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Sida Decentralised Evaluation

Tana Copenhagen

# Evaluation of the International Legal Assistance Consortium (ILAC), Global Core Support 2018–2021

Final Report

# Evaluation of the International Legal Assistance Consortium (ILAC), Global Core Support 2018–2021

**Final Report  
April 2021**

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The views and interpretations expressed in this report are the authors' and do not necessarily reflect those of the Swedish International Development Cooperation Agency, Sida.

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# Abbreviations and Acronyms

CAR	Central African Republic
CEELI	Central and Eastern Europe Law Initiative
CICIG	International Commission against the Impunity in Guatemala
CLE	Clinical Legal Education
EU	European Union
FBA	Folke Bernadotte Academy
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
HLP	Housing, Land and Property
HRBA	Human Rights Based approach
IBA	International Bar Association
ICTJ	International Centre for Transitional Justice
IDLO	International Development Law Organization
ILAC	International Legal Assistance Consortium
MENA	Middle East and North Africa
MFA	Ministry for Foreign Affairs
NCSC	National Centre for State Courts
NGO	Non-governmental organisation
ONBC	Organización Nacional de Bufetes Colectivos
PEA	Political Economy Analysis
PWC	Price Waterhouse Coopers
RoL	Rule of Law
RWI	Raoul Wallenberg Institute of Human Rights and Humanitarian Law
SDG	Sustainable Development Goal
SEK	Swedish Crowns
Sida	Swedish International Development Cooperation Agency
ToR	Terms of Reference
UN	United Nations
UNDP	United Nations Development Program
UNEG	United Nations Evaluation Group
USG	United States Government

# Preface

Sida commissioned an evaluation of its core support to the International Legal Consortium (ILAC) which was undertaken by Jups Kluyskens (Team Leader) and Abigail Hansen (Evaluation Specialist and lawyer). The support is provided to achieve ILAC's Strategic Plan 2018-2021. The Evaluation was quality assured by Derek Poate, whose work was independent of the evaluation team. Annefried Muller (FCG) and Nadia Masri-Pedersen (Tana Copenhagen) provided project management support.

ILAC's Executive Director, Agneta Johansson, and Director of Operations, Richard Sannerholm, provided valuable input and ILAC's Secretariat and Board supported the evaluation process with excellent contributions, including identifying stakeholders, supporting access to interviewees, the survey and supporting the team with additional information along the way.

Helena de Medeiros, Sida's programme Manager from the Unit for Peace and Human Security steered the overall process.

We are grateful to all those who have made this report possible. The views and opinions expressed in this report are those of the authors and do not necessarily reflect the official policy or position of any agency or of ILAC.



# Executive Summary

This report presents the findings, conclusions, and recommendations of the Evaluation of the International Legal Assistance Consortium (ILAC), global core support by Sida 2018-2021.

The report was written with the purpose of generating learning and accountability and had a strong utilisation focus throughout the evaluation process. Sida's core support has been provided against the strategic objectives of ILAC's five-year Strategic Plan (2017-2021). ILAC is using the core support used to finance ILAC assessments and the Secretariat.

This report is intended to support Sida's decision making on new support, and for ILAC to provide input in the upcoming elaboration of a new Strategic Plan. It contains lessons learned, conclusions and recommendations which are intended to help ILAC, its members and external stakeholders make strategic decisions on its future direction. Below, we present the main findings of the evaluation:

## **Relevance**

ILAC's work is relevant to Sida's various policies, including Sida's Global Strategy for Sustaining Peace 2017-2022, as well as to various global agreements including the SDG 2030 Agenda and SDG 16. ILAC's assessments are relevant and are well-regarded for their strong legal analysis but have some shortcomings, including being insufficiently demand-driven, slow in implementation and follow up, uneven progress towards programming, and insufficiently embedded in a development, humanitarian, and peacebuilding perspectives.

## **Effectiveness**

ILAC effectively uses the potential of the Consortium for its assessments, which are conducted by its members. ILAC's Consortium has outstanding added value in its legal expertise but does not supply adequate development expertise in its assessments. More recent developments, however, show that its assessments have more focus, include stronger pre- and post-guidance, and thus have better follow up. This is an important lesson since it allows ILAC to deepen its understanding and increase its relevance, including for uptake in programming. In turn, this provides opportunities for strengthening its position in the rule of law area in fragile state contexts.

Its assessment methodology has improved, and its more recently developed knowledge-managed tools are a critical and positive contribution to bringing assessments closer to programming and reaching a larger audience. Its policy dialogue is somewhat *ad hoc* and incidental, and ILAC has not mobilised the Consortium sufficiently to increase strategic policy dialogue and influence.

ILAC has progressively increased its understanding of gender, conflict, and human rights approaches. While gender issues are well-addressed, conflict and human rights approaches are insufficiently developed, both strategically and operationally.

ILAC's funding efforts have been scattered, with little focus on where opportunities are to be found and linked to robust follow-up after assessments.

### **Coherence**

ILAC has added value depending on the country and context in which it is operating. Its assessments are relevant instruments to help different stakeholders in the rule of law, identify needs, and plan forward. Its compatibility is context- and country-dependent. Its overall compatibility, however, is part of the uniqueness of the Consortium in terms of its legal expertise and the application of its peer-to-peer approach. ILAC in some contexts enjoys positive positioning amongst other rule of law actors, however, its visibility and engagement are insufficient to create a constant and diverse demand for assessments, increase its influence in national, regional, and global forums, and attract donors.

### **Sustainability**

Sustainability is largely absent in ILAC's current thinking; nevertheless, some of its outputs, including its training, knowledge products and capacity building are contributing to lasting changes in country. ILAC has weak monitoring and evaluation systems to track performance over time and track its contributions to assess their sustainability and impact.

### **Recommendations**

Core funding should contribute to ILAC's new Strategic Plan. This will allow ILAC to independently decide where it can best offer its expertise, invest, and ensure follow-up. It will also help seek funding for the products and services it can offer.

The Consortium should define its added and strategic value. It needs to clarify its niche and positioning. In doing so, it should introduce a better matching system for members, to select the most appropriate experts for assessments, and develop partnerships with organisations that can support its assessments with additional, non-legal expertise. The latter could also be reinforced through developing partnerships with those organisations that bring complementary knowledge and skills to ILAC.

The Secretariat in collaboration with the Consortium should develop a more comprehensive set of technical tools for the use of staff and external experts in the preparation of assessments and other analytical outputs.

Assessments can be further improved, including developing baselines, improving alignment in recommendations, and increasing uptake for programming. In addition, a better dissemination strategy and developing additional actions following assessment recommendations will create a hybrid structure between assessment and programming.

ILAC needs to urgently address its funding base, spearheaded and supported by the ILAC Board.

# 1 Introduction

## 1.1 BACKGROUND, PURPOSE AND OBJECTIVES

The objective of this evaluation is to evaluate the International legal Assistance Consortium's (ILAC) work during the ongoing agreement period, 2018 to date, with a focus on relevance, coherence, and effectiveness.

The terms of reference (ToR) – also found in Annex 1 - state that the evaluation objective is to evaluate the relevance, coherence, and effectiveness of ILAC as one of the inputs to the Swedish International Development Cooperation Agency's (Sida) decision on future support. The purpose or intended use of the evaluation is to serve as an input, among other inputs, to decide on the future direction of the portfolio.

Sida's core funding to ILAC is interdependent with bilateral program support from Sida. ILAC currently receives a grant for core support, which runs from January 2018 to December 2021 with a total agreed budget of 32 380 000 SEK.

## 1.2 EVALUATION OBJECT AND SCOPE

The evaluation object is ILAC's core support during the ongoing agreement period from 2018 to date, that is, implementation of ILAC's strategic plan 2017-2021. Sida also provides bilateral programme support to ILAC. These bilateral programmes are not included in the scope of the evaluation. The team in close consultation with Sida agreed that the Scope and Evaluation Questions would be followed as outlined in the ToR. ILAC has a gender strategy, and this will not be independently assessed. ILAC is also in the process of developing a human rights-based approach; this will also not be assessed. The team, however, will assess how they have been applied in ILAC's work using the core grant.

As the agreement for core support comes to an end on 31 December 2021, the purpose or intended use of the evaluation is to guide Sida's decision-making on future support to ILAC. The primary intended users of the evaluation are Sida, in particular the Peace and Security Unit, and ILAC.

This evaluation serves both an accountability and learning objective. The mid-term evaluation will inform Sida about progress made towards the objectives of the ILAC Strategic Plan 2017-2021 using the core grant and will inform Sida and ILAC about what has been learned from the use of the core grant.

In the assessment of core support to ILAC, it was assumed that the core contribution would complement other justice sector contributions supported by Sida, by focusing in particular on the independence of the judiciary at sensitive stages of transition thereby responding to Sweden's Sustaining Peace Strategy. In addition, with regard to the composition of the portfolio of, it was considered that ILAC complements other contributions - including the UNDP Global Rule of Law

Programme, which has a broader Rule of Law focus and the International Centre for Transitional Justice (ICTJ), which focuses on accountability and redress.

## 1.3 EVALUATION CRITERIA AND QUESTIONS

The evaluation criteria and questions are:

### 1. **Relevance: Is the intervention doing the right thing?**

- I. To what extent has the intervention objectives and design responded to beneficiaries', global, country, and partner/institution needs, policies, and priorities, and have they continued to do so if/when circumstances have changed?
- II. To what extent have lessons learned from what works well and less well been used to improve and adjust intervention implementation?

### 2. **Coherence: How well does the intervention fit?**

- I. How compatible has the intervention been with other interventions in the country, sector or organisations where it is being implemented?

### 3. **Effectiveness: Is the intervention achieving its objectives?**

- I. To what extent has the intervention achieved, or is expected to achieve, its objectives, and its results, including any differential results across groups?

The team developed the above ToR questions further and also developed additional questions to focus on ILAC's added value as a Consortium and its position. Given that ILAC works in fragile states the team considered some questions relevant that would help it understand how its support through the bilateral programmes can be sustained. See Annex 2 for the full evaluation matrix.

## 1.4 STRUCTURE OF THE REPORT

The structure of the report starts in chapter 1 with an introduction, purpose and background to the evaluation including the evaluation scope and criteria. This is followed by chapter 2, which presents the methodology applied for this evaluation including how the team developed findings and conclusions based on the different data sets. Chapter 3 presents a background to the evaluation object – ILAC hereunder its governance and funding structure. Chapters 4, 5 and 6 presents the findings according to the three ToR questions organised by evaluation criteria: Relevance, Effectiveness and Coherence. For each evaluation question, sub chapters are introduced that reflect the Evaluation Matrix questions. For the findings all the different data sets are used, including quotes, references and survey results. Various boxes are presented to underline particular findings. Each chapter has a short introduction and a section at the end of each chapter summarising the findings.

