented on September 15, 2021, in an Action Plan jointly formulated between MONUSCO and the Tshisekedi Government.

These developments reshuffled the organisation of resources and held practical implications for the UNJHRO such as the closure of Field Offices (FO) and the reduction of the uniformed and civil personnel deployed across the country. Since June 2019, MONUSCO closed 7 Field Offices mainly in the western DRC and provinces not affected by conflict (Kongo Central, Bandundu, Equateur, Tshopo, Haut-Katanga, Nord-Ubangi and Maniema) and two sub-offices in Haut-Uele and Kasai-Oriental. During this period, UNJHRO managed to reinforce its presence in Bunia and Kananga and stayed in Kisangani and Lubumbashi in co-location with UNDP and UNICEF. The projects evaluated were designed and are being implemented under these specific circumstances, that will further redefine UNJHRO modus operandi and ability to outreach to the population, especially in remote areas.

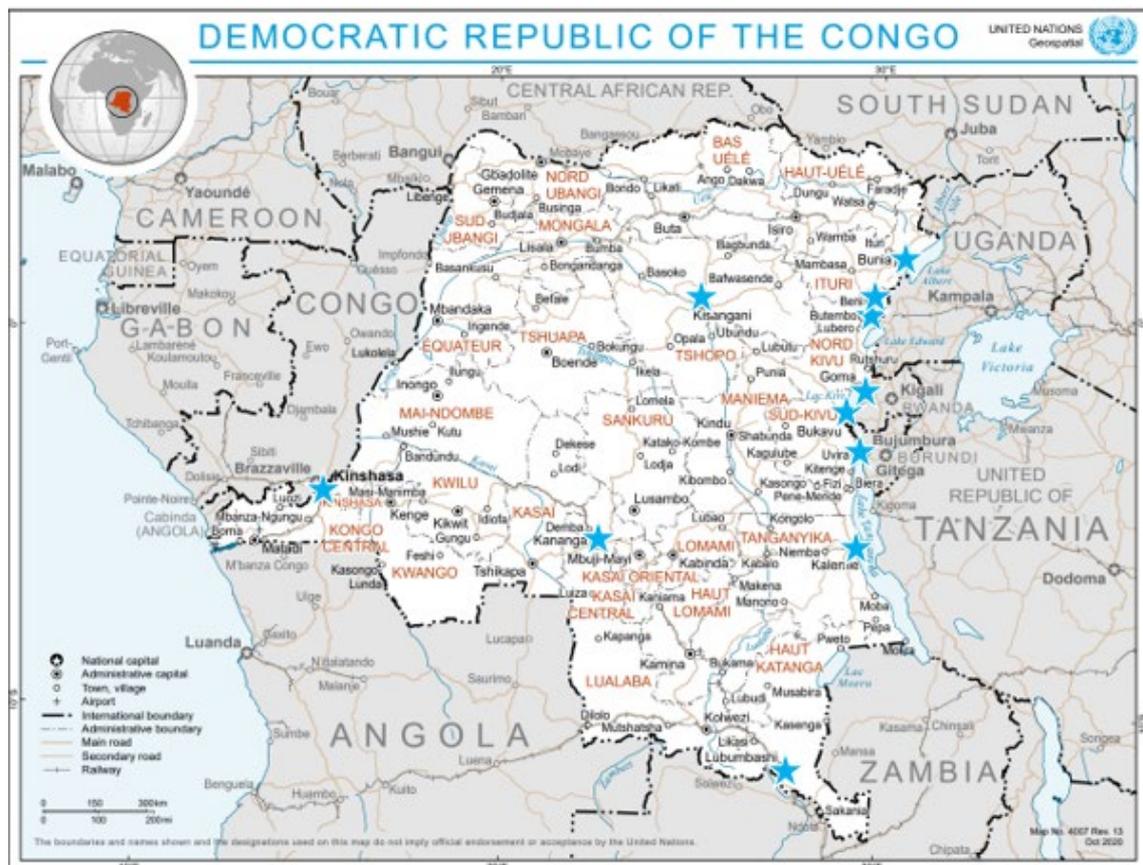


Figure 1: Map of UNJHRO Field offices in DRC

2.2 Evaluation background

Evaluation scope

The evaluated projects: **“Enhancing and Protecting the Civic Space” (CS) and “Strengthening the Senior Women Protection Advisor (SWPA): preventing and responding to conflict-related sexual violence in the Democratic Republic of Congo”** were developed as an integral part of the Country Program. It consists of two project proposals and two distinct budgets, signed in a Funding Agreement between Sweden and OHCHR in March 2020.

- The CS project proposal was designed in October 2018 for Netherlands and Norway, and slightly redesigned in October 2019 to take on Sweden’s contribution. It was presented to all three donors and started in 2020 with an initial budget of US\$8,975,934. The final budget for the civic space project amounted to \$US 5,854,591 as an expected additional contribution did not materialize in 2021 and approximately \$US890.000 of Norway’s funding was transferred to another Field Office at the end of 2020/early 2021.
- The SWPA project was designed in January 2020 with a budget of US\$565,000 revised up to \$US651.751 in October 2020 to include a COVID-19 impact study.

The Civic Space and SWPA projects run under the funding from Sweden, Norway and the Netherlands between 2020 and 2021, and the three contributions form the scope of this evaluation. According to the ToR (Annex I), the evaluation will look at the “Civic space [and SWPA] project’s work in the entire country, with a main focus on Kinshasa and those prioritized zones where OHCHR has sub-offices”.

Donor contribution and results monitoring

This evaluation answers a requirement set in the Funding Agreement between Sweden and OHCHR to have an independent evaluation carried out and the review report submitted no later than June 30, 2022. It is noteworthy that Sweden, Norway and the Netherlands’ contributions slightly differ in type and size (project-based or global) and cover different periods (between 18 months and 2 years 6 months on average):

- Sweden’s agreement was signed in March 2020, for a total budget amounting 24,321,000 SEK (approximately US\$2,800,000) to be allocated to the CS and SWPA projects, and COVID-19 impact study between April 1, 2020, and December 31, 2021.
- The agreement between OHCHR and the Netherlands was signed in December 2018 to support the project “Enhancing and protecting the civic space and people participation in the DRC: Human rights promotion and protection in the electoral context” for a total budget of US\$1,250,000 between November 1, 2018, and July 31, 2021.
- Norway’s contribution was not tied to a specific project but allocated through the pluri-annual cooperation framework between the Ministry of Foreign Affairs and the OHCHR. The four year-agreement allocated 5,000,000 NOK to OHCHR in DRC annually (approx. US\$550,000 = US\$2,200,000). This framework agreement is coming to an end, and a two-year extension is currently being negotiated. This agreement allows direct and indirect cost of programmes.

In total, UNJHRO received approximately US\$6,210,000⁶ from these three key donors between 2018 and 2021. Considering concise and global financial reporting templates, minimal donor-wise tracking on expenditures, and agreement from donors to streamline results reporting, the evaluation could only make a general assessment of the projects’ efficiency as presented in global financial reports and global and earmarked annual planning and reporting (e.g., 2020, 2021 Mid-Year Reviews, End of the Year Reports, Reports to donors).

⁶ This amount is indicative and subject to exchange rate variations over the period mentioned.

2.3 Methodology

Overview

This is a theory-based evaluation (intervention logic/theory of change) and the adopted design is non-experimental, in other words without comparison of changes over time or control groups. The evaluation methodology adopted is a contribution analysis, which seeks to establish that the intervention has (or has not) made a contribution to the expected results. The evaluation's overall approach was guided by the principle of credibility – that is, ensuring that the best evidence available is harnessed, and that it is analysed appropriately, to generate findings, conclusions and recommendations that management can feel confident acting upon.

The evaluation approach used the five DAC evaluation criteria of relevance, effectiveness, efficiency, impact contribution and sustainability. Appreciations over gender mainstreaming and promotion are developed under each criterion.

The evaluation was conducted remotely by experts - with working experience in and of country, between mid-September 2021 and February 2022. The scoping phase was conducted between mid-September and end of October 2021 by the team leader alone following delays in the selection process of the second expert. The team member was recruited in the first weeks of November 2021 and joined the team at the outset of the consultation phase, after the inception report was approved.

According to the ToR (Annex I), the purpose of the evaluation was to identify:

- i) UNJHRO adaptability to the country situation and to the needs of stakeholders (both duty-bearers and right-holders) involved in the CS and SWPA projects.
- ii) key achievements including successful synergies with the UNCT and mainstreaming of a HRBA and gender/youth/disability approach in the frame of the CS and SWPA projects.
- iii) areas where no results could be achieved and where strategic readjustments have been made.
- iv) areas where significant contribution has been achieved and is likely to sustain thanks to an adequate/targeted empowerment of national stakeholders;
- v) geographic and thematic areas to prioritize in the future in the transition to peacebuilding and MONUSCO phasing out.

Stakeholders' overview and sampling

The evaluators engaged with a diverse range of key governmental, judicial/legal, military and civil society stakeholders, as well as OHCHR staff in DRC (Kinshasa, Bukavu, Kisangani, Kananga) and Geneva, Switzerland. Targeted stakeholders included national officials (representatives of the FARDC, PNC, of the Judiciary, NHRC, representatives from the Ministry of Human Rights, the Minister of Gender, Family and Child, parliamentary commission for human rights), representatives of several donors and embassies, national and international CSOs, Human Rights Defenders, relevant UNCT partners, UNJHRO/MONUSCO staff. Annex II categorizes projects' stakeholders according to their status.

By mid-November 2021, the integrated Office shared a list of 125+ contacts compiled by the five thematic units (TU) involved in the Civic Space and SWPA projects, and by the three targeted field offices. The team clustered contacts and prioritized stakeholders with direct links to CS and SWPA projects, ending up with 91 interviews. The final list achieved a satisfactory balance between the different stakeholders divided into four groups: UNJHRO & MONUSCO; UNCT and INGO; duty-bearer and rights-holder; and reasonable representation of the three Field Offices (FO) identified

with ESRP at the evaluation outset to illustrate differing transition of MONUSCO, i.e., Kananga (13), Kisangani (17) and Bukavu (12).

The interviews were conducted by the team between November 22 and December 14, 2021. In addition to the 12 interviews conducted during the scoping phase, the team contacted 82 persons in DRC and interviewed 62. 13 interviews' requests were left unanswered despite attempts to find alternative ways of communication (WhatsApp and phone calls in addition to emails), 3 meetings were cancelled without justification, and 7 contact details were not correct or missing.

Category of stakeholders	Male	Female
Scoping phase with OHCHR Geneva and UNJHRO	7	5
UNJHRO - MONUSCO	9	9
UNCT, INGO & NGO	9	8
Duty-bearers	14	2
Rights-holders	8	3
Total	47	27
Percentage	64%	36%

Table 1: Number of interviewees by category and gender

Table 1 displays interviewees by category and gender: out of 74 interviewees, 36% were women. It is noted that gender balance was hard to achieve for the duty-bearers which count in security forces representatives, mainly male-dominated. The balance for rights-holders must be considered along the numbers for UNCT/INGO/NGO.

Data sources and collection methods

The evaluation team used the following interconnected methods in pursuing its adjusted evaluation approach: (i) desk review and secondary data analysis; (ii) virtual field missions; (iii) structured interview forms; (iv) interview consolidation form for each stakeholder group to ensure rigorous triangulation of information and (v) direct observations.