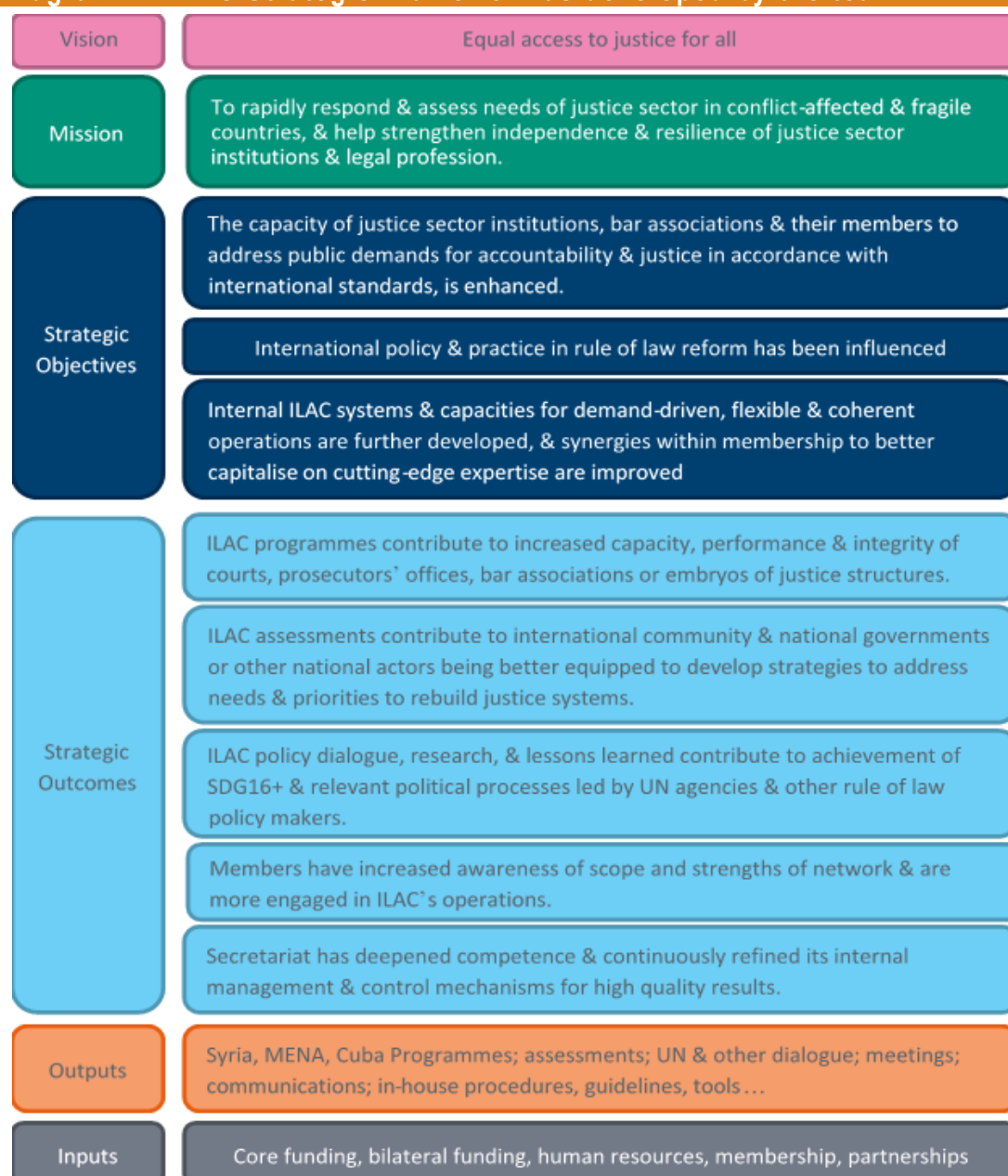
Chapter 7 discusses sustainability and funding, and chapter 8 presents the conclusions and chapter 9 the recommendations. Finally, the lessons learned can be found in chapter 10 followed by various annexes including the ToR, evaluation matrix, list of interviewees and documentation, stakeholder analysis, data collection tools, and survey responses.

## 2 Methodology

### 2.1 OVERALL APPROACH

The evaluation follows a utilisation-focused approach that adopts mixed methods with a combination of document review, key informant questions, a sample survey and two case studies. The approach builds on the logic underpinning Sida's support from the Results Framework, as summarised in Diagram 1.

**Diagram 1 - ILAC Strategic Framework as developed by the team**



The evaluation approach and method respond to both the scope of the evaluation and the three principal questions raised in the ToR.

## 2.2 METHODOLOGY

The sections below describe our methods and process for data collection and data analysis as well as issues around ethics and limitations.

## 2.3 METHODS AND TOOLS FOR DATA COLLECTION

The methodology consisted of:

1. Document Review (see Annex 4)
2. Stakeholder Analysis (See Annex 6)
3. Interviews with different sets of stakeholders based on the stakeholder mapping. (See Annex 3 for sample and Annex 5 for a list of interviewees)
4. A survey collecting data from recipients in countries and the Middle East and North Africa (MENA) region. (See Annex 8)
5. Two case studies: ILAC's niche in Syria and ILAC's policy influence in Guatemala

The document review, interviews and survey included discussing the interface of the core grant, and where relevant non-core grants, without evaluating the latter separately. The core grant is mostly used for conducting assessments in-country, policy dialogue, knowledge management and a share of operational costs of the Secretariat. Since the core grant is used to a large extent for assessments, *the uptake and effect* of the assessments have been discussed to examine the contribution to ILAC's results framework.

The Results Framework was revised in 2019 improving the targets and indicators. ILAC's 2018 annual report had substantial difficulty in reporting on the original results framework and provided suggestions for improvement. The revised results framework, however, still has challenges in terms of measuring progress and in particular those outputs and outcomes that are financed by the core grant. It is not possible to isolate the core contribution in such a way that evidence would show progress towards results. The team prepared an overview of those areas where the core grants were used and reports on progress to the extent possible.

ILAC's results-based framework still lacks baselines and indicators which serve this evaluation purpose and support responding to the ToR questions. Therefore, the team developed draft indicators for all questions in the Evaluation Matrix (See Annex 2) that can be used for both the interviews and the survey. These were discussed with ILAC Secretariat to ensure that the questions were appropriate.

Considerable time was spent on the stakeholder analysis to select persons for interviews and the survey. The latter in particular was intended to reach out to partners and beneficiaries in specific countries and the MENA region since the team could not collect data in country due to the effects of COVID-19. Apart from the COVID-19 impact on stakeholders, most of the interlocutors are in countries that the team cannot visit for security reasons.



The selection process of people to be interviewed was also guided by the principle that a broad representation of the Consortium should be approached, including representatives of the Board, Advisory Committee, individual members, Bar Associations, and other legal associations as well as the Secretariat. Representatives from Sida, including field offices, organisations which contribute in country and globally; and individuals who contributed to ILAC's assessments were interviewed. See Annex 5 for an overview of people interviewed. The persons approached for the survey remain anonymous and the majority were recipients of ILAC's support or partners in countries where ILAC has undertaken assessments or implements programmes. See Annex 5.

Due to the fact that ILAC was not evaluated for a considerable number of years the team interviewed various Sida programme managers as well as a representative of the Ministry for Foreign Affairs (MFA) which was the former funder of ILAC. In addition, a consultant was interviewed who helped ILAC with its organisational development when ILAC needed to meet Sida's financial and legal requirements. The purpose was to better understand how ILAC evolved before the core grant and how it positioned itself over time.

The Evaluation Matrix guided the work at different stages of the evaluation and was used as a basis for the different data collection tools. See Annex 2.

The survey was developed reflecting the questions in the Evaluation Matrix and available in four languages (English, French, Spanish, and Arabic). It is attached as Annex 8. In order to protect the respondents, additional comments were removed except for the section on added value. Only the translation is presented to not trace comments back to the respondents and his or her country.

Case studies: Given that ILAC operates in fragile states where the Rule of Law (RoL) sector involves multiple stakeholders, the team looked more closely at ILAC's niche in Syria in terms of the use of the core grant, ILAC's position and added value in this area, including the use of the Consortium and developing partnerships. Syria was proposed since ILAC has been working there for a long period, including before this grant, and has undertaken different types of activities with different stakeholders.

ILAC has a unique position given that it operates as a professional network and can mobilise different stakeholders to contribute to specific areas in the rule of law sector from different global, regional, and national perspectives. Guatemala was selected to examine more closely how different stakeholders were mobilised and with what results to influence policy.

## 2.4 PROCESS OF ANALYSIS AND DEVELOPING CONCLUSIONS

There are different tools which were used in a sequenced way for data analysis and triangulation: the interview results, the survey, the document review, and the case studies.

1. For the interviews we used different interview formats depending on the interviewee. We differentiated among the various instances of the governance structure of ILAC (Board, Secretariat, and members). Similar differentiation

was done for Sida programme managers based in embassies and responsible for non-core funding, including current and former programme managers of the core grant at Sida headquarters. We then organised the responses per evaluation matrix question and coded the answers. Based on this system we drafted a first text with findings per question.

2. The survey was prepared using Survey Monkey and was sent out to 38 people and 19 people responded so the response rate is 50%. The survey was anonymous so answers could not be traced back to specific persons. The respondents, however, were asked where they were located so the team could link their answers to specific countries where ILAC worked to add to country evidence.
3. The document review continued and was used to select relevant evidence for the results framework as well as comparing interview data in the text that we developed under 1 with ILAC's key documents in support of overall findings per evaluation question.
4. Finally, we used the survey data to strengthen the evidence of the findings considering that the response rate was 50%.
5. For the case studies we used all of the above tools to come to general extrapolations as well as specific examples that are used throughout the text in small boxes making the case studies relevant to the specific evaluation matrix questions.
6. Once we had a final draft text that reflected all the evaluation matrix questions, we reorganised these to three chapters responding to the three evaluation questions from the ToR: Relevance, Effectiveness, and Coherence and introduced subchapters to present our findings.
7. All interview data had a section on recommendations which we brought together and grouped around themes relevant to the ToR questions. We compared these to our own recommendations and the latter were strengthened using these data.
8. The conclusions were built on the findings from the analysis highlighting the key overall insights, successes, and shortcomings. An additional section reflects conclusions that go beyond the ToR question since the team had additional data that are relevant to the effectiveness of the core grant. Because of the additional data we also added a chapter on 'other relevant issues'.
9. The lessons learned consider potential implications of the report findings beyond the scope of findings.



### Contribution

ILAC's use of core funding is used amongst others for assessments which are contributing to the Strategic Plan. In achieving the strategic outcomes, ILAC conducts assessments which are uniquely ILAC's. In most cases ILAC or the Consortium members developed programmes based on the assessments so the results of this work can be attributed to ILAC. ILAC's consortium members play a role in programming and implementation in which case results can be attributed to ILAC but also the Consortium member. This is, for example, the case for the American Bar Association which collaborates with ILAC in various countries.

Given that the core grant is contributing to ILAC's Strategic Plan and its revised Results Framework and is blended with other funds, the team could not find sufficient evidence in ILAC's annual reports that can be traced back to the Strategic Plan. To the extent that the team could extract information from the Annual Report 2018, 2019 and the workplan for 2021 which discusses achievements of 2020, a separate Annex was prepared to capture the information. This exercise demonstrates that the results framework is too broad and thus challenges occurred in assessing whether it was implemented as intended, whether the anticipated chain of results occurred and the extent to which other factors influenced the core grant achievements. For the latter, ILAC works in highly unpredictable environments and fast-moving situations in fragile countries and needs to adapt without losing sight of what it wants to achieve. Moreover, its ability to adapt is part of staying the course, including experiencing challenges working under COVID-19.

The evaluation used a utilisation focus and consulted Sida and different parts of ILAC during the data collection process. Updates were provided as the team made progress with its work.

## 2.5 ETHICS AND PARTICIPATION

The team applied Tana's Ethical Guidelines, which encompasses the organisation's approach to human rights, labour conditions, the environment, anti-corruption and bribery, and the ethical values according to which their staff and consultants are expected to conduct their work. The team adhered to Tana's Safeguarding Policy, which provides an outline of the organisation's approach, practice, and commitment to "ensuring a comprehensively safe environment for all people that the organisation engages with".

The team had close consultations with ILAC Secretariat about approaching the interviewees and survey respondents cautiously and Secretariat advised on whether persons could be approached without any possible repercussions. For the survey, ILAC Secretariat supported the team and identified and approached survey respondents ahead of time and also sent out the survey to ensure that respondents could identify the origin of the email to increase confidence in the communication, with a view to increasing the response rate.

With ILAC we discussed whether the evaluation could do any harm to the interlocutors (Do No Harm approach – relative to individuals, institutions, implementing partners, the Consortium, ILAC itself, and other Sida programmes) and the names on the stakeholder analysis did not lead to removing persons from the list.