Qualitative data collection tools included:

- Semi-structured individual interviews
- Content analysis of official websites

A set of interview forms (Annex III) were developed in English and French in consultation with UNJHRO to systematize and facilitate data consolidation and analysis following the interview phase. The forms were designed to keep fresh records of feedback collected. No more than eight questions were shared in advance with interviewees and these were adapted to the four profiles determined (A: UNJHRO/MONUSCO; B international community; C Duty-bearer; D Right-holder). For example, the form for the Country Office staff had a stronger focus on efficiency than the one for rights-holder.

All interviews were conducted online, via Teams, Zoom, WhatsApp or by phone. Despite the team communication on using secured platforms such as Signal or Telegram, the interviewees expressed unanimous preference for WhatsApp. There were between one or two participants in each interview.

Desk review and secondary data analysis

The list of documents reviewed is contained in Annex IV. This mainly consists of OHCHR's strategic and annual planning documents, annual reports within the period being evaluated, global documents such as the OHCHR Management Plan (OMP), Summary of the Transition Strategy, UPR and treaty body findings and recommendations, MONUSCO reports and other UN and international agencies, UN strategic documents (e.g., United Nations Sustainable Development Cooperation in DRC) and GoDRC/CSO documentation and websites.

Gender equality and disability inclusion

Gender, disability and other inclusion considerations were integrated into all aspects of the evaluation from the review of desk material to the inclusion of specific questions under all core lines of enquiry with stakeholders, in particular those involved in the SWPA project (refer to Annex III). The evaluation noted the Office's attention to support gender parity in all activities and

reporting and support to disability projects including promulgation of the organic law on promotion and protection of people living with a handicap. The projects were implemented as the Secretary General released the strategy for disability inclusion in June 2019; leaving little time for the Office to reflect the benchmark - not only through projects' plans and results but in the organisation procedures and benchmarks.

Limitations

Most of the limitations outlined in the inception report materialised during the evaluation and altered the initial evaluation scope and approach.

Team mobilisation. The recruitment of the team member in the first weeks of November 2021 after the scoping phase was concluded impacted the evaluation timeline.

Change in the evaluation scope. The evaluation scope was refined after the inception phase, and ToR revised, to reflect the Funding Agreement with Sweden and assess specifically the Civic space and SWPA projects. The focus on projects implied the full review of the inception report to distinguish CS and SWPA activities and results from the Annual Work Plan (AWP). This was not an easy task since at that time earmarked documentation had not been shared yet whereas these projects represent the main part of UNJHRO portfolio. The confusion between AWP/core funding, earmarked project and funds continued to impact the evaluation during the interviews and reporting phase, stressing limitations on tracking donor-based results and activities and highlighting the preference towards core funding to support the overall Office's mandate.

UNJHRO Availability and support. Timing did not play in favor of the evaluation which happened concomitantly with various end of the year obligations, including annual reports. Accessing the right information and identifying the most relevant counterparts extended between mid-September until mid-November 2021. Once contacts established with FO and TU, staff proved very helpful and willing to support. For future evaluations, it is recommended that the Country Office is fully involved from the beginning; introduced to the evaluation team and guided on the necessary preparation and steps beforehand (list of project counterparts ready from the inception phase, in-house introduction and communication about deadlines, formal introductions to the Office's partners, etc.)

COVID-19 and engagement with projects' partners. In the absence of field visits, the team relied on remote consultation and interviews which posed a few problems: i) time difference was an issue during the consultation phase's first week, when multiple persons based in three different time zones were involved in scheduling interviews; ii) limited access to emails in provinces, iii) missing or invalid emails or phone numbers; iv) punctuality and technical issues involving rescheduling and extended availability from the evaluators.

Sensitivity. Despite communication on the level of security offered by the different communication platforms, and marked preference for Signal and Telegram, CSO and duty-bearers reiterated their preference for Zoom and WhatsApp. This preference was communicated to UNJHRO after civil society representatives spontaneously shared human right sensitive content with the evaluators. In consultation with the Office, the evaluators reinforced communication on safety differences between platforms and on the necessity not to expose oneself by sharing sensitive materials.

3. Main findings

The evaluation questions were approved during the inception phase. The numbering indicates that some questions were removed to limit repetitions. Nevertheless, the description under each question provides an analysis of the overlapping topics. See Annex V for the full set of questions.

3.1 Relevance

EQ 1: How relevant has been the Civic Space and SWPA projects for the situation of human rights in the country, the Office’s mandate, OHCHR’s Management Plan, the OHCHR Country Programme in DRC and the Sustainable Development Goals?

The overall and specific objectives of the Civic Space and SWPA projects defined in planning documents aligned with the Office’s mandate, OHCHR DRC Country Programme, the wider OHCHR’s mandate and OHCHR’s Management Plan. There is an **overall strategic consistency in the intervention logics** under review and as illustrated in Figure 2 below. The approach by strategic pillar is supportive of organisational coherence as much as adaptations to constantly evolving context.

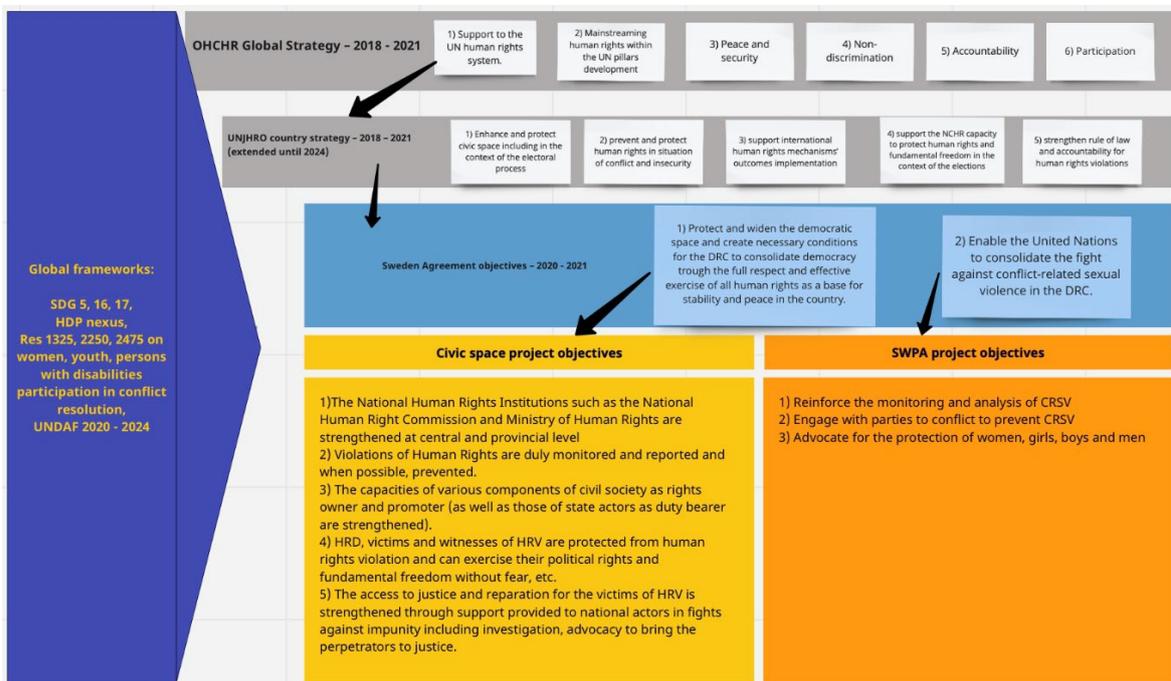


Figure 2: Linking OHCHR strategies with projects intervention logics

The projects focus on strengthening the role of national nongovernmental and governmental actors while directly monitor and prevent violations of human rights and fundamental freedoms beyond the elections was **highly relevant and fully aligned with the Office’s mandate** to monitor, report Human Rights violations and reinforce governmental and non-governmental institutions.

The support provided through the SWPA project, and its 4 priorities⁷ was particularly **relevant to the OHCHR Management Plan’s shift to peacebuilding**⁸ and continuous support to transitional justice in the fight against impunity⁹ and resolution of CRSV cases. UNJHRO and activities related to CRSV were found supportive of MONUSCO own mandate on the matter and broader commitments made by the Office of the Special representative of the Secretary-General on Sexual Violence in Conflict (OSRSG-CRVS); who visited DRC in the frame of the SWPA project.

The objectives, defined in the project documents and the concept notes, aligned with the wider UN goals and the HDP triple nexus to a significant extent. Both interventions **aligned with the Sustainable Development Goal (SDG) 16** on peaceful and inclusive societies; but also SDG 5 on gender equality and SDG 17 on supporting the global partnership. The support provided reflected the **Security Council commitments to protection of civilians (POC)** in armed conflict and international peace and security and the consensus on women, youth and persons with disabilities participation in conflict resolution (**Resolutions 1325, 2250, 2475**). However, the resolutions are hardly mentioned in the projects and reporting documents, and specific initiatives or strategies on these topics are not sufficiently visible except regarding the activities to promote and ensure women participation.

The Office showed responsiveness to inclusion and reporting, and support to disability projects including promulgation of the organic law on promotion and protection of people living with a handicap. The projects were implemented as the Secretary General released the strategy for disability inclusion in June 2019; leaving little time for the Office to reflect the benchmark - not only through projects’ plans and results but in the organisation procedures and benchmarks.

EQ 2: How does the Civic Space and SWPA projects align with and support national plans, programs and priorities of national stakeholders on those issues that should be considered as human rights priorities, taking into account OHCHR’s comparative advantages? What are OHCHR estimated comparative advantages?

The two projects were implemented in an enabling political context and amid positive signs of government engagement on human rights questions, particularly in the initial stage of implementation when the “Programme des Cent jours” was promulgated, and through other key commitments like the “Zero Tolerance campaign against Gender-Based violence” or the National Programme for 2021-2023 which explicitly refers to the fight against CRSV. The analysis suggests that the overall **scope and emphasis of the Civic Space and SWPA projects were relevant to the context at the time of its design and broadly remained so**. UNJHRO’s ability to adapt to the evolving context and to the last government reshuffle was noticed by several interviewees and is further illustrated under EQ3.

National human rights priorities and plans were matched by provision of relevant and continuous UNJHRO assistance to the authorities in the ongoing legal reform, set-up of new HR mechanisms or institutions¹⁰ and fight against impunity. Interviewees from different groups of stakeholders reported UNJHRO is endorsing a leading and critical accompanying role in the above-mentioned processes. Figure 3 summarizes UNJHRO’s comparative advantages as collected from interviews in the capital and in provinces, and how transition may challenge it in a close future. Assets marked

⁷ 1- Monitoring, analysis and reporting, 2- Support for the implementation of FARDC and PNC Action Plans, 3- Strengthening engagement with eight non-state actors, 4- CRSV Mainstreaming.

⁸ Annual work plans DR Congo (MONUSCO) 2020 and 2021.

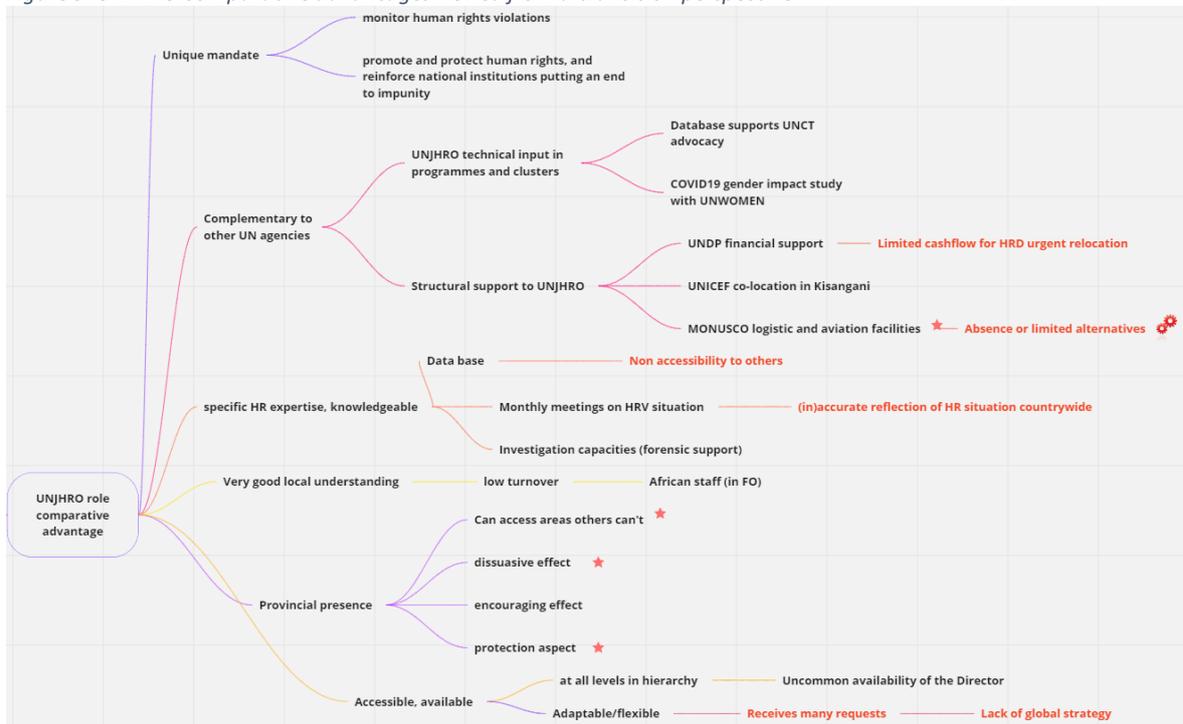
⁹ Annual work plans DR Congo (MONUSCO) 2019, 2020 and 2021.

¹⁰ HR Commission at the National Assembly, Provincial Commission of Truth, Justice and Reconciliation, national transitional justice roadmap and victims funds discussions, FARDC commander act of commitments, persistence of FARDC and PNC Comités de suivi on human rights violations.

with a red star flag areas - dependent in part or in full of MONUSCO's inputs, and where strategic/exit thinking have taken place or may be further elaborated. Overall, the Office's response to national needs and priorities was assessed as solid and grounded: availability, good relationships, resources, experience, high level of technical expertise, long-standing country experience and understanding of the country were praised unanimously. The Office's good reputation, along with its unique human rights mandate among the international community and significant resources as an integrated office, makes it an indispensable player in a context transitioning from peace keeping to peace building, from direct intervention to technical cooperation.



Figure 3: UNJHRO comparative advantages viewed from a transition perspective



EQ 3: Have the strategies used to achieve results been adequate for the local context and stakeholders and based on a context analysis where risks and assumptions were considered?

Overall, UNJHRO narrative reports provide comprehensive review of the political and security developments and demonstrate good knowledge of DRC context. Projects' implementation illustrated the Office's ability to adapt to changes in practice and be part of key developments such as the High-level engagement and events against SGBV under the First Lady patronage or rehabilitation of Comité de Suivi to judge cases of CRSV. Main contextual shifts that can be quoted

are COVID-19, but also Mount Nyigongo's volcanic eruption or the State of Siege in Ituri and North Kivu in May 2021. In all three cases, the Office redirected activities to address arising challenges. In the case of COVID-19, an amendment was made to the funding agreement with Sweden to study the impact of governmental measures on women's rights, including access to health. Police forces in disaster affected areas received support to investigate human rights violation, including sexual related violence, among displaced populations. The Office's technical adaptability is real and strongly encouraged by donors' flexibility. Interviews with Field Offices commented that local changes were easily channelled to HQ and included in the intervention logic through the "fiche de project" system. However, the interventions reviewed do not comprise explicit risks analysis but overall discussion on assumptions in programming and reporting documents (project proposal and end of the year progress report). UNJHRO is most likely confronted with recurrent risks without building mitigation strategies. This also suggests that even where projects are grounded in a good understanding of key contextual issues, staff may lack a coherent view on how activities likely lead to change or unexpected or negative results (see also EQ 9). This exercise of capitalisation and comprehensive understanding of interventions' dynamics could be helpful in a context of shrinking resources.

3.2 Effectiveness

EQ 5: What have been the main results achieved in the different areas of the Civic Space and SWPA projects between 2020 and 2021, if any? Was it impacted by COVID-19?

Effectiveness is measured against results achieved compared to expected outcomes. The standard reference for measurement is usually the project result framework. In the case of UNJHRO, the Office monitors global progress towards OHCHR general pillars and indicators and provide donors with general projects' reporting. Therefore, the evaluation compared initial plans presented to Sweden with general results framework, projects' reporting and feedback from interviews. This approach does not allow a linear tracking of results but evidenced trends in the Office's performance.

Overall, **donors and partners are highly satisfied with UNJHRO's effectiveness which they assess as excellent** when it comes to i) high level political engagement on the fight against impunity including against CRSV, ii) Human rights violation monitoring and reporting and iii) protection measures taken in provinces to protect Human Rights Defenders and prevent violations.

The Office brings a **comprehensive response to the human rights challenges faced by DRC**, including a gender-sensitive response particularly in relation to the fight against SGBV. This response acknowledges and embraces the complexity of DRC political dynamic, designated as fast changing by interviewees, and territorial challenges to name the biggest to address. According to almost unanimity among interviewees, the UNJHRO plays a unique and irreplaceable role in country.

The table below compiled results from narrative reports produced during the evaluated period (ie. 2020 – 2021). It flags **three important elements of performance: the ability to mobilise a broad network across the country, to organise and run large scale activities, and technical adaptability**. Indeed, the UNJHRO supports a broad range of partners – ranging from Government to grass root organisations, in their capacity building efforts. The Office stands by their side, assists them, and provides them with technical guidance to the best of their needs. Besides this, the Office plays a

critical role as “independent expert” assessing the human rights situation in the country. It also provides logistics support to CSOs and institutions in provinces, who strive to fulfil their tasks with extremely limited resources or to Human Rights Defenders in urgent need for protection. In addition, it runs a series of events enhancing visibility on HR standards, protection and promotion with institutions such as the NHRC, the MoHR to name a few.

Gender equality and women’s rights protection are central to the SWPA project and represented in the CS project through awareness-raising and capacity-building activities or dedicated activities such as the promotion of women civic participation. Narrative and monitoring reports disaggregate results and beneficiaries/victims by gender (Read Table 1). Besides, although not strongly developed in the Office’s narrative which is more geared at violations, gender considerations appear in the intervention’s logic. A good example is the mention of special needs for male victims of CRSV or to women in need for holistic assistance (medical, psychological, legal, economical, etc.) to reintegrate in their community after an assault. The relation between men and women, and ruling cultural and social norms, are yet little explored. This appears clearly in the COVID-19 impact study which does not address normative aspects of gender such as relations, perspectives and perceptions.

The table below suggests the Office **delivered all outcomes and outputs and sometimes beyond**. Regrettably, only part of the full set of **indicators of the project result framework was systematically monitored** (the full set of indicators is listed in Annex V). By assembling this hybrid result framework from global and earmarked reports, the evaluators noted the lack of consistency across reports. It is in fact not possible to seek one information and collect a similar response from one report to another. A lot of data is collected but organised in different ways with no guiding thread which eventually generates discrepancies and overlapping in numbers. Data structure does not allow comparison nor precise assessment of effectiveness.

RECONSTRUCTED RESULTS FRAMEWORK		
<u>CS and SWPA general objectives:</u> To contribute, to protect and widen the democratic space and create the necessary conditions for the DRC to consolidate democracy through the full respect and effective exercise of all human rights as a base for stability and peace in the country, including through prevention and response to conflict-related sexual violence.		
Specific objective and pillar	Projects’ outcomes	Results achieved from interviews and reports + activities and indicators
<i>S01. The National Human Rights Institutions capacities (Human Rights Commission and Ministry of Human Rights) are strengthened at central and provincial level delivering more effectively their mandate of protection and promotion of human rights, with special regards to</i>	Outcome - The National Human Rights Institutions (NHRC, Min. Of HR at provincial and central level) are delivering more effectively their mandate of protection and promotion of human rights, with special regards to those directly related to the democratic space.	<p>Results achieved</p> <p>NHRI comply with international standards on HRV reporting</p> <p>NHRC capacity to handle complaints is enhanced</p> <p>Progress towards HR laws adoption.</p> <p>Obtention of the “A Status” for NHRC</p> <p><u>Sample of indicators:</u></p> <ul style="list-style-type: none"> - # of alleged HRV recorded by NHRI: 52 258 in 2020 (9.320 in 2019 and 4195 in 2018) - # of public reports complying with HR reporting International Standards: 4 NHRC reports betw. 1 Nov. 2019-Jan. 2021. <p><u>Sample of activities/outputs:</u></p> <ul style="list-style-type: none"> - 20 Ad hoc training to NHRI (NHRC, MoHR, HRCNA, IMCHR) on national, regional HR mechanisms, ESCR, hate speech, rights of the vulnerable groups

those directly related to the protection and promotion of civic space.

Pillar – Enhancing and Protecting Civic Space and People’s Participation

- Provision of a functional database and training on the DB and complaint management
- 93 Advocacy meetings & continuous engagement with MoHR, NHRC, Parliamentary HRC and CSO to submit and pass HR and democratic laws
- Technical and material support to HRCNA
- 4 Workshops on reporting capacity (200 NHRC participants in 2019)
- Technical support and joint monitoring visits (MoHR to Kivus and Ituri)
- Modules and 2021 agenda for HRCNA capacity building

**NHRC activities are more visible, its role is understood and acknowledged.
Effective representation is ensured across the country**

Outcome - NHRC outreach capacities towards the population and the partnership with the Government, Human Rights Defenders and CSO and CSO Platforms is more effective.

Sample of Indicators:

- Evidence of effective presence and operations in the 26 provinces
- # of events in Kinshasa and province (4 open doors, 950 participants – 285 women)

Sample of activities/outputs:

- Outreach activities and education campaigns conducted
- NHRC, including in collaboration with UNJHRO, jointly organize Open days
- Support to NHRC to develop a communication strategy and plan.

Visibility and awareness about human rights situation is secured

**Adequate use of the database is made by FO staff
The Human rights case database is regularly updated.**

Outcome - Violations of human rights and fundamental freedoms in the context of the civic space are duly monitored and reported and when possible prevented.

Sample of Indicators:

- #/Type of HRV and fundamental freedoms linked to the restriction of democratic space (778 violations in 2019, 935 in relation to the democratic space in 2020 and 353 in 2021.
- # of UNJHRO MMRT deployed (3 in 3 different provinces.)