The evaluation included questions on the Human Rights Based Approach (HRBA), gender, conflict sensitivity and Do No Harm approaches and tools used in ILAC's work and in particular cross-cutting areas of enquiry in data collection and analysis. The team did not strictly apply a gender division in terms of the stakeholders since reaching out to the different clusters of stakeholders prevailed. For the survey we asked the gender of the respondent and 21% were female.

## 2.6 LIMITATIONS

The evaluation is retrospective in nature, whereas the support has not yet come to an end. This affected the extent to which results have been achieved or are likely to be achieved.

COVID-19 had a significant impact since the team could not visit any of the countries in which ILAC works. This affected the extent to which we could collect data from partners and beneficiaries. The team mitigated this through the survey (reaching out to those who could comment on assessments and the subsequent activities and results) and interviewing specific people who were part of the assessment teams and involved in follow up. The implications of COVID-19, however, meant that the team had limited access to multiple stakeholders in-country and thus the evidence from the beneficiaries' perspective is limited. Moreover, the survey is offering a *perception of ILAC's work and cannot discuss its work in detail*. In-country, the team would have also had opportunities to verify specific results that ILAC indicated and for example, discussing the relevance, effectiveness, and uptake of the assessments. The evidence would have been more varied, nuanced, and deeper. This affected the findings, conclusions, and recommendations to some extent.

## 3 Background on ILAC

### 3.1 INTRODUCTION TO THE INTERNATIONAL LEGAL ASSISTANCE CONSORTIUM

ILAC is a non-profit organisation, formalised as a non-governmental organisation (NGO) under Swedish law, with its headquarters in Sweden, where a small Secretariat coordinates the Consortium. Since ILAC was founded in 2002, the Consortium has gathered over 50+ professional legal organisations and experts from all over the world that reflect a wide range of legal expertise and competencies which can be drawn upon to help rebuild justice systems in countries that are fragile, or conflict affected.

Its aim is to strengthen the rule of law, empower legal professionals and ensure equal access to justice for all where people's justice needs are greatest – in conflict, crisis, or transition. ILAC is a mechanism to coordinate the work of international and regional actors in the re-establishment of the rule of law in war-torn countries.

ILAC plays an important role in advising on key rule of law topics by drawing on the expertise of its members. Combined with practical recommendations from its assessments and programmatic results, it assists in charting priorities for the way forward for influencing international policy to strengthen the rule of law.

ILAC also aims to contribute to international policy dialogue in justice sector reform design and implementation in transitional settings.

### 3.2 ILAC GOVERNANCE

ILAC's elected Board of Directors comprises diverse member representatives and provides strategic guidance and oversight. ILAC also benefits from guidance provided by an Advisory Council drawn from its membership. The Advisory Council consists of organisations and individuals.<sup>1</sup> ILAC organises an annual meeting hosted by one of the members or the Secretariat, and its five-year Strategic Plan was approved by the General Annual Meeting in 2017.

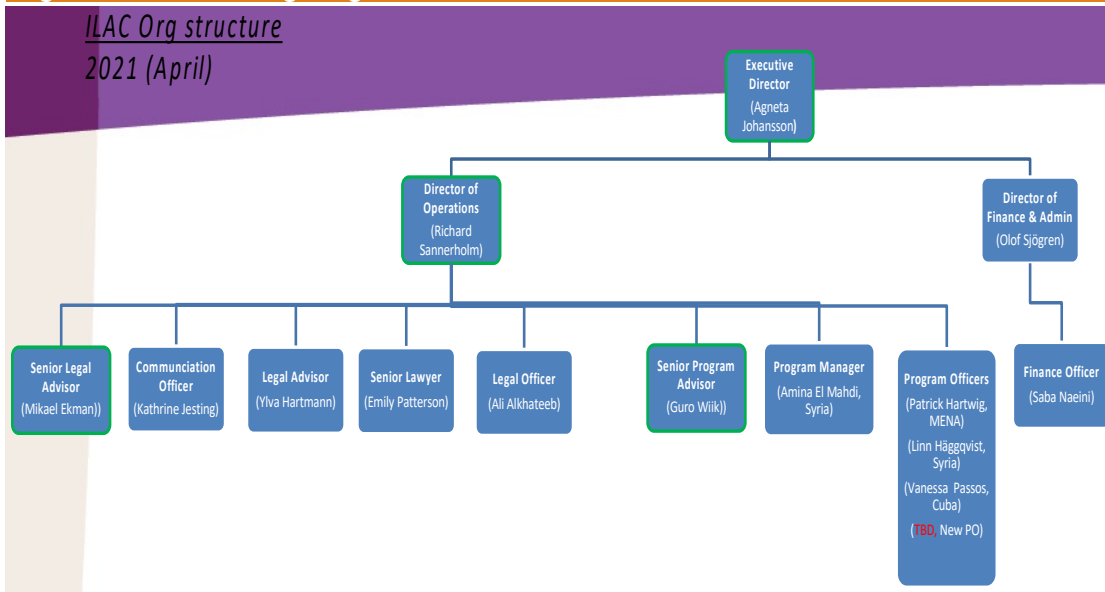
ILAC aims to rapidly deliver politically and contextually relevant roadmaps of strategic needs and priorities in fragile and conflict-affected countries, and then provide assistance to help rebuild justice systems and the rule of law. ILAC also aims to contribute to international policy dialogue in justice sector reform design and implementation in transitional settings. The work is carried out in close partnership

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<sup>1</sup> The number of organisations and individual members change. ILAC's membership grows, and some individual members are honorary lifetime members appointed to the Council.

with local ministries, judges, prosecutors, court administrators, lawyers and lawyers' associations when there are strategic openings to provide expert guidance and/or when there exists political will to prevent further conflict and re-occurrence of atrocities and build peaceful means for conflict resolution. A small Secretariat coordinates the consortium and ILAC's work. ILAC's elected Board of Directors comprises diverse member representatives and provides strategic guidance and oversight. ILAC also benefits from guidance provided by an Advisory Council drawn from its membership.<sup>2</sup>

**Figure 1 - ILAC Organigram**



The above organigramme has somewhat changed and the two departments ‘assessments and legal analysis’ and ‘programmes’ have merged.

ILAC commissioned an efficiency audit in 2016. Since that report by Price Waterhouse Coopers<sup>3</sup> (PWC), the ILAC Secretariat has evolved and grown in staff numbers. The current staffing is 11 (including the Executive Director), with two open positions. In Tunisia, ILAC co-shares an office with one of its members, National Centre for State Courts (NCSC), and has two long term consultants. ILAC has also responded and taken the necessary steps in relation to rules concerning Consortium membership, operational and financial management, and the development of ILAC by-laws. As a result, ILAC responds to Sida’s core grant and bilateral agreement requirements.

ILAC has implemented a number of organisational strengthening reforms and decisions which are central to its operation. ILAC’s By-Laws were updated, and improved policies were implemented to ensure ILAC’s assessments and programmes are properly structured, accountable and respond to Sida’s requirements. It also

<sup>2</sup> PWC Efficiency Audit 2016, 1-10

<sup>3</sup> PWC Efficiency Audit 2016, 1-10

initiated a comprehensive review of its assessment methodology, which is at the heart of its operations, including influencing policy dialogue. In 2017 it revised its Operational Manual which lays out its governance, its approach to assessments and programmes, when and how it intervenes in country, operational control, including managing partners, finances, and reporting.

### 3.3 ILAC'S FINANCIAL RESOURCES

The ongoing agreement period for core support runs from January 2018 to December 2021 with a total agreed budget of 32 380 000 SEK. Compared to the previous situation, core support to ILAC is now based on a comprehensive strategic plan and results framework. The core support covers a large part of ILAC's joint and general costs, its network structure, and a limited amount of implementation in the field.<sup>4</sup>

While ILAC's core support is based on the agreed objectives and expected results of ILAC's five-year strategy, which can be seen below in Box 1, the core funding to ILAC is interdependent with non-core earmarked funding for bilateral program support from Sida. The overall objectives and expected results can be seen below in Box 1.

#### Box 1 – ILAC's five-year strategy 2017-2021<sup>5</sup>

- The capacity of justice sector institutions, bar associations and their members to address public demands for accountability and justice in accordance with international standards, is enhanced.
- International policy and practice in rule of law reform has been influenced.
- Internal ILAC systems and capacities for demand-driven, flexible, and coherent operations are further developed, and synergies within the membership to better capitalise on cutting-edge expertise are improved.

ILAC's primary funder is Sida, with funding also received from the Swedish Ministry of Foreign Affairs, the United States Government (USG) and the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) (committed in non-core grant agreement in June 2020). As of January 2021, ILAC also became a recipient of non-core funding from the Folke Bernadotte Academy, a government agency under the Ministry of Foreign Affairs in Sweden.

Regions and countries that ILAC are working in or has worked in during the core grant period and supported with core support or with bilateral Sida programme support are (see also Table 1 below):

#### 1. The Middle East and North Africa Region

- a. MENA regional programme (bilateral support from Sida and USG): forwarding of funds to ILAC members for activities in Algeria, Iraq,

<sup>4</sup> Idem.

<sup>5</sup> Agreement between Sida and ILAC, page 2, 28 February 2018

Jordan, Lebanon, Libya, Morocco, Palestine, and Tunisia. Where the primary focus is on Tunisia and Libya.<sup>6</sup>

- b. Palestine (core support): continuous assessment and participation in policy dialogue
- c. Syria program (bilateral support from Sida and GIZ): Combined modalities for direct implementation and forwarding of funds to member organisations.

## 2. Latin America and Caribbean Region

- a. Cuba Programme (Sida bilateral support): combining direct implementation with forwarding of funds to members organisations.
- b. Guatemala (core support): assessments and continuous participation in policy dialogue.

## 3. Sub-Saharan Africa

- a. Central African Republic (core support): assessment
- b. Liberia (core support): assessment and continuous participation in policy dialogue.

In addition, ILAC has engaged in numerous policy dialogue initiatives on thematic areas and in fora of relevance to the promotion of the rule of law (such as the SIPRI Forum, g7+, Rule of law and SDG 16, research on the impact of COVID-19 on judicial independence in MENA and Latin America and the Caribbean or the role of justice sector reform in prevention). Table 1 below outlines ILAC's core funding use by country and region and associated activities.

**Table 1 – Activities partially or fully funded by ILAC's core grant from Sida**

Countries/Region/Global	Activity
<b>Liberia</b>	Assessment on the status of the access to justice in Liberia.
<b>Palestine</b>	Exchange programme with Tunisian legal and judicial professionals Policy Brief – Closing Space for Judges in Palestine Roundtable with Palestinian judges in July 2020 with core funding together with Al Haq and CEELI institute, following up on the policy brief <i>Judges on the Frontline</i> , which was also core funded.

<sup>6</sup> In 2017, ILAC's three-year MENA programme came to an end, but saw the start of a bridging period with support from Sida to continue some activities as ILAC develops a new regional programme that was launched in 2018.

<b>Guatemala</b>	<p>Assessment on the situation of the judiciary and the prosecution services, as well as their role in upholding the rule of law in Guatemala.</p> <p>Policy Brief on Judicial Nominations in Guatemala – Pockets of Resistance in a Closing Space</p> <p>Follow-up assessment that examines the state of Guatemala’s justice sector after the closure of the International Commission against Impunity in Guatemala (CICIG) in September 2019.</p> <p>Policy Brief: A pandemic is not the time for reforming judicial nominations in Guatemala.</p> <p>Policy Brief: Judicial Independence Hanging by a Thread in Guatemala</p>
<b>Latin America and Caribbean Regional</b>	<p>Proposal for programme to Folke Bernadotte Academy (FBA): ‘Judges as Peacebuilders – securing peace by empowering justice sector actors in Latin America to fight corruption and end impunity’</p> <p>Development of programme initiative with members on a tracking tool for lawyers/judiciary on access to justice.</p> <p>Study on the impact of COVID-19 on the Judiciary in the region</p>
<b>MENA Regional</b>	Study on the impact of COVID-19 on access to justice for vulnerable groups in Tunisia, Libya and Palestine.
<b>Syria</b>	Housing, Land and Property (HLP) policy brief/discussion paper
<b>Global</b>	<p>Policy Brief on ‘Rule of Law washing’ and the Sustainable Development Goals</p> <p>Policy Brief on ‘Sustainable Development Goals (SDG) 16: The Rule of Law at a Crossroads’</p>

Table 2 below outlines ILAC’s bilateral work by country and region and summarises each programme’s content.

**Table 1 - ILAC’s bilateral work funded by non-core grants<sup>7</sup>**

<b>Countries and regions</b>	<b>Content of the programme</b>
<b>MENA has a regional programme</b>	MENA regional programme:

<sup>7</sup> Overview provided by ILAC

<b>and two bilateral programmes in Tunisia and Libya</b>	<p>Contribute to improved judicial and legal education to support the development of the justice sector professionals responsive to and applying human rights standards</p> <p>Tunisia: improving the administrative capacity of the Tunisian Administrative Court supporting the increased knowledge adjudication and protection of economic, social, and cultural rights supporting the improvement of more interactive and comprehensive human rights education at judicial and legal training institutes</p> <p>Libya: Supporting Effective Engagement of Human Rights Advocates in Transitional Justice Promoting Human Rights and Rule of Law Culture</p>
<b>Syria</b>	<p>Support to Syrian justice sector professionals to perform basic duties and maintain their skills and professional knowledge of the judicial profession.</p> <p>Establish conditions for the provision of higher legal education to Syrian refugees are in place in neighbouring countries.</p> <p>Work with Syrian justice professionals to effectively engage with relevant international and national human rights and accountability mechanisms</p>
<b>Cuba</b>	<p>Provide professional exchange for Cuban lawyers from the Organización Nacional de Bufetes Colectivos (ONBC) on international commercial law to increase the participants' capacity to work in the international marketplace and to support economic development. About 250 legal professionals from across Cuba have been trained, with the programme expanding to include globalisation and ethics, and anti-corruption to address issues common to all lawyers. The course is implemented in collaboration with the International Bar Association (IBA). In addition, the programme promotes professional exchange between Cuban and Swedish legal professionals, as well as the implementation of capacity building in Clinical Legal Education (CLE) in collaboration with the University of Havana and ONBC. The CLE capacity building was added to the programme in 2020 and is implemented by the Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI).</p>



Table 3 below shows both the core and bilateral grants, the latter being an important means to implement programmes beyond ILAC's core grant which is used for assessments, policy dialogue and internal organisation.<sup>8</sup>

**Table 2 - ILAC's key resources: the core grant versus bilateral programmes<sup>9</sup>**

Grants in SEK	2017	2018	2019
<b>Sida CORE</b>	6 494 830	6 900 583	8 067 369
<b>Sida MENA</b>	12 949 881	9 546 054	14 360 157
<b>Sida Syria</b>	11 320 221	17 737 295	9 915 370
<b>Sida Cuba</b>		1 098 803	1 393 382
<b>Palestine, Foreign Ministry</b>	342 605		
<b>Sida Other<sup>10</sup></b>	601 328		
<b>Other NGOs</b>	963 524	515 708	505 682
<b>MFA Sweden</b>		250 000 <sup>11</sup>	

Source: ILAC annual reports 2017, 2018, 2019

The MENA Programme is funded through Sida's regional strategy for the MENA region. It includes 6 components, of which three are implemented bilaterally in Tunisia, two bilaterally in Libya, and a third is implemented regionally (Algeria, Iraq, Jordan, Lebanon, Morocco, Palestine, and Tunisia). ILAC's MENA programme also includes co-funding through National Centre for State Courts (NCSC), one of ILAC's member organisations, where ILAC is responsible for managing parts of grant from the US Government.

### 3.4 OVERARCHING ISSUES

Given the combined funding of core and bilateral support, the way the Consortium is established and the various by-laws and operational guidelines supporting its operations, the team found relevant evidence in the data to discuss various *operational issues that affect the relevance and effectiveness of ILAC*. These overarching issues will be explored in the report because they are relevant to the organisation's overall effectiveness, even though not requested in the TOR.

<sup>8</sup> The membership of the Consortium also brings in resources which are not reported here.

<sup>9</sup> Overview provided by ILAC

<sup>10</sup> These funds were used for preparatory work on Cuba before ILAC started its current programme. For different reasons it was decided not to specify where the funds were for, at the time of ILAC's annual report.

<sup>11</sup> Funding for a report written by Thomas Hammarberg on the situation for Palestinian refugees. Managed by ILAC at the request of the MFA. Report can be found here: [https://www.ui.se/globalassets/aktuellt/2018/justice\\_postponed\\_digital\\_version\\_isbn.pdf](https://www.ui.se/globalassets/aktuellt/2018/justice_postponed_digital_version_isbn.pdf)

The team found that several themes have affected ILAC's performance which are interrelated:

- The tension between assessment and programming.
- ILAC's structure/staffing/capacity.
- The role and composition of the Consortium.
- Finance, fund raising and expenditure.

As will be further discussed in the report, these themes are overarching issues that run through the relevance, effectiveness, and coherence chapters. In addition, sustainability has also emerged as a point of attention and although not requested in the ToR, we discuss this in a separate chapter 7.

These overarching issues will also be discussed in the conclusions and recommendations.

## 4 Relevance: is the intervention doing the right thing?

This chapter discusses the relevance of ILAC to Sida and Sida's policies, its main funder. In addition, we focus on how ILAC identifies needs and how it engages with stakeholders to ensure its relevance over time, including adjusting when the context changes. We also assess the extent to which ILAC has identified lessons learned that it applies to stay relevant.

### 4.1 SIDA'S POLICIES

ILAC's work responds to various Sida policy documents, including Sida's Global Strategy for Sustaining Peace 2017-2022, in particular by contributing to Goal Area 1 Global Capacity in prevention of armed conflict, and human security - Objective 1.1 Strengthened capacity to prevent armed conflict and support inclusive peacebuilding and state building processes, and – primarily – Objective 1.4 strengthened capacity to counter corruption and impunity in fragile and conflict affected states. This in turn is in line with SDG 16 and the Sustaining Peace Agenda. In addition, ILAC also contributes to the second Goal area of the Sustaining Peace strategy: national and local support during critical stages of prevention of armed conflict and in peace and state-building processes, including in forgotten and protracted conflicts.<sup>12</sup>

ILAC is complementing other contributions in the portfolio, by particularly emphasising the independence of the judiciary at sensitive stages of transition phases, and by providing analysis and recommendations to national as well as international stakeholders and actors. ILAC's work is complementing other partners which receive support under the same Sida strategy (Sustaining Peace)., including the United Nations Development Programme (UNDP) Global Rule of Law Programme, which has a broader rule of law focus, and the International Centre for Transitional Justice (ICTJ), which focusses on accountability and redress (see also section position 6.2).

For the MENA region, ILAC responds to Sida's current regional strategy in terms of contributing to “*strengthening the rule of law and increasing respect for human rights*”.<sup>13</sup> ILAC has had a longer engagement with Sida in the MENA region, and their response has primarily been country-based.

ILAC's assessments, however, are country based (Libya, Palestine, Syria, Tunisia), and cover a broad range of approaches to strengthening justice – access to

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<sup>12</sup> Idem, page 12

<sup>13</sup> Regional Strategy for Sweden's Development Cooperation with the Middle East and North Africa (MENA) 2016–2020, page 8

justice; capacity building for institutions, including within international human rights law; promotion of a human rights culture and awareness – in Tunisia and Libya, respectively.<sup>14</sup> ILAC also organised a relevant exchange between Tunisian and Palestinian judicial actors to provide a platform for learning from the Tunisian experience. While the different activities are relevant to the MENA individual countries and its actors, there is no genuinely regional approach as such. Responding at the regional level to a diversity of legal systems has proven challenging.

The transition from MFA financing to Sida financing has been a major shift in perspective both from a strategic and operational viewpoint. While MFA had few requirements on ILAC's strategic direction and operations, Sida required that ILAC meet all its standards, including the core grant requirements. ILAC as a Consortium, however, was not really structured to respond to these requirements, including its Secretariat. The PWC audit from 2016 recommended improvements in organisational structure, operational and financial management. Most of these have been implemented also in response to Sida's operational and financial reporting requirements.<sup>15</sup>

One of the core ideas was that efforts to rebuild judicial and justice systems were essential to restore order and build a peaceful future in countries that have undergone violent conflict, and that there was a need for neutral analysis, needs assessment and coordination<sup>16</sup> assistance efforts to be effective.<sup>[OBJ]</sup> The Consortium, therefore, offers a *technical, legal* contribution, and ILAC's relevance in terms of its incorporation of the development perspective is problematic, both strategically and operationally, and represents an identity – indeed existential – issue for the organisation. The Consortium consists of members, both organisations and individuals who are mostly from the legal profession, who can be located throughout the world. Their members work as legal professionals in their respective countries or regions as lawyers, prosecutors, etc. ILAC works in fragile states where peacebuilding and development paradigms are often leading to improve the conditions of its population, including in the rule of law. The membership has therefore a profound legal perspective and the expertise from the peacebuilding or development is more limited, including matching the required expertise for assessments with the available expertise in the Consortium. Clarifying ILAC's development perspective is also determinative of their ongoing relationship with Sida, and other potential donors. In particular if ILAC is implementing activities in countries where it would need to work in accordance with principles set out for humanitarian and development funding.

While ILAC is relevant to Sida's broad policy objectives, Sida has also at times asked and used ILAC as an entry point into countries precisely because ILAC has a neutral position and Sweden itself is at times associated with neutrality given its

<sup>14</sup> Based on an introductory narrative for the 2021 workplan looking back at 2020 (for which the annual report is not yet available), ILAC has also started thematic and regional assessments which is positive in terms of providing analysis that could serve different types of audiences, including different donors.

<sup>15</sup> PWC, Efficiency Audit of ILAC, 2016, page 2-4

<sup>16</sup> Sida Appraisal of Intervention, Final Contribution ID: 11059, page 4

absence of historic, colonial involvement in some of the countries it works with. This has provided ILAC with opportunities such as supporting key justice institutions and bar associations in Cuba. It was also on request from the Swedish MFA and Sida that ILAC first became engaged with the Syrian opposition in 2013.<sup>17</sup>

Therefore, ILAC's relevance reflects a mutual benefit that provides it with programme resources and opportunities to broaden its scope and offer its expertise, while Sida and MFA can use ILAC as an entry point to engage in a country. This mutual benefit means that Sida and MFA can engage with a country and offer assistance through ILAC, while ILAC can offer its expertise, broaden its scope and receive funds. This could, however, undermine ILAC responding to an appropriate Sida strategic framework, and deviate from its own strategy relative to its overarching goal, which is to contribute to enhancing people's access to justice through the strengthening of justice institutions and capacity of legal professionals. ILAC responding to Sida's request includes interest from the Consortium and having the necessary expertise. At the same time ILAC response and receiving programme resources in addition to the core grant is critical, since ILAC's financial situation is unstable.<sup>18</sup> These types of requests appear to have created opportunities for ILAC but at the same time further increased its dependency on Sida. It questions to what extent interventions in countries are decided upon by ILAC, including ILAC's application of its own criteria.

## 4.2 IDENTIFICATION OF NEEDS

Identification of needs often come directly through the Consortium, for example, from bar associations in countries which are in contact with Consortium members, from the UN or any other organisation. ILAC considers this a relevant demand and has among its intervention criteria the principle of invitation.<sup>19</sup> Consortium members also feel compelled to assist colleagues in country and obtain requests or create demand for such a request. In addition, Sida identifies needs or asks ILAC for such identification through assessments.

ILAC's approach to visiting a country is a first step in assessing what the needs are and what the priorities could be. The assessment is a 'stocktaking exercise' that highlights what to do, and in what order. At the same time, ILAC tries to 'take the temperature' of the state of the rule of law in general, and relevant issues regarding the country's political, regional, and global situation and status.