Sample of activities:

- 6 weekly sessions on use of OHCHR database to 17 staff
- Set up of UNJHRO Monitoring and Reporting Team in 2021
- Monthly debrief on the human rights situation

**CSOs Networks and groups are created or strengthened
Improved awareness of HR respect**

ESCR knowledge and monitoring are enhanced in Bukavu and South Kivu

Local networks are better organised and stronger

Sample of Indicators:

- Functioning and gender balanced ESCR working group (30 members including 12 women)
- Balance representation from the State and CSO chair the group.

SO2. Violations of human rights and fundamental freedoms in the context of the democratic space are duly monitored and reported and when possible prevented;

Pillar P5 – More systematic monitoring of the environment for civic space, including threats to it, takes place

Outcome – CSOs’ capacity to engage into monitoring, reporting, promotion of and advocacy for human rights and fundamental freedoms is reinforced.

SO3. The capacities of various components of civil society (CSO, NGO, Media and Journalists, civic activist) as well as those of state actors are strengthened so that they can effectively play their role in support of full knowledge, respect and effective exercise of political rights and fundamental freedoms
Pillar P4 – Civil society assistance to victims of human rights violations is strengthened

SO4. HRD, victims and witnesses of HRV are protected from human

Outcome - Various components of civil society (CSO, NGO, Media and Journalists, civic activist) effectively play their role in support of knowledge and effective exercise of human rights and fundamental freedoms by the population.

Outcome. States actors effectively play their role in protecting the civic space and respecting and promote the effective exercise of human rights and fundamental freedoms by the population.

Outcome - HRD, victims and witnesses of HRV are protected from

- Human Rights and protection of victims and witnesses' networks created (SODH, Viwine),

Sample of activities:

- workshops on safe reporting for CSO, HRD in Capital and provinces
- Support to 43 HRD networks at provincial level (SODH, VIWINE) – including procurement of mobile phones
- At least 12 training sessions on hate speech, including 3 on monitoring and reporting Betw Oct 2020 & Dec 2021, (553 people, 199 women participated)

Increase access to information about civic and political rights - Improved awareness about civic and political rights among CSO

Sample of activities:

- media campaigns, use of social networks and advertising on HR (e.g. right to health, gender violence)
- 123 capacity building workshops to NGO, HRD, youth, journalists to 4784 persons (1137 women)
- 3 days training to 50 CSO rep on ESCR (23 women)
- 4 sessions of Jeudi Académique to 84 participants (37 women)
- Support creation of media network to disseminate HRBA information (59 participants – 2 CSAC workshops – 11 women)
- Activities related to the World Press Freedom Day with CSAC and CSO
- Awareness activities about COVID-19 State of emergency in Ituri, North Kivu, Tshopo and Haut-Katanga to 360 persons and 130 women
- Human rights forum with MoHR : "Respect for human rights during state of siege" (40 participants including 15 women).

Improved awareness about CRSV, SGBV and human rights among security forces.

Improved policing skills respectful of HR.

Functional accountability mechanism among forces

Sample indicators:

- Regular and continued attendance to monthly meetings
- Response to follow-up requests

Sample activities:

- 15 training sessions of 900 officers in all territories of SK and Maniema Provinces
- Sensitization and training to security forces on crowd control
- Monthly meeting of PNC/FARDC Human Rights Committees with Local NGOs
- Strengthened dialogue with CSO on National Action plan for UN guiding principles on Business and HR.
- Sensitization of 94 OPJ on rights of people arrested in Bukavu

Eminent threats are addressed

Dialogue is established with perpetrators of violations and threats

<p><i>rights violation (including those of protection of physical integrity, life, property, etc. for women and girls) and can exercise their political rights and fundamental freedom without fear, etc.</i></p> <p>SO5. The <i>access to justice and reparation</i> for the victims of HRV and SCRVA is strengthened through support provided to national actors in fights against impunity including investigation of violations of human rights, advocacy with authorities and partners to bring the perpetrators of such violations to justice, capacity building of and technical assistance to judicial authorities and provision of legal assistance to victims, including to victims of CRSV.</p> <p><i>Pillar – Strengthening rule of law and accountability for HRV</i></p>	<p>human rights violation and can exercise their human rights and fundamental freedom without fear, etc.</p> <p>Outcome - The access to justice and reparation for the victims of HRV is strengthened.</p>	<p>CSO and HRD are better equipped to face threats and report about it</p> <p>Improved exchange of information with CSO and protection focal point (timing and quality) on HRD</p> <p><u>Sample indicators:</u> # of HRD relocated (159 HRD (9,4% women) # of HRD who benefitted from protection measures (258 HRD, 47 received funds from UNJHRO or partners)¹¹</p> <p><u>Sample activities</u></p> <ul style="list-style-type: none"> - Advocacy for 89 HRD until the end of threats - Seminars on the role of civil society and HRDs in the protection of victims and witnesses of HRVs related to international crimes and sexual violence: - 34 training sessions for a total of 1088 participants, including 332 women betw 1 Nov 2018 and 31 Dec 2021 - Workshop on the profession of HRD, and HR respect in COVID 19 context (190 people including 77 women) - 16 training sessions to build capacities on individual protection (529 persons, of which 157 women) - 256 risks assessment in 2020 and 2021 <p>Legal clinics are up and running in provinces</p> <p>Progress are made on the reparation funds design and running</p> <p><u>Sample indicators:</u> Number of convictions and reparations pronounced # of victims assisted and type of assistance</p> <p><u>Sample activities/outputs:</u></p> <ul style="list-style-type: none"> - Legal clinics and assistance (760 persons) - Socio-economic reintegration (33 victims) - Advocacy from SRSV-SVC to the First Lady, Special Advisor to the President, 2nd vice President of the National Assembly on adoption of a law on victims and witnesses' protection and reparations - Reactivate call center for GBV and domestic violence: (8,000 monthly calls from August to Dec. 2020) - COVID-19 impact study on GBV and domestic violence - Monthly SGBV and CRSV monitoring through MARA - Early warning alerts and information on CRSV risks. - 29 JIT betw. Jan 20 and Nov 21 - 31 mobile courts bet. Jan 20 and Nov 21 - High profile investigations including forensic examination, (8 priority cases in Grand Kasai at the request of the FARDC General Military Prosecutor)
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¹¹ To complement the data: from 1 November 2019 to 31 October 2020, the UNJHRO received and treated a total of 326 requests of protection, for a total of 568 beneficiaries assisted (of which 450 were HRD, including 43 women); and from 1 November 2020 to 31 October 2021, the UNJHRO received and treated a total of 335 request of protection, for a total of 551 beneficiaries assisted (of which 421 were HRD, including 31 women).

	Outcome - Impunity is reduced.	<p>Establishment of accountability mechanisms (Commission for truth and reconciliation in Kasai) Progress on emblematic cases</p> <p><u>Sample indicators:</u> # of cases of alleged perpetrators of HRV related to the democratic space investigated and tried by the justice system.</p> <p><u>Sample activities</u></p> <ul style="list-style-type: none"> - 224 PNC Unit Commanders and Judicial Officers and 413 FARDC Unit Commanders and Magistrates were trained to prevent and address CRSV - Actes d'engagement are reactivated with PNC and FARDC and action plans are designed and disseminated: (63 commanders, including 5 women and 10 high ranking officers and 184 PNC Commanders, including 47 women signed the engagement - 544 convictions bet. Jan 20 and Nov 21 - 13 suspected perpetrators were arrested including AG RM Ndarumanga - Follow-up on emblematic cases with the Auditorat General des FARDC (Chebeya, Yumbi, Ntabo Ntaberi "Sheka") - Fact-finding mission confirming that at least 21 women and girls were raped: opening of a trial at the Tribunal of Grande Instance of Lubumbashi, ten defendants convicted and sentenced on 19 January 2022
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In addition to this highly satisfactory level of performance, the Office **adapted swiftly to the pandemic**. Adaptation took three forms:

- A shift in working methods from in person to virtual.
- Adaptation to programs and to the Funding Agreement between Sweden and OHCHR to address the impact of COVID-19 on domestic violence against women.
- Sensitization workshops on the right to health and ways to handle COVID-19 at work.

Organising work and meetings online went rather "easy" in the capital where partners could access either a mobile or a computer, or the two. In provinces, this posed more problems to working relations that are based on face-to-face meetings, and "drop by" of people living in a distance. People learned to call rather than to come, although this option was not available for all in areas not under network or for stakeholders who could not afford a phone. For those, the Office procured phones through small grants.

The impact of the pandemic on women was addressed quickly. In June 2020, the Office signed the addendum to the Funding Agreement with Sweden to add a study on COVID-19 impact on gender-based violence and support the GoDRC in its Tolerance Zero campaign. Besides, the SunPhenix hotline for GBV, created under Kabila but long inactive, was relaunched and provision of remote assistance for victims of GBV and domestic violence was organised with partners.

Overall, the Office demonstrated reactivity, took necessary actions to adapt working methods and programs, and experienced a few delays and postponements only because of sanitary restrictions. For example, the Office supported emerging priorities such as the prevention of the virus spread in the prison system, implemented additional COVID-19 activities such as the monitoring and reporting of specific HRV related to the enforcement of restrictions measures, the development and publication of contents for various media, including social media on the ESCR,

including the right to health and access to health for all, the promotion of measures to protect oneself, and the contribution to mainstream HRBA into the UNCT COVID-19 Immediate Socio-Economic Response Plan. This responsiveness ended-up with an online reorganisation of the work (e.g., migration to online cloud solutions, flexible working arrangements, online course participation) and the widened use of online communication and exchange platforms internally, more broadly, but also changed the communication and way of working with partners as experienced by the evaluation (i.e. WhatsApp contacts). It also highlighted the importance of the support to HR-NGO and focal points network, and the Office's role in monitoring and reporting activities in times of movement restrictions.

EQ 6: Where positive results of the Civic Space and SWPA projects were found, what were the enabling factors and processes?

Enabling factors stressed by all UNJHRO's partners divide into two categories: context-specific and related to UNJHRO's strategy and working approach.

- **The new Government of DRC's position on human rights and commitment to combat impunity and human rights abuses.** The change in Government obviously makes a world of a difference for human rights workers; swapping from suspicion to trust and engagement. However, it also holds challenges. The Government was reshuffled and the UNJHRO had to adapt, make new contacts and establish new working relations, which was done successfully, according to comments.
- **High-political engagement** is giving de facto green light to development programs and **securing conditions for donors to support DRC although this favourable transition context did not translate yet into increased support.**
- **High-level precedents** such as the re-activation of the "Actes d'engagements" for FARDC and PNC, the Addendum signature, condemnations of armed groups' leaders or military show positive signs and support positive dynamics in a context long disillusioned. This is supportive of a vibrant civil society. To quote many interviewees: "The situation is not perfect, and there is still a lot of work, but a lot has been done and achieved already and this is encouraging".
- **UNJHRO's unique position as counsellor and partner to the GoDRC.** The Office is very active at both political and technical levels, engaging regularly with officials and inviting relevant stakeholders to activities or to monthly debriefs. The constant contacts, exchanges of views and renowned availability of UNJHRO management and operations allow the Office to be well informed about changes and needs. This position allows the office to participate in processes from the outset and places the Office in a privileged position. Interviewees part of the Government all reported that the Office was considered as a true and unique partner.
- **The level of expertise, commitment and professionalism** attributed to the Office staff and Director contributes to the trust and special position the Office holds as a counsellor to the GoDRC.
- **UNJHRO's needs-oriented and flexible management approach** is supportive of shifts in programs. Not working on a project base becomes helpful; supporting to make changes relatively quickly, adapting to realities and needs without requiring amendment or donor's validation.
- **Presence across the country and ability to access remote areas through MONUSCO's logistics facilities.** These UN assets allowed the Office to hold mobile courts, relocate Human Rights Defenders and conduct joint investigations to name the most significant contributions in areas where no one goes, protection ends, and impunity starts.