While ILAC's focus is on fragile states, it has also intervened in countries that one way or another are in political conflict (Syria, CAR, Palestine); are post conflict

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<sup>17</sup> Given the political situation in Cuba, it would be impossible to undertake an assessment. ILAC's support therefore was also focused on commercial law and is now slowly expanding into more key topics of the rule of law, such as globalisation and anticorruption.

<sup>18</sup> For 2018 it was 98% Sida + 1,5% USG + 0,5% MFA; for 2019 it was as 98% Sida and 2% USG and for 202 it was 87% Sida, 6% GIZ, FBA 6% and USG 1%. These numbers were provided by ILAC.

<sup>19</sup> Operational Manual, 2017, ILAC, page 7

(Liberia, Haiti); where a political transition has taken place that affected the judiciary (Guatemala); or where opportunities arise to potentially contribute to bringing about positive change (Cuba, Tunisia, MENA). The invitation principle provides guidance; however, this is not strictly applied, and decisions on supporting countries without invitation (helping colleagues) are on an ad hoc basis. There are no criteria for when to decline to enter into a country or region, which would be equally important in terms of ILAC's added value, its position, and its preparatory analysis, including risk. While there is discussion, and decision-making structures and criteria are in place to decide on whether to consider a country, there are additional 'drivers' that play a role in the choice, as demonstrated by the Cuba case.

The selection process is dynamic and creates opportunities for ILAC, both in terms of contributing to further progress on rule of law, as well as increased revenues for ILAC. The latter is relevant since ILAC's dependence on core and bilateral Sida funding remains significant, although some smaller grants were realised in 2020 and 2021.<sup>20</sup>

The principle of invitation raises debate. Among the problems are that governments in fragile states may not have democratic origins, and undermine the rule of law, including corruption within legal institutions. Countries are often polarised, so it can be challenging for ILAC to conduct its work without being associated with a particular group. The judiciary itself may not act independently and uphold the laws of the country, and those that raise their voices like INGOs and CSOs, often have a particular mission such as anti-corruption or human rights.

This principle is closely linked to ILAC's manoeuvring at the entry point of the assessment, as well as the recommendations of the assessment. These need to be neutral in providing a credible assessment, while navigating a political, often contentious environment which demands clear judgement, relevant procedures, and a profound understanding of the country and regional political dynamics. (See section on conflict analysis 5.4.3 and Do No Harm 5.4.4)

Box 2 below outlines some of the difficulties related to ILAC's entry into the Syrian context, its level of consultation, and the selection of target groups.

#### Box 2 - Syria

Intervening in Syria was challenging for the organisation. The decision to support the country arose from two unrelated requests: one from the Swedish MFA and one from Sida. Sweden was involved in international efforts to assist the Syrian Opposition through the so-called "Friends of Syria", which consisted of a large

<sup>20</sup> Over the course of 2020, ILAC has embarked on opportunities to expand its research and programmatic work, in relation to which proposals to the US Government, Government of The Netherlands, EU, the German government and the Folke Bernadotte Academy have been submitted. This in turn has resulted in two new funding partners to ILAC, including GIZ and the FBA for 2020 and 2021. While funding amounts are limited, it reflects new attempts of the ILAC Secretariat to move away from its dependence on Sida and from being an instrument for priorities of the Swedish government.

number of organisations, including the European Union and United Nations, and numerous countries.

The understanding of certain ILAC members as to the rationale and wisdom of this intervention is however still somewhat confused. Stakeholders reported that when this idea was discussed in the annual meeting, the exchanges were intense, with many members against working in the country, given its volatility, and the relatively early stage of the conflict. There is also the perception by stakeholders that limited groundwork was done to analyse the situation before discussion commenced. This is disputed however by ILAC who state that they had “*done extensive preparatory work and knew very well both about the situation on the ground, which actors we were involved with and the risks an engagement could lead to pending on different scenarios and pending on who we engaged with*”. Indeed, following the Sida and MFA requests to intervene, ILAC initiated consultations with sections of the Syrian opposition and various actors, which was followed by a pre-study in July 2013.

Stakeholders expressed concerns that Syrian lawyers had not been consulted about the situation on the ground and pointed to support provided to lawyers forming part of the “diaspora”, that is populations who had fled Syria into neighbouring countries or Europe, and those in the north-west of the country. They consider that ILAC supporting these groups was hedged on the assumption that, should the Assad regime be overthrown, legal professionals would have capacity to ensure, inter alia, accountability of the former leaders.

One expert observed that “*for a project that is supposed to be focused equitably on Syrian lawyers, it seems to be very focused on lawyers in Europe; they are living different lives and realities*”. ILAC vigorously counters this perception, stating that the majority of judges and other actors that were consulted – and continue to consult – are based in Syria proper.

The level of interest of beneficiaries within Syria was reportedly high with one expert stating that “*there was a thirst for change – that’s what I found surprising; I would have thought they would have swallowed the formal way of doing things but there was almost a flood of desire to change this corrupt system*”.

The extent to which assessments respond to needs vary according to the country under consideration. The type of assessments that ILAC undertakes can be a first-time assessment of its kind in a country for example Central African Republic (CAR), or a follow up exercise like Liberia and Guatemala providing an overview of the judiciary and its challenges, or how the country has evolved. Its first focus is legal, with a broad or narrow focus depending on its preparatory work and perceived needs. Second assessments are often more focussed on responding better to needs and the creation of programmatic interventions. Box 3 below outlines the two-phase approach to assessment that took place in Guatemala, and the benefits derived from continued engagement after the assessment period.

### Box 3 - Guatemala

ILAC’s approach in Guatemala where two assessments took place in a short time frame has been a relevant approach. The first assessment was more general, and a second, more focussed assessment, was conducted. ILAC remained actively



engaged, including through its Consortium members, and looked for opportunities after the first assessment to focus on areas where dialogue and the involvement of relevant stakeholders could continue. While not all interlocutors agree with the outcomes of the assessment, ILAC has continued its engagement after the second assessment and created ample opportunities for dialogue, knowledge products and update.

The Consortium interlocutors assert that ILAC ‘brings a different perspective’, comes ‘in without an agenda’, ‘doesn’t tell them what to do’, ‘talks to all actors involved’ and that the ‘peer to peer’ approach provides a solid foundation for a level of trust with key actors in country. Creating trust is a critical element in having access to all stakeholders and creates opportunities for what ILAC now calls a ‘problem-driven approach’. The latter means that the interlocutors themselves make suggestions on the identification of the problems and define ways forward. This approach provides the basis for analysis, creates ownership, and provides priorities for programming. The approach also identifies actors in-country with whom ILAC can continue to work where it has no presence on the ground. For example, the process of modernising the administrative justice service owes a lot to ILAC, especially in its ability to coordinate with other partners. The survey confirms that ILAC’s response to institutional needs and priorities is ‘considerable/strong.’

This process leads in a legal fashion to a series of recommendations in which ILAC provides in the first instance, not an inventory of needs, but rather establishes a dialogue of what needs can be jointly recognized and prioritized. This process is labor-intensive, often takes a long time, and does not necessarily lead to a common voice or conclusion. In this process ILAC has to maneuver carefully: i) it cannot be seen as siding with a particular entity; ii) it needs to consider how to address contentious issues in a neutral fashion (e.g., human rights), while upholding its own principles as outlined in its Strategic Plan and Operational Manual.<sup>21</sup>

Interlocutors often find the recommendations too general. More challenging is how the recommendations lead to uptake and programming, and thus a level of ownership by key recipients. As one ILAC staff member said: ‘the connection between recommendations and programming needs to be clarified’. Second assessments such as in Guatemala (a report that provides concrete recommendations on how the newly elected executive and legislative can support the independence of the judiciary) or specific ones such as in Tunisia (assessment of the administrative tribunals) where the assessments formed an integral part of the programme activities and thus are more targeted, and identify needs that also reflect priorities among various stakeholders, including national institutions and members of the broader international community.

ILAC has, however, initiated a learning process to improve assessments through reflection on how assessments have been undertaken, which included revisions to the assessment methodology (see section 5.1.3), reviewing the Programme and

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<sup>21</sup> Operational Manual ILAC, 2017, chapter 2 and 3 and ILAC’s Strategic Plan, guiding section 2.3



Operational Manual (ongoing), hiring local consultants, conducting surveys, etc. ILAC is also aware that the pre- and post-assessment period needs improvement, including better preparation and, for example, a dissemination strategy after completion. This ongoing learning process should increase the strategic value of assessments but has not been systematically amended in ILAC's internal guidelines and procedures, nor yielded results. Emerging progress can, however, be seen, with the Guatemala assessment published in 2020, which resulted in a number of 'spin-off' activities including roundtables and dialogues at national and international levels, as well as longer terms programme activities with seed funding from the FBA. While programmes implemented by ILAC should not be the primary goal of an assessment, the criteria of invitation and creation of demand is important to ensure up-take of assessment recommendations by national or international actors, to maximise their relevance and impact, as per the below findings. This is not yet reflected in the Operational Manual or elsewhere.

The survey respondents consider that ILAC's response to sector needs and priorities is 'considerable/ strong'.

While ILAC's assessments are in general well regarded, publicly available and informative, various issues regarding the relevance of the assessments are directly a result of the way the Consortium is set up and organised:

1. The approach and process: in cases where ILAC has specific assessments with a strong focus and a clear demand (Tunisia); trusted partners, including legitimate government; interested donors; and strong and effective bar associations, its approach works well. Follow up assessments with a strong focus also increase its relevance and response to needs, such as the recent assessment in Guatemala.
2. Preparations prior to the assessment are constrained in part due to limited resources in the Secretariat. This has, however, improved in terms of increased mobilisation of Consortium members and, more recently, of the Advisory Council. The lack of a development, humanitarian, and peacebuilding perspective in the assessment, as well as of a thorough conflict and political analysis, limits the assessment in addressing a broad audience. Moreover, this in turn limits uptake for programming and funding.
3. While improvement of the assessments continues, the entire process of preparation, execution and follow up is still not optimal and more could be done to streamline these processes for all countries in which ILAC works.
4. The selection of the team undertaking the scoping mission and the assessment is recruited based on a call and is thus a voluntary contribution. While ILAC's Operational Manual<sup>22</sup> stipulates the process, interlocutors point out that the teams vary in seniority and expertise, and that the matching system could be further developed.
5. The timing and delivery of assessments have been challenging; delays have been reported frequently by ILAC staff, with associated concerns that the situation in-

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<sup>22</sup> ILAC Operational Manual, 2017, pages 8-10

country has changed, which could render parts of the assessment obsolete or less relevant.

6. Risk mitigation strategies, both external and internal, may be enhanced, as the use of experts working on a pro-bono basis may not be compatible with principles for development funding, which is geared towards contributions towards results.

The Syria case demonstrates how challenging the situation was in terms of ILAC responding to needs and how the Consortium had to constantly pivot in a difficult political sphere, where it needed to stay neutral. It also demonstrates that its risk analysis was weak, and without a presence on the ground it is difficult to navigate politics and be sensitive to appropriateness of a development approach in a conflict situation. ILAC's assessment, however, provided key information for the international community's understanding at that time as to what was occurring in the country, and represents a valuable contribution to accountability in a conflict situation.<sup>23</sup> Box 4 below outlines some of the challenges ILAC faced working within the unpredictable conflict situation in Syria, and the risks of investing in non-governmental held areas.

#### Box 3 - Syria 2

The situation in Syria remained primarily a humanitarian situation throughout ILAC's intervention. Grave doubts were expressed regarding the decision to engage in the country, with MFA stating that ILAC should "*never have gone into development assistance before the conflict was solved. What can we do, other than humanitarian, and civil society to an extent? It was chaotic.*" The decision to invest in service provision by local structures linked to the Syrian opposition has been strategically problematic, since this may have compromised ILAC's perceived neutrality, and as stipulated in ILAC's Bylaw 4.6], and may prejudice any attempts to engage with justice sector actors working in other geographic areas of the country, including those in areas controlled by the government or other de facto authorities in the future. It was conceded that responsibility for these decisions lies not only with the organisation, since "*the MFA and Sida have a role*". (MFA representative).

### 4.3 CHANGED CIRCUMSTANCES/ FLEXIBILITY

All countries where ILAC works have volatile, fast moving contexts, with sometimes dramatic changes in a country or region. It is almost impossible to predict such circumstances. ILAC conducts risk assessments but these are not very comprehensive, nor are they regularly updated. For example, risk assessments do not provide scenarios or include how ILAC should respond in order to adapt. At the same time, this also depends on what ILAC is working on, and how contentious its work

<sup>23</sup> The Syria Report has been used for analysis by different donors, including the European Union and the Dutch MFA. ILAC's report is frequently quoted.

may be (Tunisia versus Syria), the geographical location (Syria) and how flexible it can be in remobilising and adapting. A clear advantage is the variety of legal expertise the Consortium can bring, however, having no presence on the ground (depending on its partners) causes logistical and organisational challenges.

The timing of entry into a country is critical, and existing criteria are insufficient to rapidly respond to changes, including swift internal decision-making.

Syria has been the most challenging context for ILAC, and there was considerable discussion whether ILAC had sufficient understanding of the political and complex territory. ILAC, however, succeeded over time in adapting and changing course in order to move forward. ILAC realised that the government would not be overthrown, which contributed to significant learning, and the realisation that risk analysis, with associated monitoring and evaluation, need to be integrated in programme design and implementation.

Inherent to ILAC's mandate is the risk of change, and hence in the view of the evaluation team a comprehensive risk evaluation and response strategy is necessary and should be applied continuously. The COVID crisis has demonstrated that this issue is not restricted to the conflict/ fragile/ volatile contexts in which they work.

Given that ILAC has no control over external change, risk analysis requires time, reliable sources of information, analytical capacity, as well as rapid decision making, including with other partners. It is also a necessity since programmes in the rule of law are of a long-term nature, where sustained engagement is necessary for any significant change. This in turn requires that there be additional expertise within the Secretariat and the Consortium, in partnerships or elsewhere to assist with rapid and adequate responses. While legal systems may not change, the local context does and ILAC has shown that they can adapt to this, including responding to COVID-19 and aligning with shifting needs of partners on the ground. The survey respondents strongly confirmed this. Box 5 below provides a range of observations from various stakeholders regarding ILAC's flexibility, both in an operational and strategic sense, and in their dealings with partners and others.

#### Box 4 - Examples of ILAC's flexibility

*"It was thought that the support of judges etc. in exile would help their ability to go back and implement reform. It became more and more clear that if we focused on exiled lawyers and judges, we would probably not be able to go back to Syria for political reasons, but we felt it would be very important to train inside Syria if we wanted to influence the situation, so we shifted our target from exiles, to focus on Syrian lawyers in practice, and trained them in Lebanon."*

*"Because we are unable to travel, the methodology had to be revised, we pushed the idea that we should push actors on the ground to send data and work with them, provide questionnaires, but they implement. It's been great – now we are expanding, talking with lawyers sitting in other areas".*

*"They pivoted very well."*

*"They are very flexible and thoughtful with respect to changes, open to conversation, open with respect to interests and concerns"*

Finally, the changes in context also affect the nature of assessments, which should be viewed much more strongly as a starting point and baseline, with an integrated expectation of change, and areas of specific volatility and vulnerability within the justice system flagged for special attention and follow-up. The assessments in a sense appear to be respected ‘to the letter’, when they should perhaps be used more as a working tool, and a work in progress.<sup>24</sup>

In highly complex situations such as Syria, this underscores the need for preliminary assessments, which would also provide an opportunity for ILAC to determine its position and prevent reputational risks (see also *Added value and Positioning* 6.2).

The relevance of an assessment, however, is not only driven by contextual factors. Frequent reference was made to the Central African Republic, where the context continues to change since the assessment, and where ILAC has no programme, but where there was too little follow up and post-assessment engagement. This raises the question as to where the demand for the assessment came from, what selection criteria were employed in this country, and why their engagement dropped (see above). In contrast, Box 6 outlines the considerable added value of broad-based follow-up support, in particular at the policy level.

#### Box 5 - Guatemala 2

In Guatemala, a second assessment took place and the pre- and post-preparations have significantly improved, and follow up through discussions, webinars, blogs, policy briefs and engagement from the Consortium has led to policy engagement and Consortium members and the Secretariat mobilising resources for programming together.

## 4.4 LESSONS LEARNED

Both the annual reports for 2018 and 2019 refer to lessons learned. Moreover, in the original results framework this was an indicator and target. See Annex 7. Box 7 below outlines the lessons learnt that were identified in the 2018 Annual Report, which reiterates, for example, the organisation’s understanding of the need for a long-term focus, coupled with an on-the-ground presence.

#### Box 6 - Lessons learned. Annual Report, 2018

One key lesson learned is the need for more long-term focus on assessments. We have started a process of setting out geographic priorities for the duration of our strategy period. Another key lesson is that there are considerably lower transaction costs when ILAC conducts an assessment in a country where we can draw on an active programme presence (coordinated by our Secretariat or by one of our

<sup>24</sup> This was also a recommendation of another evaluation "[https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/executive\\_summary.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/executive_summary.pdf)"

members). Where there is a programme presence, we can more easily use existing networks and gain quicker access to interlocutors and policy institutions, in addition to optimising our resources, knowledge and trust gained over the years in a specific country. Learning from this experience points to the need for a more strategic consolidation of assessment countries and issue areas in relation to programme objectives and activities. (page 4)

During 2018 ILAC began two lessons learned processes. One focusing on our assessment methodology and the other on setting long-term geographic priorities. Both processes are mutually supportive since the question of where we conduct assessments is intimately linked to how we do assessments. (page 22)

An overall lesson learned during the first year of our strategy and Results Framework is the need to work more jointly with assessments and programmes. (page 22)

Box 8 below also outlines the lessons learnt that were identified in the 2019 Annual Report and demonstrates that organisational reflection on lessons learnt has become part of its overall strategic approach.

#### **Box 7 - Lessons Learned: Annual report 2019**

During 2019, ILAC can report on two major lessons learned processes. The first relates to the evaluation of ILAC's Syria programme that assessed the outcomes that ILAC's capacity building activities conducted by members had for Syrian legal professionals both inside and outside the country. One of the main conclusions alluded to ILAC not having a robust or detailed enough risk assessment strategy nor was the one that it had followed strictly enough as the conflict progressed. This would have allowed ILAC to close down the programme sooner and prepare an exit strategy in advance for scaling down. (page 27)

The second process entailed continuing to ensure that assessments and programmes are more closely aligned in terms of thematic and country focus, new programmes are bolstered by a rigorous legal and political economy analysis and the link from programmes to policy is more effective and process oriented. ILAC has achieved some success with building on the evidence gathered from its assessments over 2019 (Guatemala, Liberia) and programmes (page 28)

In addition to the above, ILAC is drawing lessons from its work and has presented this at various internal occasions, however, the impact of these cannot be verified. The survey respondents assert that ILAC's 'lessons learnt' are considerable.

It is therefore clear that ILAC is generally and genuinely attempting to learn from its experiences, and adapt its overall approaches, even if this has taken considerable time. Also, its focus on assessments, which are at the heart of its business, receives constant attention. This continuing process and reflection in the Consortium are needed to improve assessments, and their focus and anchoring in the context, and bring these closer to programming.

The team observes that ILAC has steadily and consciously improved the quality of its assessments through internal discussion and some of which are more focussed and structured around specific issues and institutions. Amongst others the methodology was improved but some internal interlocutors still consider that it is not sufficiently robust. Another continuing issue is the update of the assessments. In some instances, however, interlocutors considered that ILAC did not adequately prioritise or take up its experience in Liberia and Central African Republic (CAR), which had demonstrated that assessments need to be more directly embedded in the context, including a more comprehensive context analysis. Similarly, in highly volatile or conflict-affected contexts, such as Syria, assessments were overly detailed and labour intensive, which presented challenges to implementation.

## 4.5 SUMMARY OF FINDINGS TO RELEVANCE

- ILAC's work is highly relevant to Sida's various policies, including Sida's Global Strategy for Sustaining Peace 2017-2022, as well as to various global agreements including the SDG 2030 Agenda and SDG 16.
- Identification of needs is undertaken by Consortium members with support from the Secretariat prior to initiating a new assessment.
- ILAC's assessments are relevant and are well-regarded but have considerable shortcomings from which ILAC is reflecting upon and learning.
- The shortcomings can be summarised as: i) the assessments are broad, sometimes lack focus and are insufficiently demand-driven; ii) the process of preparing, conducting and following-up is slow; iii) the uptake and progress towards programming or longer-term investments by ILAC's members, national or international rule of law actors is uneven; iv) they are insufficiently embedded in a development, humanitarian, and peacebuilding perspective. While they are appreciated for their strong, legal analysis, their uptake is challenging without applying a broader development and peacebuilding lens.
- ILAC shows that it can learn and apply lessons learned incrementally. However, it does not have an adequate monitoring, evaluation and learning system that would help it to respond faster, remain targeted and further increase its flexibility.
- ILAC has evolved steadily since the PWC review and has responded well to its recommendations. Sida has become ILAC's major donor and while this has built a mutually beneficial relationship, there is also a high degree of unsustainable financial dependency.



## 5 Effectiveness: is the intervention achieving its objectives?

This chapter discusses the effectiveness of ILAC's assessments and their uptake in programming. It also discusses how knowledge management contributes to this process and ILAC's position; how ILAC has contributed to various policy processes; and how it has been developing and/or implementing the gender policy and a rights-based approach, including conflict and risk analysis and the Do No Harm principle. There is a section discussing ILAC's funding and fundraising efforts and a final section discussing the Secretariat.

### 5.1 CONTRIBUTION AND UPTAKE OF ASSESSMENTS

As indicated above, a key ILAC activity is the preparation of assessments that focus on the status of legal institutions during and immediately after conflict or transition, which provide a set of findings and recommendations. These recommendations are intended as a roadmap for national stakeholders and the international community on how to invest in programming and infrastructure to rebuild the justice sector and/or key institutions<sup>25</sup>.

This is a collaborative process with local stakeholders, yet entirely independent, which significantly enhances their relevance and added value. Recommendations are drawn from contributing experts' own experience and lessons learned by ILAC from other contexts. In many cases, ILAC conducts pre-assessments to determine the feasibility of and interest in a full-scale assessment. As mentioned above, depending on the identified needs, assessments can encompass entire judicial systems or parts thereof, or can focus on specific thematic areas.

While ILAC's assessments have provided significant added value in many contexts (see Added Value 6.2), some queries exist relative to their linkages with programming degree of specificity, methodologies, subsequent uptake in policy and practice on the ground, and indeed relative to their utility.

#### 5.1.1 Linkages between assessments and programming

Several stakeholders noted what they described as the artificiality of the division between assessments and longer-term programming, with the strategic or operational linkages between assessments and programming at times unclear, or inconsistent.

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<sup>25</sup> ILAC's *Five-Year Strategy 2017-2021*, p. 23

There is a strong suggestion that ILAC should be developing a more seamless approach to these two branches of their activities, with one ILAC staff-member proposing that the organisation “*uses core [funding] to leverage bilateral programmes, for example through scoping missions, and to kickstart programmes. In future, there should be programmes, and assessments are a part of that process.*”

The evaluators note that this is an approach that is adopted by other organisations and donors, for example the European Union (EU), which uses scoping or dual identification and formulation missions to identify needs, constraints, and entry points, conduct stakeholder mapping and risk analysis, assess the feasibility of interventions, and develop appropriate support through programming. This flow from ‘need’ through to ‘response’ is largely absent in ILAC’s approaches, which would otherwise allow greater relevance and cohesion of its responses.