EQ 7: Where the projects able to capitalize on former successes or on the contrary suffered from/had to redress past errors?

The **Office's reputation is excellent**: widely acknowledged for staff dedication, expertise, professionalism and for the Director's availability and personnel engagement. This good reputation has been both a vector and a condition for the good relationship built over years with civil society and Government officials at all territorial levels. It was repeatedly said to the evaluators that when the Office says something, it is listened to because people respect and trust their work - and "even if this is unpleasant to hear". MONUSCO's reputation is contested in the Kivus and in Ituri but members of civil society and duty-bearers reported people often make the difference between the two entities and that it did not tarnish its own image nor impacted on its ability to work. In areas where mobile courts had been held, interviewees reported the Office's reputation was excellent.

Feedback was mostly positive although **few public positionings were flagged for the potential harm** they could do to the Office's image, not towards the GoDRC but rather towards civil society and the international community. A few recent cases were quoted, stressing the delicate political balance the Office constantly juggles with, mid-way between engagement, partnership and watchdog. These cases stress how critical public relations and statements are in situations such as the High-level conference on Conflict related sexual violence or about the Etat de siège. Acceptable and useful degree of closeness to the Government - although required, is scrutinised.

On rare occasions, **coordination and communication on projects' grants** and timely disbursement of funds were flagged as a "start on the wrong foot". This observation applied to CSOs and projects like the "numéro vert" on gender-based violence. This comment can also relate to the low disbursement of funds in case of urgent protection measures such as relocation of Human Rights Defenders. Because of existing procedures and in the absence of local financial facilities such as a bank account, UNJHRO is dependent on UNDP to use cash under short notice or the grant management scheme, which requires numerous administrative steps before being validated and disbursed. In the context of transitioning to peace building and strengthening national capacities through partnerships, this is likely to affect the implementation of key activities even more.

The **limited follow-up on trials**, and the low application of sanctions and reparations to victims, appeared as quite discouraging to the population. Individual results and reparations, and institutional progress is slow to materialize.

EQ 8: Are there areas where it is not possible to identify positive results on human rights issues in the country? What prevented the project from achieving results in those areas?

The evaluation identified at least four areas where caution should be exercised or where it has not been possible to engage significantly under the CS and SWPA projects. Those areas are: i) mining sector and corporate social responsibility; ii) conflict-related sexual violence committed by armed groups, iii) the relationship with the National Human Rights Commission, iv) cooperation with the National Election Commission.

The first two - (i) and (ii) - are highly political and hold security implications whereas (iii) and (iv) call for due coordination or consideration.

- **Mining sector and Corporate Social Responsibility** are yet to be further supported by donors. Human rights violations, including sexual violence, are taking place around mining sites due to low governance, illegal exploitation and smuggling of resources to neighbouring countries. Compounded economic interests attract vulnerable groups in search for a living and armed groups in search for a living/profit. Cohabitations between these groups result in violence, thief, kidnapping, rape, and murder. The lines of responsibilities and mandates between ministries are not clear yet, including about monitoring of human rights violation, and supporting due diligence and implementation of

UN guidelines on business and human rights. The Ministry of Human Rights Advocacy for mainstreaming of a HRBA approach to all ministries is supported by the UNJHRO.

- **Engagement with armed groups** on the fight against impunity and reduction of conflict related sexual violence. The UNJHRO supported action plans with FARDC and PNC to fight against sexual violence but did not take similar steps with armed groups yet, although it was part of the project document submitted to Sweden; and although they perpetrate about half of the human rights violations. Arrests and warrants against war lords, FARDC and PNC are creating a dissuasive effect among armed groups, but the Office's action is yet mostly unplanned and indirect. Field Offices worked with MONUSCO units engaging with non-state armed groups, i.e., DDR and Child protection. The SWPA requested more systematic engagement with these units, but further action seemed limited by the OHCHR protocol on the matter. This reflection may be reactivated as MONUSCO draws down and dissuasive military positions reduce in number.
- **The National Human Rights Commission (CNDH)** continues to contribute to the promotion and protection of human rights through the monitoring and reporting of the human rights situation, the production of various reports and the organization of capacity building sessions, despite very limited financial, logistical and human resources. Since July 23, 2020, the mandate of the current members of the CNDH has expired. Given the need to improve transparency in the procedure for renewing the mandate of the commissioners, the National Assembly issued a communiqué on 14/12/2021, making public a timetable for the process of appointing members of the CNDH and inviting the various stakeholders to apply in accordance with Article 16 of the organic law on the creation, organization and functioning of the CNDH. This initiative of the National Assembly comes in a context where the current team of the CNDH has proceeded to the amendment of its Rules of Procedure and its validation by the Constitutional Court, in order to be able to coordinate the renewal process.
- **The National Election Commission:** UNJHRO may consider further engaging with the National Election Commission. The institution's mandate covers civil and political rights including freedom of speech and assembly. The recent changes in the CENI may allow to explore further cooperation and prevention on human rights abuses in the run for the 2023 elections.

Annex VII maps key stakeholders; their engagement with UNJHRO along OHCHR global pillars and suggests areas where the Office may consider further engagement.

EQ 9: Is the program design relying on a clear theory of change?

Results frameworks presented in the Mid-Year Reviews and End of the Year Progress reports are not built around an explicit theory of change but OHCHR global pillars. It certainly contributes to organisational consistency across offices worldwide but shows limitations at the country level:

- A **disconnect between output, activities and achievements to "fit in"** (see example A in the box 3 from the 2020 End of the Year report) and show responses brought to each pillar.
- A tendency to repeat activities to different outputs without bringing extra perspectives (see example B in the box 3)
- **Low clarity on activities' objectives**, especially when it comes to activities related to capacity building; in some cases, reading as self-sufficient and not placing purpose and use into a bigger picture (see example C in the box 3).
- **Broad indicators** falling into six categories (some progress, good progress, fully implemented as planned, implemented with changes, not implemented COVID-19, Postponed and/or started) not reflecting areas of progress and partners willing to further engage.

- **Global follow-up of results**, not linked to earmarked project reporting requires double efforts from UNJHRO but does not lend a clear view on achievements. As an example, the evaluation had to reconstruct each project logic from the 3 key office reports – EoY, MoY and AWP (see above and annex V) and project reports to the donors.
- **A lengthy format**, with too much text and insufficient visibility on results and facts that matter the most, e.g., who is the implementing partner? who is the beneficiary/target? what is done to support the partner and achieve the target? what are the main impeding factors? Overall, results are drowned in the flux of information while they would deserve more visibility and analysis.

These observations added to the absence of an explicit theory of change, and suggest that **results frameworks respond to accountability requirements rather than serve as an effective tool to monitor results, adjust plans and evaluate interventions.**

The display of information is dense, not reader-friendly and not supportive of comparison and planning. Besides, the disconnect between outputs, activities and achievements is not supportive of questioning over causality, asking oneself the questions: is this activity likely to support achieving this outcome (output - in the result framework's terminology)?; is it the best contribution I am in a position to make and is it the most needed one from partners' point of view? There are indications of strategic thinking at both operational and leadership levels, which is positive, but user-friendliness of tools needs improvement. It also raises the issue on how UNJHRO is taking stock of these experiences.

These observations were corroborated by interviews. **One of the keywords that came repetitively was the 'informal' nature of UNJHRO's support.** If this is highly valued for the flexibility it offers (see details under Q6 above), it also suggests some of the office strategy was ad hoc, unplanned and somewhat short term. This openness to needs and requests, although highly valued, places pressure on resources, time management and strategic thinking at the operational level, which bears limitations, in a context of transition and shrinking resources. Further planning may help prioritise thematic and geographic areas for the next two years.

BOX 3 – Limitations in the intervention logic

Example A – Causal link through the chain of results

Pillar Result: P4 Civil society assistance to victims of human rights violations is strengthened

4. Increased awareness of parliamentarians and governmental authorities on legal mechanisms in preventing and protecting victims of human rights violations, including through adoption of laws on protection HRD, access to information and right to peaceful demonstrations which are aligned with international human rights standards.

4.4. Strengthening the dialogue and fora between the HR-NGOs (including those representing vulnerable population, youth and women) and the public authorities (national, provincial and communal) and support the effective advocacy of civil society towards decision-makers (including on responsible exploitation of national resources, DESC and Social Audit)

Source: AWP Country 2019, 2020 - Enhancing and Protecting Civic Space and People's Participation, Pillar Result P4

Example B – Be clear on added value

5.3. SWPA provides high level strategic and operational assistance to the Special Advisor of the Head of State on youth, children and women, the Ministry of Gender, the Parliament, FARDC and PNC for the implementation of the SVC mandate especially the joint communique and the two Action Plans on fight against sexual violence to address CRSV by the FARDC and the PNC.

5.4. SWPA provides technical assistance /advice to the FARDC and PNC National Commissions to fight against sexual violence

5.6. Technical Assistance to the Special Advisor of the Head of State for the adoption by the Government of the application plan on prevention and response to Conflict Related Sexual Violence

Source: AWP Country 2021 - Strengthening rule of law and accountability for human rights violations, Pillar Result A1

Example C – Setting a longer-term purpose to capacity building

1. Reinforced capacities of NHRI to better fulfil its mandate within all the DRC, including complaints handling, and its role in protecting human rights. Improved abilities of the HR Defenders and Protection Networks to support NHRI work in safeguarding human rights and in enhancing their autonomy.

1.4. Support capacity building activities for the newly established human rights committee of the national assembly and assist them to conduct assessment and visits in the framework of the legislative action

- Training workshop on hate speech

Source: AWP Country 2020 - Enhancing and Protecting Civic Space and People's Participation, Pillar Result 1

3.3 Efficiency

EQ 10: How efficient have the projects been in using the human, financial and intellectual resources at its disposal to achieve its targeted outcomes? To what degree do the results achieved justify the resources invested in them? Would another distribution had been preferable?

It appears from interviews and desk reviews of plans and budgets that the Office is **making the best possible use of its resources**; mobilising alternative support where facilities are available for efficient use of resources (e.g., MONUSCO logistics, UNDP financial facilities, etc.), sharing resources when appropriate, e.g., CSOs in provinces reported they could rely on the Office facilities when needed; to send an email, print a document or make a phone call. The intelligent use of resources is supportive of the good relationship and cooperation with CSO members and government officials.