The lack of this flow, however, is also intrinsic to ILAC’s use of the core grant which is used for assessments and has therefore created a ‘fracture’. It unintentionally forces ILAC in the direction of separating assessments from their follow up and correcting this fracture would provide ILAC with more ways to bring assessments closer to programming and diversify the products and services that it can offer. This would also contribute to ILAC’s positioning and fundraising (see Fundraising 5.5 and Added value and position 6.2).

In Cuba, Sida directly requested ILAC’s engagement, and programming occurred without an assessment, which was impossible given the political situation. This was somewhat exceptional and provided food for thought: while assessments may be undertaken ‘keeping programming in mind’, there is little room to scope opportunities for programming from a needs perspective. While assessments do address need, this is from a legal, technical, and systemic perspective rather than a donor or policy perspective (see also Relevance 4.1 above).

Uptake can also be problematic in terms of ILAC membership’s own willingness to engage beyond the assessment process. In CAR, for example, it was assumed that members could be relied upon to support implementation of the recommendations, however there was little interest in doing so. ILAC is not appropriately structured to implement programmes, and while it has achieved good results in some countries (Tunisia) with the support from the membership, the question arises to what extent the membership is willing, available, and ready to take on such roles.

### 5.1.2 Assessment focus

A constraint that was identified by external observers is the highly ambitious nature of assessments, which are considered overly broad, and which could benefit from a focus on specific issues, themes, or sub-sectors, or a hybrid approach according to needs. In Guatemala for example a second assessment was prepared in response to the government’s closure of the International Commission against Impunity in Guatemala



(CICIG)<sup>26</sup> This was timely and resulted in immediately alerting the international community that the situation was worsening. As indicated above, this approach is certainly within the ILAC mandate, and given the earlier observation regarding the linkages between assessments and programming, is indeed more realistic for an organisation of ILAC's size, which is not capable of large-scale interventions without institutional partners. This would enhance ILAC's position and contribution and create complementarity in the rule of law field while also acknowledging the human resource constraints at the Secretariat and the Consortium's added value in legal expertise.

The evaluators accept that change within the rule of law sector primarily relies on longer-term whole-of-sector approaches, since support to one part of the justice chain can be thwarted by deficiencies in another. Nevertheless, as indicated at Added Value (section 5.2 below), ILAC's primary niche is the degree of expertise it can bring to highly specific issues, and key institutions. It is considered by the evaluators, however, that the systematic use of preliminary scoping, which has already been conducted in some contexts, would help identify need from a broad sector perspective, followed by a more focussed assessment procedure for developing bespoke programming support, by ILAC or in collaboration with other international and national rule of law actors, acknowledging that interventions in fragile contexts are reliant on donor funding, as national financial resources are scarce.

### 5.1.3 Assessment methodology

ILAC's assessment activities were initially affected by a lack of a formalised methodology, with one staff member stating that "*it was by checklists, nothing in the sense of sets of questions with scales [...] It was taken for granted that a high-level judge [conducting an assessment] would know what questions to ask*". There has since been an evolution of the way assessments are conducted, notably with the development in 2017 of ILAC's Programme and Operations Manual, Chapter 3 of which addresses the conduct of assessments. This comprises information on initiating the assessment, assessment planning, developing the terms of reference, the call for experts and selection of the team, initial meetings, the preliminary desk study, the assessment plan, mission preparations, conducting the field mission, reporting and dissemination.

It is observed by the evaluators, however, that, while comprehensive, the Manual indeed provides primarily operational guidance, and is not technical or substantive in nature. The evaluators note in this regard that no technical tool has been developed for the initial desk study or for the assessment itself.

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<sup>26</sup> A window of Opportunity: Support to the Rule of Law in Guatemala" This report examines the state of Guatemala's justice sector after the closure of the International Commission against Impunity in Guatemala (CICIG) in September 2019. It discusses how recent threats against the justice sector have reversed much of the progress that was made to strengthen the rule of law during the CICIG's existence.

Stakeholder opinions are divided as to whether assessments have improved in recent years, with one staff member stating that “*assessments are now more targeted and niched, and operationalised.*”, and another considering that more needs to be done, and that “*the biggest challenge is not having a robust methodology. When you have [that], it sets the stage*”.

The evaluators accept that there has been a steady improvement over the years in the conduct and content of the assessments but note that other international organisations working in the justice sector, including *inter alia* the International Development Law Organisation, have developed technical manuals and other supports for internal use. The evaluators consider that ILAC could also benefit from developing comprehensive technical tools for the use of staff and external experts in the preparation of assessments and other analytical outputs. This would provide certainty, consistency, and transparency for assessment team members, ILAC partners, donors, and the stakeholders with whom they interact.

#### 5.1.4 Local uptake of Assessments

Concerns exist relative to the integration or uptake of assessments at the local level, and the longer-term implementation of their recommendations by ILAC, their partners, other actors, and of course national authorities. Interlocutors stressed the importance of ensuring that assessments are grounded at the local level, including taking into account resurgence of conflict. As an ILAC staff member observed “*the results from assessments are most challenging, it is hard to build on those. This goes back to the process and design, and not anchoring the assessment locally, not doing the groundwork. In Libya, it took far too long, and was not successful; it was a long investment, but was it value for money? Guatemala had a different result, because it was well-anchored with members, it was about how people drive the processes.*” It is considered however that the resurgence of conflict was the main driving factor that impeded the utility and uptake of the assessment in the case of Libya.

This is also directly linked to the observations made relative to political will, and sector and policy dialogue, and the need for ongoing engagement. As one staff member stated “*ILAC should take more time to follow up dialogue and allocate more resources. Guatemala is a good example, with a person staying in the country, who continued to stay engaged.*”

Indeed, various opportunities for uptake emerged in Guatemala, through Consortium members such as the American Bar Association and the Vance Centre.<sup>27</sup> While the assessment and its recommendations are not accepted by all stakeholders, the uptake process has been much more dynamic, which can be attributed to the factors listed in box 9 below.

#### Box 8 - Guatemala learning

<sup>27</sup> It is observed that the USA, including various US funders, takes a keen interest in what is happening in the country and the region as part of its foreign policy. The American Bar Association is a large organisation with relevant expertise and good connections to the US capital.

1. A second assessment was undertaken to focus on more specific, contentious issues, which renewed interest and brought focus.
2. There has been active and continuous follow up, including 50%-time commitment from a Secretariat staff member and members of the assessment mission, and an in-country presence.
3. Engagement has been sought with key actors through webinars, blogs, and policy briefs, including other forms of engagement and communication. This post-assessment engagement has indicated that this process is relevant and necessary and can help provide access to different donors.

The issue of uptakes also linked to the assessment-programming divide referred to above, with one Sida representative stating that *“these country assessments are not necessarily linked to their programmes”*.

Other assessments such as Liberia have gained limited traction, however, despite engagement with various international partners such as the g7+ and a dissemination strategy, including presentations by ILAC’s Executive Director on various occasions.

Tunisia is an exception since the assessment was requested by stakeholders in the programme and – in contrast to most assessments – had a specific target, assessing the administrative courts. In this context, ILAC was able to provide its core added value: technical expertise, responding to need, capacity building of legal staff and achieving the required results (changes in court administration). As the assessment was specifically requested, there were more opportunities to have buy-in from the government, including the Minister of Finance and donors. Ultimately the EU replicated the model, to be rolled out across the country. It is emphasised, however, that the Tunisian context does not exhibit the degree of fragility of other states in which ILAC has been working.

In Syria, the situation was much more challenging and ILAC had more difficulty with the lack of long-term engagement by beneficiaries and political risks even though ILAC remained technical in its approach. Box 10 below describes contributions made to human rights and development issues in Syria but highlights the risks of politicisation of justice sector issues amongst stakeholders.

#### Box 9 - Syria

ILAC made significant contributions to human rights and transitional justice issues through its capacity-building in the country, for example through various workshops in Turkey, Lebanon, and Jordan. There was also a direct contribution to economic development, by preparing legal actors to respond to commercial and trade issues, with a view to increasing business and investment confidence in local legal institutions. One partner stated that *“[the target groups] were very interested in negotiation and arbitration. They hoped the war would end and business would come back to Syria, so [the intervention] tried to develop materials in practical areas”*. However, the highly flammable political situation was never far from the surface in the implementation of activities, with some workshops becoming unexpectedly tense. One interlocutor stated that it was *“clear to me that those [training participants] were not willing to be engaged further ... I was obliged to manage strong personalities, and it all got very political unexpectedly”*.

### 5.1.5 Utility

Not all stakeholders are convinced of the assessments' overall effectiveness and utility, and there was some doubt expressed about the degree of demand for the assessments. One Sida representative stated these concerns quite directly and added *“they claim they don’t do an assessment if not invited by the government or by the UN, so we took for granted that if that was fulfilled, then that shows an appetite.”* They added that *“if they cannot get it going, and show they have an added value with country assessments, that is key”*.

The evaluators note these concerns; however, they maintain that ILAC's assessments are needed, relevant and have enormous potential (see *Relevance* and the invitation principle above). This is nevertheless dependent on how they are conducted, the extent to which stakeholders are approached and relationships developed and maintained, and the quality and pertinence of the assessments produced, as discussed immediately above.

## 5.2 KNOWLEDGE MANAGEMENT

In 2019 ILAC has started to develop short policy briefs and papers combined with organizing webinars, writing blogs, and updating the website regularly. These instruments provide additional and relevant information and are particularly useful to engage after an assessment and keep an interested audience involved. The webinars are an efficient (also in the light of the constraints imposed by the COVID-19 pandemic) and effective tool to remain engaged and follow the situation in a country closely and comment on it. This increases ILAC's visibility and provides it with the opportunity to react quickly and make suggestions on what the priorities should be and how to move forward. It could also broaden its audience with such regular updates and increase its position.<sup>28</sup> It has also met the goals that it set in the revised results framework (see Annex 7). The preparation of these different instruments falls largely on the Secretariat.

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<sup>28</sup> It was not part of the team's task to assess how often its website is visited and the different texts are downloaded. There is potential to use these tools further.

## 5.3 CONTRIBUTION TO POLICY AND PROCESSES (NATIONAL, REGIONAL, INTERNATIONAL, UN)

### 5.3.1 Contribution to SDG 16

Due to the<sup>29</sup> initiative and engagement of the g7+ states<sup>30</sup>, justice and the rule of law have been placed at the centre of development, and included in the Sustainable Development Goals, Goal 16, “*Peaceful and inclusive societies, access to justice for all and effective, accountable and inclusive institutions*”. Several of the targets under SDG 16 are relevant to ILAC’s mission and to the changes that ILAC aims to achieve. ILAC’s Five Year Strategy also states that “*as an actor working to rebuild and support justice systems in conflict-affected and fragile states, ILAC will contribute to current international policy development and practice and position itself within these frameworks that clearly emphasise the importance of supporting the ‘supply side of duty bearers’ to meet their obligations*”.<sup>31</sup>

SDG 16 is routinely referred to in reporting documents and is clearly considered a key policy consideration; indeed, ILAC’s first policy brief was centred on the Goal.<sup>32</sup>

ILAC’s participation in SDG 16 events has included attending UNDP’s SDG 16+ Technical Consultations and UNDP’s Annual Meeting on Rule of Law and Human Rights. ILAC has also submitted an SDG 16 acceleration action on the project with the Administrative Tribunal in Tunisia and has reiterated its commitment to the attainment of the Goal.

The organisation’s concrete implication in SDG 16 issues has, however, been somewhat haphazard, and it is considered by the evaluators that the organisation has neither strategically nor consistently engaged with the United Nations apparatus, for example in New York. Nevertheless, the evaluators draw a strong inference that ILAC does make a valuable contribution to SDG 16, and other SDGs, including Goal 5 (Gender Equality) (see also *Gender* below, 5.4) and Goal 10 (Reducing Inequality), considering the entirety of their contributions to the rule of law as a whole, in often the most challenging development and humanitarian contexts. Survey respondents are of the opinion that ILAC’s contribution to the SDG16 is considerable.