Human resources have a reputation to be highly committed to work. Interviewees stressed many times their dedication, and availability as well as openness to all requests. This suggests effectiveness in handling a maximum of requests and high workload to overstretched human resources. The (vast) scope of responsibility was stressed at the provincial level by external stakeholders surprised by the low number of staff in charge of huge territories. In Kisangani the FO

counts 3 staff, in Bukavu 11 staff, and in Kananga 5 staff and 2 vacant posts. **Efficiency is high** for the balance between i) staff deployed, ii) areas covered, iii) adhesion to plans and iv) onboarding on extra and new requests.

The negative effect of such an adaptative posture – generally overstretched, is notable in **reporting and meeting deadlines**. Reasons for delays don't appear linked to staff professionalism nor commitment – which were repeatedly praised throughout the evaluation, but rather linked to planning and reporting tools and internal processes further described below.

Review of the 2019 Civic Space and SWPA budgets, indicates that in average the **main expenditure is allocated to human resources**; and a minor share is spent on activities. 61% of the CS budget was budgeted to human resources (US\$ 5, 495.895); 26% to activities (US\$ 2.310.409) and the remaining percent to grants and UN Programme Support Costs. 73% of the SWPA budget was allocated to staffing and 15% to activities. Such a high share is explained by the fact that **staff wear multiple hats: manager, adviser, and technical expert**. This expertise, especially on human rights monitoring, justifies the uncommonly high share of funds allocated to salaries and is understood by donors as legitimate. With the current recording and reporting system on expenditures, it is not possible to report by activities which represents a missed fundraising opportunity. Detailed feedback could help donors report on contribution to positive changes to their National Parliament (see reconstructed results framework in Annex VIII).

It is to be noted though that such a distribution and playing with assets had long been made possible through **MONUSCO in-kind contributions** towards offices, transportation, security, staff, etc. The Office started to estimate costs that will have to be borne by UNJHRO in the near future. While it was a relatively easy task to assess the impact of MONUSCO's departure on travel or office/premises costs and cost sharing with other UNAFP, staffing costs have been assessed based on the Office transition strategy of keeping minimal presence in key provinces while reinforcing mobility and national capacities. This is a much more complex task requiring to adjust depending on successful mobilization of funding. In this context, options for more **capacity transfers are explored** which concur with interviewees requests and willingness to be entrusted, to "become the experts" while maintaining a close partnership with the Office.

EQ 12: What has been the strategy and methodology used to work together, communicate and disseminate results among the local stakeholders, donors (including the contributions from Sweden, Norway and the Netherlands), partners, MONUSCO and UN Country Team? Any key results?

UNJHRO capacity to work together, communicate and disseminate results was praised for being, inclusive and transparent. In the DRC context, UNJHRO's mandate and role in sustaining high visibility and awareness around human rights violations monitoring and protection were flagged as essential, and two platforms were identified as efficient in doing so:

- **Monthly meetings and reports on human rights violations** to GoDRC, the diplomatic community and (I)NGO. This 'rendezvous' is highly appreciated by all stakeholders interviewed for the quality of the information shared. UNJHRO is the only actor to provide such a comprehensive and solid overview over the country HRV situation. This is an appointment not to miss and a well of information according to unanimous input. The involvement of UNJHRO' Director in these meetings had been highlighted many times as unique among the UNCT and highly valuable.
- **Clusters where UNJHRO brings technical expertise** and facts – in part through its human rights case database, which is favorable to the promotion of a human rights-based approach and coordination in sectors where many actors position themselves such as transitional justice. As part of the SWPA project, the Office proved to coordinate broadly with i) MONUSCO/UNJHRO entities such as NRI, MARA, but also with the Protection of Civilian unit, the Force and Senior Management Group for protection provincial on early

warning systems developed by WPAs on CRSV risks; and with ii) UNCT through the sub-cluster on SGBV.

- **Examples of joint initiatives under other sources of funding but on similar issues**, such as the Safe House for Women built in Kugulube Shabunda and the community radio developed with UNESCO and IOM through UNPBF funding.

Interviewees and documentation review stressed space for improvements:

- **External communication.** The UNJHRO and MONUSCO websites are outdated but regular and up-to-date messaging are posted on social media platforms. Still, the feedback collected from interviews and the review of those platforms is that better communication could be organised about results and conducive conditions identified through implementation, as opposed to communicating on activity implementation. The Office could monitor its communication and strengthen messaging on positive steps that are being undertaken and long-term results achieved.
- **Reporting on results and finance.** Despite high satisfaction regarding the relationship and results achieved, results and financial reporting are outlined as areas to be improved by interviewees and desk review of financial reports, plans and budgets. Results reporting is assessed as quantitative and lacking analysis. OHCHR's standardized format of financial reporting fits information in one page and disaggregates expenses by type of expenditure only whereas donors would need visibility of expenses by results or activities. These shortcomings in the format generate requests for details, which are answered after weeks when these could have been addressed in a more elaborated template. This comment refers to the remarks on the abstract nature of indicators in progress reports. The indicators listed in the results framework (Annex V) were qualitative and relevant but were not followed-up although the information outlined was available but scattered according to donors, TU and project reports. Reference to planning and performance assessment tools such as the Comprehensive Performance Assessment system (CPAS) may offer approaches to outcome and impact monitoring, and more qualitative assessments, of interest for the M&E officer to explore once recruited.
- **The human rights case database** is regarded as a "Saint Graal" to which a few can access only. If confidentiality is understood, voices praise the value partial circulation of non-sensitive and non-confidential information would bring to comparison purposes, to sources and fact checking for violations occurring in hard-to-reach areas which is further supported by the database RightsView system which allows to maintain anonymity.
- **Communication on the methodology to monitor human rights violation** would deserve to be strengthened to clarify relativity of figures and facts, and the non-exhaustive nature of assessments which can at best capture trends. With the Office being largely respected for seriousness of its work, its assessments could be taken literally and misinterpreted. An increase in monitoring capacity often goes hand in hand with an increase in number of violations recorded, and it is important to communicate about the value and meaning of numbers and distinguish violations in type and seriousness of crimes perpetrated.

3.4 Impact orientation

EQ 14: To what extent are the Civic Space and SWPA projects making a significant contribution to broader and longer-term enjoyment of rights? Or how likely is it that it will eventually make this contribution?

The Office intervenes on different levels of change and enjoyment of rights: individual and collective; direct and indirect; short and longer term. Until necessary conditions are fulfilled, the support provided supplements the State in the provision of certain services (JiT, Mobile courts, monitoring of violations, etc) while – in parallel, sets grounds for institutional ownership through capacity building to NHRI, protection networks, the judiciary, forensic capacity, etc. This approach is relevant and effective to bring immediate changes to individual lives and secure broader structural changes.

Restoring trust and Rule of Law in the population's eye. Interviews and documentation recollected from individual lives positively affected by the Office's work. 258 Human Rights Defenders benefited from protection measures, 159 were relocated between 2020 and 2021, 760 persons received support from legal clinics, and 33 benefitted from socio-economic reintegration. In most cases, no alternative support existed according to interviewees. Testimonies from Mobile Courts' beneficiaries reported the individual and collective role played out by the Office in restoring trust and accountability in DRC: "You can't imagine the good it does us, see this man sitting in the dock. He terrorized us years and now, we see him miserable, afraid and accountable! This is a great relief and a huge victory. We can resume our lives". This testimony followed a mobile court organised by Bukavu FO. Over the evaluated period, the Office supported 31 mobile courts and contributed directly and indirectly to reconciliation and remembering processes. In 2021, 36 exhumations and handing over of 10 bodies were organised in a posthumous ceremony to the conflict affected community in Tshisuku¹². This was the first experience of this kind in DRC. During the official return of victims' bodies and the mausoleum' inauguration, the Ministry of Human Rights communicated the Congolese Government's recognition of responsibility and asked for forgiveness. This kind of highly symbolical move in the history of DRC accountability to its citizens, result in part from the Office work, and answered the prerequisites identified during the consultation about transitional justice held in 2019¹³.

Enhanced visibility and human rights capacity. The variety of stakeholders sensitized, and their locations demonstrate an effort to encompass as many key stakeholders as possible, maximizing chances for the principles to be relayed and cascaded down the population and remote areas. The Jeudi académiques' support to protection networks, awareness raising to police officers (900 as per EoY 2020 and MyR 2021) contribute to spreading understanding human rights core principles, and building a culture of promotion of human rights and knowledge about institutions in charge. The NHRI progressed, are better renowned and trusted, and are hosting and accompanying the human rights legislative processes. The MoHR and the HRC at the National Assembly positively commented on the impact of UNJHRO's support in enhancing institutions' visibility, and in raising awareness and understanding among the population on its obligations and on human rights in Kinshasa and in provincial antennas.

¹² End of Year Summary Progress report DR Congo (MONUSCO) (2021).

¹³ Consultations populaires sur les besoins de justice, réparations et prévention des nouveaux conflits dans la province du Kasaï central, en République Démocratique du Congo, rapport final, février 2020.

However, there is low visibility and tracking on how these awareness and training activities impact beneficiaries and are used in the long run. In the absence of general - or in most instance formal education, the training and awareness delivered often constitute the sole source of information and knowledge. If it is likely to affect one's way of thinking, there is no guarantee on how it will be interpreted and transposed into daily life. This risk was flagged repeatedly about transitional justice as more and more national and international actors involve in training and awareness.

Besides, the follow-up on trainings and trainees does not allow to build on efforts and resources mobilised already. It is known that for instance former CSO participants to UNJHRO's activities joined the Executive or the Parliament but there is nothing such as a repertory about training participants' profile or type according to needs which could support capacity building consistency on the longer term. This comment links to some requests from UNJHRO's partners to move from traditional capacity building and training to a more pro-active – learn by doing – approach.

Shifting stereotypes and gender norms. In Kugulube Shabunda, a Safe House for Women was built, and a community radio developed, under PBF funding and together with UNESCO and IOM. Women told the Women Protection Advisor they felt they had broken free: speaking through the radio, hearing voices of other victims of sexual or domestic violence was a real break-through in cultural and social norms. Interviews reported rules and customs in remote areas leave yet little space to women's voice and still allows inhuman and degrading practices such as kidnapping and rape over minor as part of the proposal process.

The COVID 19 gender impact study contributed to create a baseline on the household situation and revenues. It gives an indication of the stress factors bearing on women and girls in the household. However, it lightly touched on family relations, and did not explore patterns of domination and socially acceptable levels of violence by both female and male members.

Dissuading violations from security forces and non-state armed groups. An additional positive but indirect impact is that even though engagement with armed groups is kept to minimal, it is known that armed groups followed warlords and security forces officials' trials such as Chebeya, Yumbi and Ntabo Ntaberi "Sheka" with interest - becoming aware they could be prosecuted and sentenced one day. Other testimonies stressed UNJHRO's dissuasive effect. The accountability network built over years in the capital and provinces, notoriety around professionalism and ethics, now holds meaning even hundreds of kilometres away from Kinshasa. A CSO member explained: "Sometimes we warn security forces, careful or we will inform the UNJHRO about these misbehaviours and the dissuasive effect is immediate". This leverage effect is supportive of a vibrant civil society, highly mobilised in provinces, willing and sometimes capable to hold authorities accountable.

The positive changes triggered by the Office comprise the improvement of the human rights institutions' reports monitoring human rights, networking and dialogue with civil society, progress within the military judiciary, the FARDC, the PNC in terms of human rights knowledge and skills - at a given level of hierarchy at least, and the political will demonstrated on transitional justice that would either not have occurred at all or have taken even longer to achieve without the Office presence and dedication.

The Office impacts social parameters as strong as values, but this impact is fragile and highly dependent on local presence. In a State acknowledged to be a territorial challenge to govern, where many areas have no proper state's representatives, the Office's work can positively influence knowledge, attitude and behaviours but also leave an empty seat when it departs. In parts of the country, there is fear for a backsliding as soon as the Office reduces its presence. The fragility of positive changes was outlined at large despite mitigations measures taken by the Office to sustain its support (read below, 3.5. Sustainability).

3.5 Sustainability

The sustainability question is of particular importance in the context of MONUSCO's draw down, the next general elections and current challenges in the human rights and civic space areas such as IDPs issues in North Kivu, the state of siege and conflicted areas, land conflicts and resurgence of hate speech, to name a few. It requires a strong transition strategy and ownership from national authorities, human rights institutions and CSO partners.

EQ 18: Are the results, achievements, and benefits of the Civic Space and SWPA projects likely to be durable? Why/why not?

Despite tangible and significant contributions to change, the Office cannot replace the Government in fulfilling obligations nor committing budgets. The absence of State financial resources was repeatedly mentioned as the main obstacle to long-term enjoyment of rights along with the very low level of education in general and about human rights more specifically. A lot of efforts are yet to be made on changing mentalities and customs on gender, sexual violence, justice, violence, etc. Interviewees reported about CRSV, noting that many victims have no clue what to do after an assault to ensure evidence is kept and recorded, and that sanitary safety measures are taken within 72 hours.

The evaluation concluded that these two projects achieved positive results in the areas earlier mentioned under EQ5 and EQ14. The office support mostly laid the ground for sustainability vis-à-vis institutional set-up, capacity building, human rights awareness and transitional justice. Some sustainable progresses were recorded and attributable to the Office as stressed under the impact section, but overall sustainability remains fragile. "When I look what the UNJHRO is doing, I do not know how we will do when they leave" commented an interviewee to appraise results achieved but highlights the current imbalance with national stakeholders' ability to take over.

The strategic options implemented to pursue constant political dialogue and advocacy with the government, to safeguard minimum field presence, to strengthen institutional capacity by, for example, coaching, procuring equipment and upgrading skills, to quickly adapt to the changing context are well-grounded but questioning insufficient nationally owned processes and insufficient national budgetary resources. This is particularly true for transitional justice and reparation, which is much dependent on local ownership hence very variable. Education and awareness beyond the provincial capital is also questioned. For example, the level of human rights awareness among the population in Kisangani is seen as good, rising and durable. However, persisting beliefs stand in the way of sustainable change.

Interviews reported that there is a vibrant civil society in DRC and especially in the East. CSO are eager to be more involved and implement awareness-raising, information, and training activities which is supportive of the projects' outcomes sustainability: "We want to be more involved although we are not fully ready yet. We are stronger in the field and gaining people's trust. If we enjoy good reputation and operate in acceptable conditions, this is thanks to the UNJHRO. We need to keep strengthening staff capacities to be autonomous one day. The Government is not helping

[...] UNJHRO partners: NCHR, HR CSO, human rights provincial divisions: if sufficiently strengthened, they will do an outstanding job. If the Office leaves, they will leave solid foundations behind.”

EQ 19: How much of the achievements built on the Office long-term presence/former programs? What mitigations measures are adopted to maintain the quality of the support provided despite resources reduction?

The key achievements described above are largely due to the Office’s long-term presence and its former programs. The strengths of the Office and the enabling factors and processes as analyzed under relevance and efficiency are highly linked to the office’s extensive experience in human rights and in the country. UNJHRO’s response to MONUSCO’s progressive drawdown builds on these solid strengths and strategies.

The Office took appropriate steps to prepare transition. It mobilised the UNCT to cluster resources and mitigate the effects of MONUSCO’s closing of Field Offices by co-locating with UNDP, UNHCR and UNICEF. It boosted empowerment of local safeguards like protection networks, provincial antennas of NHRI, and provincial Military Court. In parallel, it tested new organisational solutions, which are also cost effective, such as the Mobile monitoring unit. These alternative organisational schemes build on lessons learned from former peace keeping missions that transitioned in the past decade such as Haiti.

The transition strategy should rest on the sustainability of the protection network and combine the 8 key human rights priorities identified and benchmarked¹⁴ with its annual work plan. The Office planned to keep the field presences in line with MONUSCO’s transition, and to accentuate partnership and co-location with other UN agencies. Other important mitigation measures are to emphasize and make the alert and protection network¹⁵ viable, and reinforce the Mobile Monitoring and Reporting Team to compensate reduced field presences in number and decrease in resources and logistical means. Ensuring mobility and best coverage of the territory is key. Joint programming and looking for additional support and donors are ongoing and part of the mitigation measures.

EQ 20: Are the local stakeholders committed and able to continue working on the issues addressed by the Civic Space and SWPA projects? How effectively has the field presence built national ownership and necessary capacity?

There is evidence that project partners’ and stakeholders’ engagement through the Civic Space and SWPA projects is likely to continue but to varying extents. National authorities and human rights institutions expressed erratic degrees of ownership of HR protection mechanisms and processes. As a matter of fact, the government, the national human rights commission, the national assembly, and the military and police judicial system engaged to varying degrees to set the legislative reform, implement transitional justice and fight against impunity or to ensure the effective enforcement of human rights (as the right of peaceful assembly and protest, to access to justice). It appears through interviews that some institutions and organisations feel mature enough and believe they are ready to endorse responsibility on their own. To this end, partners called for more involvement in planning and that capacity building activities don’t lecture them on rights but support a “learning by doing” approach. Beneficiaries perceive much more benefits in such an approach - in the short and long run, as opposed to workshops and training. The grant allocation process as it is, does not allow to address these requests in an efficient way whereas demands are likely to increase.

¹⁴ Benchmarks listed in the OHCHR-UNJHRO Transition Strategy and Planning Implications.

¹⁵ the Mission’s community alert network system should be examined and reinforced.

Sustainability of results requires political commitment on the part of duty bearers and financial resources, whereas it remains a challenge in most cases. In addition, there is still a need for capacity building through coaching, counselling, advocacy and contribution to institutional strengthening: “in that province, we have not reached yet this level of maturity, we still have something to learn. We expressed that intention and the need for institutional backing. They coached us on many issues, but it is not over, there is continued need to work with them.” While the Office’s work brought some changes, several fundamental problems it intended to address remain. The expectation, therefore, among local officials, CSOs, other international actors and implementers is that UNJHRO support continues.

Civil society’s commitment is vivid and supported by the field presence and all kinds of support provided by the Office. Stakeholder feedback embraces various messages in reference to civil society engagement: CSOs are willing to be more active and more in charge of human rights activities, but are also lacking resources, institutional and investigation skills. The UNJHRO presence is an encouragement and a safeguard to keep working on these issues.

EQ 21: Has the field presence been successful in integrating human rights into the UN Country Team programmes and activities relating to the CS and SWPA projects?

First, the overarching principles of no one left behind, human rights, gender and equity, resilience and accountability reminded in the UNSDCF 2020-2024 together with one of the three strategic axes focusing on peace building, respect of human rights, the protection of civilians, social cohesion and democracy provide a solid grounding for the integration of human rights in the UN system and its overall support in DRC. UNJHRO interventions based on MONUSCO protection mandate ease the transversality of human rights and its promotion.

Overall, the interviews held and the shared practices in the annual progress reports indicate that there is awareness raising and attention paid to the integration of human rights and the human rights based approach by dint of (i) the visibility of the Office work, (ii) the recognition of their expertise, (iii) the meetings and exchanges held with, as examples, the Humanitarian and Protection clusters and the participation to the Humanitarian Advisory Group meetings, (iv) the UNJHRO role of advisor in the thematic group on justice and human rights (coordination mechanism between the DRC government and bilateral partners including other UN agencies) or of co-leader with UNDP on SDG 16 working groups, (v) the analysis of a number of projects implemented jointly by the UNCT, (vi) the regular information sharing with MONUSCO components and UNCT on human rights concerns or about level of compliance of DRC with its obligations under international HR and (vii) the briefing or meeting sessions organized to mainstream HRDDP and provide information on clearance procedure for support to HRDDP policy. The transversality of human rights is facilitated and made necessary by the joint mandate between OHCHR and MONUSCO but is also vital to the transition strategy. It still demands systemic practises and changes within the institutional cultures of the UNCT components (programmatic, development, and humanitarian) to apply the overarching principles and adopt the human rights-based approach.

4. Best practices and lessons learned

Best practices and lessons learned	
1	<p>The dual approach which consists in providing technical expertise – i.e. supplement the State in the provision of services until necessary conditions are in place, and building national capacities, offers a good compromise in responding to the immediate and longer term needs of DRC's institutions, the population and to the most vulnerable.</p> <p>Over the evaluated period, UNJHRO consulted with institutions and supported the joint design and development of institutional strategies. Interviewees valued the ownership created by this kind of approach and favor this engagement pattern.</p> <p>Reactivating existing mechanisms such as the Actes d'engagements for FARDC and PNC, the follow up committees or supporting the newly created Ministry of Human Rights turned out highly relevant in term of national ownership and accountability.</p>
2	<p>Local initiatives such as protection networks provide satisfactory solutions in terms of geographical coverage and cost effectiveness since members are from the area. When pursuing those initiatives, safety and security aspects need to be taken into account as well as training needs on self-protection measures.</p> <p>The Office's inclusive approach - territorial and stakeholder wise – contributes to the widespread respect and moral authority it enjoys in the Capital and in Provinces.</p>
3	<p>High availability, praised at the management level allows operations to adapt to changes in the context and to beneficiaries' needs</p> <p>Top level availability (Director level) conveys a message of inclusiveness and respect for each and everyone's perspective and challenges, and reflects positively on the organization's reputation and legitimacy.</p>
4	<p>Support to both NHRI and CSO monitoring capacity secures information consistency and fact-checking in addition to ensuring a broader geographic coverage.</p> <p>The monthly updates on human rights violations fill in a national and international information gap. On top of HR mainstreaming, it supports open dialogue with all stakeholders attending.</p>

5. Recommendations

R1. Planning and monitoring (ESRP, HQ). Ensure monitoring is organised by results instead of activities/outputs, link to country strategic result framework. Engage in a discussion with HQ on readability and strategic utility of global reports by pillars at country level. Consider the option to report results under pillars instead of reporting to pillar results; – to expand result reporting to financial reporting, increasing visibility on expenses and funding allocation to donors; review financial reporting templates and AWP's to track resources planned for activities, outputs and results. Introduce donors and Geneva counterparts in charge of financial reporting at project start to build a mutual understanding on information needs and technical limitations. Task the newly recruited M&E officer in UNJHRO with reviewing of templates according to a result-based approach

and objective to make reporting a coherent set making use of OHCHR soon to be released United Nations Joint Human Rights Office (UNJHRO) programming manual and training modules.

R2. Fundraising (ESRP, DEXREL). Mobilise donors to fill gaps in funding transitional justice.

Communicate on the political momentum around transitional justice, and communicate to donors on expressed needs and opportunities. Extend cooperation to actors not part of the former projects, such as armed groups, in cooperation with MONUSCO DDR, Child protection and the newly elected CENI ahead of 2023 elections to mitigate risks of backsliding.

R3. Human rights violation monitoring (NRI & M&E, SWPA, RIR). Continue NHRI and CSO capacity building on monitoring, reporting, and documenting human rights violation along international standards. Maintain the good practice of open and commented **monthly meetings** with the national and international communities. Improve communication on **methodological basics** and ensure figures are handled with care and without assumption of absolute values. Consider **to circulate on a case by case basis** non-sensitive and non-confidential information from the human rights violations case database to international and national organisations on given cases or topics to support fact checking.

R4. National capacity (FO, RIR, PU, ERSP, HQ). Continue capacity building efforts and further handover responsibilities to NHRI and CSOs who expect a willingness to be entrusted with this responsibility. **Shift capacity building approach to a “learn by doing” and result oriented scheme** in the Capital **and provide logistics means and networking** at the provincial level. Explore ways to **speed up the grant allocation system**. Review good practices from peacekeeping Quick Impact projects’ (QIPs) procedures; consider partial decentralization of the validation system; at country level based on grants amounts; develop expedite validation procedures for emergencies and life risk situations committing less than \$5,000; adopt bi-monthly and ad hoc assessment meetings to review and approve grants more regularly, ensure procedures are open and public.

R5. MONUSCO drawdown by 2024 (ESRP, PSMS DEXREL). Continue to assess the impact on UNJHRO’s budget and activities when MONUSCO logistics and financial assets are or will no longer be available. By mid-year, develop a mock 100% UNJHRO budget, covering all costs such as staff, premises, travels, and security, assess funds required to cover support costs from the capital and from HQ to gauge MONUSCO contributions to budget with accuracy and related impact on operations that: i) will not be possible to pursue in the next 2 to 4 years; ii) will require significant extra funding to pursue activities in priority regions. **Communicate estimated lags with donors, including on support costs, to anticipate increased funding needs in the next programming period** on the basis of the most pressing priorities. **Continue to explore and budget options to sustain local and physical presence** through co-location with UNCT, mobile teams and local networks in provinces to sustain observed dissuasive, encouraging, and protecting impact

Management response		
Evaluation Report Title: Evaluation of the Projects: “Enhancing and Protecting the Civic Space” and “Strengthening the Senior Women Protection Advisor: Preventing and Responding to Conflict-Related Sexual Violence in the Democratic Republic of Congo”		
Recommendation I: Planning and monitoring (ESRP, HQ).		
Ensure monitoring is organised by results instead of activities/outputs, link to country strategic result framework. Engage in a discussion with HQ on readability and strategic utility of global reports by pillars at country level. Consider the option to report results under pillars instead of reporting to pillar results; to expand result reporting to financial reporting, increasing visibility on expenses and funding allocation to donors; review financial reporting templates and AWP’s to show resources planned for activities, outputs and results. Introduce donors and Geneva counterparts in charge of financial reporting at project start to build a mutual understanding on information needs and technical limitations. Task the newly recruited M&E officer in UNJHRO with reviewing of templates according to a result-based approach and objective to make reporting a coherent set making use of OHCHR soon to be released United Nations Joint Human Rights Office (UNJHRO) programming manual and training modules.		
Management position on recommendation (Accepted, Partially accepted, Not accepted): Partially accepted		
Management comment: There are standard OHCHR policies on reporting, including standard templates. Therefore, options to report results under pillars, or expand result reporting to financial reporting cannot be considered at this stage.		
Key Actions	Responsibility	Time-frame
I.1 Ensure monitoring is organised by results instead of activities/outputs, link to country strategic result framework, with support from PPMES.	UNJHRO, PPMES	Q2/2023
I.2 Discuss at HQ level on readability and strategic utility of global reports by pillars at country level, and consider the option to report results under pillars instead of reporting to pillar results in preparation for the next OMP.	PPMES, FOTCD	Q4/2023
I.3 Involve donors as well as Geneva counterparts in charge of financial reporting at project start to build a mutual understanding on information needs and technical limitations.	UNJHRO, DEXREL	Q1/2023
I.4 Task the newly recruited M&E officer in UNJHRO with reviewing templates according to a result-based	UNJHRO	Q1/2023

approach and objective to make reporting a coherent set.		
1.5 Make use of the soon to be released OHCHR programming manual and training modules.	UNJHRO, PPMES	Q4/2022
<p>Recommendation 2: Fundraising (UNJHRO, DEXREL).</p> <p>Mobilise donors to fill gaps in funding transitional justice. Communicate on the political momentum around transitional justice, and communicate to donors on expressed needs and opportunities. Extend cooperation to actors not part of the former projects, such as armed groups, in cooperation with MONUSCO DDR, Child protection and the newly elected CENI ahead of 2023 elections to mitigate risks of backsliding.</p>		
<p>Management position on recommendation (Accepted, Partially accepted, Not accepted): Partially accepted</p>		
<p>Management comment:</p> <p>It is key that we do not refer only to the transitional justice gap as this is not the only or main gap. Given the scope of the evaluation, we consider sustained and expanded achievements (that the evaluation assessed) instead of a gap in the transitional justice programme.</p> <p>UNJHRO has been improving its communication with donors by for instance engaging in regular meetings and inviting them to training and capacity building activities, and will look at further improving this engagement. However, the ability or will of donors to fill funding gaps are not under OHCHR control.</p>		
Key Actions	Responsibility	Time-frame
2.1 Mobilize resources with local donors in order to, as much as possible, fill the required funding needs. DEXREL to provide fundraising support.	UNJHRO, DEXREL	ongoing
2.2 Mobilise donors to sustain and expand achievements by developing nationally owned and led programs and partnerships, building on political will and engagement of the national authorities.	UNJHRO	ongoing
2.3 Extend cooperation to actors not part of the former projects, such as armed groups, in cooperation with MONUSCO DDR, Child protection and the newly elected CENI ahead of the 2023 elections, to mitigate risks of backsliding.	UNJHRO	until Q2/2024
<p>Recommendation 3: Human rights violations monitoring (NRI & M&E, SWPA, RIR).</p>		

<p>Continue NHRI and CSO capacity building on monitoring, reporting, and documenting human rights violations along international standards. Maintain the good practice of open and commented monthly meetings with the national and international communities. Improve communication on methodological basics and ensure figures are handled with care and without assumption of absolute values. Consider to circulate on a case by case basis non-sensitive and non-confidential information from the human rights violations case database to international and national organisations on given cases or topics to support fact checking.</p>		
<p>Management position on recommendation (Accepted, Partially accepted, Not accepted): Accepted</p>		
<p>Management comment:</p> <p>UNJHRO is already sharing non-sensitive and non-confidential information with national and international organizations for fact-checking (individual protection and emblematic trials) and with national organizations on the fight against impunity.</p>		
Key Actions	Responsibility	Time-frame
3.1 Continue NHRI and CSO capacity building on monitoring, reporting, and documenting human rights violation along international standards.	UNJHRO	ongoing
3.2 Maintain the good practice of open and commented monthly meetings with the national and international communities. Improve communication on methodological basics and ensure figures are handled with care and without assumption of absolute values.	UNJHRO	ongoing
3.3 Circulate on a case-by-case basis non-sensitive and non-confidential information from the human rights violations case database to international and national organisations on given cases or topics to support fact checking.	UNJHRO	ongoing
<p>Recommendation 4: National capacity (FO, RIR, PU, ERSP, HQ).</p> <p>Continue capacity building efforts and further handover responsibilities to NHRI and CSO who expect a willingness to be entrusted with this responsibility. Shift capacity building approach to a “learn by doing” and result oriented scheme in the capital and provide logistics means and networking at the provincial level. Explore ways to speed up the grant allocation system. Review good practices from peacekeeping Quick impact projects (QIPs) procedures; consider partial decentralization of the validation system; at country level based on grants amounts; Develop expedite validation procedures for emergencies and life risk situations committing less than \$5,000; Adopt bi-monthly and</p>		

ad hoc assessment meetings to review and approve grants more regularly, ensure procedures are open and public.

Management position on recommendation (Accepted, Partially accepted, Not accepted): Partially Accepted

Management comment:

The shift in the capacity building approach and the logistical support are more relevant for the field offices that are involved in operations, than in the Capital. UNJHRO does not and should not “provide networking support to NHRI and CSO” but should instead support them in establishing their own networks.

Key Action	Responsibility	Time-frame
4.1 Continue capacity building efforts and further handover responsibilities to NHRI and CSO, who expressed willingness to be entrusted and work ‘hands on’.	UNJHRO	Q4/2023
4.2 Shift capacity building approach to a “learn by doing” and result oriented scheme and provide increased logistics and support NHRI and CSO to establish networks at the provincial level.	UNJHRO	Q4/2023
4.3 Explore ways to speed up the grant allocation system, by for instance reviewing good practices from peacekeeping Quick impact projects procedures, considering partial decentralization of the validation system at country level based on grants amounts and level of emergency, having <i>ad hoc</i> assessment meetings of the Grants Committee, or ensuring that procedures are open and public.	PSMS	Q4/2022

Recommendation 5: MONUSCO drawdown by 2024 (ESRP, PSMS DEXREL).

Continue to assess the impact on UNJHRO’s budget and activities when MONUSCO logistics and financial assets are or will no longer be available. By mid-year, develop a mock 100% UNJHRO budget, covering all costs such as staff, premises, travels, and security, assess funds required to cover support costs from the capital and from HQ to gauge MONUSCO contributions to budget with accuracy and related impact on operations that: i) will not be possible to pursue in the next 2 to 4 years; ii) will require significant extra funding to pursue activities in priority regions. Communicate estimated lags with donors, including on support costs, to anticipate increased funding needs in the next programming period on the basis of the most pressing priorities. Continue to explore and budget options to sustain local and physical presence through co-location with UNCT, mobile teams and local networks in provinces to sustain observed dissuasive, encouraging, and protecting impact.

Management position on recommendation (Accepted, Partially accepted, Not accepted): Accepted

Management comment:

Evaluators were informed that an accurate assessment of the financial requirements was done in previous years as a basis of the current presence of OHCHR field offices and projected financial needs. UNJHRO and OHCHR relevant services will continue to accurately assess and adjust the required financial need according to MONUSCO's withdrawal and residual presence, in line with the Office transition strategy presented to the PBRB.

Key Actions	Responsibility	Time-frame
5.1 Continue to assess the impact on UNJHRO's budget and activities when MONUSCO logistics and financial assets are or will no longer be available.	UNJHRO, PSMS Finance and Budget	Q2/2023
5.2 By mid-year develop a mock 100% UNJHRO budget, covering all costs such as staff, premises, travels, and security, assess funds required to cover support costs from the capital and from HQ to gauge MONUSCO contributions to budget with accuracy and related impact on operations that: i) will not be possible to pursue in the next 2 to 4 years; ii) will require significant extra funding to pursue activities in priority regions.	UNJHRO, PSMS Finance and Budget	Q2/2023
5.3 Communicate estimated lags with donors, including on support costs, to anticipate increased funding needs in the next programming period on the basis of the most pressing priorities.	UNJHRO, PSMS Finance and Budget, DEXREL	Q2/2022
5.4 Continue to explore and budget options to sustain local and physical presence through co-location with UNCT, mobile teams and local networks in provinces to sustain observed dissuasive, encouraging, and protecting impact.	UNJHRO, PSMS Finance and Budget	Q4/2024