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<sup>29</sup> SDG 16 sets out a commitment to “promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”. See Transforming our world: the 2030 Agenda for Sustainable Development, UNGA Res. A/RES/70/1 (21 October 2015).

<sup>30</sup> The g7+ is a voluntary association of countries that are or have been affected by conflict and are now in transition to the next stage of development. The group was established to give a collective voice to conflict-affected states, and a platform for learning and support between member countries. The g7+ currently has 20 member countries.

<sup>31</sup> *Ibid* p.11

<sup>32</sup> Policy Brief 1: SDG 16; *The Rule of Law at a Crossroad*

### 5.3.2 Influencing international policy and processes

ILAC's contribution to political policy and processes occurs at the national, regional, and global level, and leverages the positioning of its members to engage with specific entities and persons. However, related to the observations made directly above, ILAC's lack of strategic and consistent engagement with the United Nations at Headquarters has also impacted on its ability to influence international policy and processes on rule of law in general. ILAC alone does not have sufficient presence to spearhead change or influence policy at the international level, with these responsibilities falling largely to the Executive Director.

Some initiatives have, however, been undertaken; for example, ILAC's engagement with specific institutions and mechanisms, such as special rapporteurs or transitional justice actors has been positive. They have also created valuable entry points with the presence of one Board member in New York, making use of their existing network. Partners with headquarters in political hubs such as Geneva have also been engaged in an effective manner, on occasion. Survey respondents are quite positive about ILAC's contribution to policy dialogue.

ILAC's overall visibility in the UN appears limited, however it did contribute to some capacity building initiatives, and the 2017 Syrian assessment was used in international dialogue, as described in Box 11 below.

#### Box 10 - ILAC support to policy dialogue and UN mechanisms in the Syrian context

The Syrian assessment had a strong political uptake at the time, for example it was used at the Dutch Foreign meeting in 2017, and was presented at the UN, UN representatives of several countries, US State Department and Pentagon, Germany Foreign Ministry, UK, Chatham House and the Centre for Justice and Accountability.

ILAC also supported beneficiaries in Syria through workshops addressing international human rights mechanisms and advocacy, with a focus on the shifting nature of accountability. Workshops were held in Geneva with side panel on a UN session, including with UN representatives, and was considered to have been very successful. Other workshops addressed universal jurisdiction, looking at its use and its potential applicability, and with other workshops planned to raise capacity regarding writing submissions for the Human Rights Council.

However, there is general concern that the organisation is not adequately engaged with international policy dialogue, with one ILAC representative stating that "*we are not there; we are not at the table*". While conceding that their engagement in this regard is not sufficiently frequent, ILAC highlighted that the Secretariat, and to some extent implementing members of the consortium, have maintained a consistent dialogue with UNDP and the IATF for Syria in New York and with its presence in Gaziantep, Turkey, including with the OHCHR offices covering Syria and MENA in Beirut and Geneva, about its activities. Relevant UN agencies were also invited to participate and present at training events and workshops organised as part of ILAC's Syria programme, including representatives of the ICTY, the IIM, the OHCHR, UN Habitat and the IOM, as well as international NGOs associated with the UN system.



Nevertheless, it is difficult to ascertain what the concrete contribution of these interventions has been, or whether there have been any lasting effects. Furthermore, they have been based on *ad hoc* opportunities, rather than systematic, strategic engagement, which in turn would require time and resources from the Secretariat, as well as by ILAC members at large.

Interlocutors are of the view that ILAC should increase its efforts to leverage its own members and partners to influence UN policy, and potentially others, with one partner stating that “*ILAC has been able to do more international advocacy, but we would like to see [them] doing that in a more consistent way. We have economic and social status with the UN, and we allowed ILAC to access that*”.

### 5.3.3 Influencing national policy

Influencing policy on the ground at the national level is a challenging area where ILAC is providing contributions, but where there are limited, concrete examples of uptake or change. Again, the engagement of partners and ILAC membership is considered crucial, but there is a sense that members have not been necessarily engaged to work in appropriate contexts or where they may not be adequately informed to undertake such influencing roles. This appears much better in the case of Guatemala where the assessment team continues to be involved.

Membership engagement must also be combined with the development of meaningful relationships with local stakeholders, including policy dialogue, and long-term commitment and consistency. Developing dynamic partnerships, as well as complementary roles with other international rule of law actors, are also essential. Leveraging Sida’s support and credibility was also considered to be a factor that can contribute to policy change (see Added Value and Position 6.2). Ongoing engagement of these actors can also help prevent countries from being isolated, which in turn reduces the risk of falling back into conflict, impunity, or authoritarianism. Box 12 below outlines ILAC’s perception of how they can best deliver support to advocacy through their membership, and how such advocacy can help capitalise on progress already made.

#### Box 11 - Advocacy

“[Advocacy] is best delivered with the membership, in the same way [we] work with [our] members. We act as a coordinating body, pushing agendas forward, and allowing members to bring their expertise. It takes years to change policy, so having that consistency of approach can serve the objective of change at that level. One example is Guatemala, where a key aspect is continuing to support local and international actors, so the level of risk is reduced and also prevents the country from being isolated. This is very important, otherwise a country can easily return to repressive practices and high levels of impunity.” ILAC

Advocacy and policy dialogue are, however, highly vulnerable to political shifts in fragile states, where leadership in ministries, courts, and other institutions is often in a state of constant flux.

### 5.3.4 Contribution to systemic changes

Evidence of systemic change having occurred as a result of ILAC's interventions, both assessments and programmes, has been limited. This is, however, not altogether unpredictable, since the size and capacity of ILAC, and the scale and duration of its interventions, have not been conducive to long-term change, with one staff member stating that *"everything is on a small scale, it is not ground-breaking, it was not policy. If you want long-term change, you need to be attached to a larger programme."*

In addition, the evaluators note the considerable constraints of high-conflict, volatile contexts, where gains can be erased in a single day. One partner noted that *"with respect to strategic aspects, what you can do in high-conflict scenarios is very limited, since the recommendations will have short-term scope, because the medium-to long-term is too volatile. Donors need to be aware of that, and the approach needs to be very realistic"*.

Despite these challenges, indeed to some extent because of them, there is often scope to highlight issues as part of reform efforts or similar initiatives, which can in turn ensure lasting change: *"even in a conflict scenario, you can identify specific areas, where governments can exercise pressure, for example, where there is a high degree of GBV during conflict, so if the peace agreement arrives, it is factored in (partner)"* (see also *Relevance* above, and *Gender* and *Sustainability* below).

On-the-ground conditions, and engagement at the policy level, are also important factors in the impact of interventions. In Guatemala, a partner observed that *"one of the reasons it was successful was not only the level of commitment, but also that the conditions were there to follow through [...] ILAC [...] had partners there, and so there was continuous engagement with that jurisdiction. This translated into real change – you can only do that if you are at the policy level, with access to policy makers, the right conditions for change and also taking advantage of what the membership can offer"*.

This highlights the need for technical support to be coupled with advocacy in order for systemic change to occur, with a partner stating that *"a combination of policy, programmes and advocacy is the approach that has worked, and should be a golden thread throughout"*.

Interlocutors also highlighted the importance of engaging a diversity of actors, for example, in Guatemala, the American Bar Association was brought together with small groups with limited resources, which was considered to be highly effective in building ownership in a discreet and natural manner.

## 5.4 GENDER POLICY AND RIGHTS-BASED APPROACH

### 5.4.1 Gender

ILAC's Five Year Strategy 2017-21 states in its guiding principles that it is *"is committed to gender equality and applies a gender perspective and includes a rights-*



*based approach in all our work.*"<sup>33</sup> It further states that it aims to be gender sensitive in its work *"based on the principle that the experience of women, men, girls and boys differ and should be understood independently of one another"*, leading to assessments and programmes that *"specifically target gender dynamics, promote gender-aware dialogue or mainstream gender issues appropriately"*.<sup>34</sup>

The Strategy also states that *"ILAC is politically neutral and committed to the principles of impartiality and respect for local legal traditions in accordance with international standards and human rights"*.<sup>35</sup>

ILAC's Gender Policy was adopted in early 2019, which aims to guide ILAC's view on gender and gender mainstreaming in its work, clarify ILAC's position, and outline how they promote gender equality in their operations. It is also a support document for implementing members in ILAC programmes as well as assessment teams' experts. It is a relatively short document, and in addition to a position statement, it provides a simple checklist for integrating a gender equality perspective in assessments, and key points for the policy's integration in programmes.

The ILAC Operations Manual provided the template for the Strategy's gender and human rights principles, and also included gender sensitivity in its criteria for intervention, and are highlighted for inclusion in their terms of reference and assessments, criteria for implementing members, etc.

On the programme-side, the policy is complemented by the Gender Equality Implementation Manual, which provides succinct, user-friendly guidance to ILAC's implementing members in how to integrate a gender equality perspective at each stage of the programme cycle, from analysis, design, planning, implementation and monitoring and evaluation.

The gender policy and its manual provide ILAC with a firm platform for action, with one partner stating that *"gender is an issue ILAC can maximise: GBV is increasing, and there may be specific tools or adjustments that can be made where gender can be seen as a singular theme with a human rights-based approach. In Yemen and Syria, you hardly see the human cost to women and girls, and it will help to position those topics [...] in peace agreements, [as was done in] Colombia)"*.

The policy therefore provides an opportunity to contribute to gender issues by embedding them into legal systems, professional organisations, governance structures, and peace processes, and thereby contributing to broader systemic change.

It is uncertain, however, to what extent the gender policy and manual have been used in the application of a gender approach, with one ILAC staff member stating that *"gender is now in the assessment methodology; however, I can't say to what extent it is used in the assessments"*. The survey respondents thought that ILAC has 'to some extent' applied a gender lens.

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<sup>33</sup> Ibid, Principle 4, p.20

<sup>34</sup> Ibid, p.22

<sup>35</sup> Ibid, Principle 2, p.20

However, in comments to the 2019 narrative report, ILAC stated that, gender equality is built into all of ILAC's programmes, and some progress was already noted, with ILAC having provided training to all members based on its gender manual and following up with its implementing members on a continuous basis to see how it is being used. One example of ILAC's integration of its gender policy in its assessments was the ongoing Syria assessment, where gender parity of experts was secured, and questionnaires included gender specific questions. In addition, external experts interviewed confirmed that the Syria assessment included a gender expert. This provided considerable added value, with the gender expert conducting separate interviews and providing a separate, focused report, which was considered to have been a highly effective strategy. The expert was also able to mainstream gender sensitive approaches in the work of the team as a whole, for example by providing guidance on selecting appropriate interlocutors. ILAC concedes, however, that there remains considerable room for improving compliance with the policy.

#### 5.4.2 Rights-based approach

A rights-based approach does not require addressing rights issues in a frontal manner, but rather the application of a human rights 'lens' through which programmes and activities are designed and implemented. Accordingly, in Swedish policy, this approach is referred to as *the rights perspective*, and provides a legal basis and principles that guide Sida's development cooperation. It aims to achieve sustainable results through targeting root causes of problems, active and meaningful participation among those concerned, and ensuring a focus on persons in vulnerable situations.

As indicated above, Principle 4 of ILAC's Strategy states that it is "*is committed to [...] a rights-based approach in all our work.*"<sup>36</sup>, and makes numerous references to human rights considerations, notably in its discussion of the role of justice systems for sustainable peace, international legal frameworks, and ILAC's added value. Its Operations Manual reiterates the organisation's commitment to supporting human rights, and embeds rights considerations in the methodology it applies in, for example, country assessments. It is observed that approximately half of ILAC's members are themselves human rights organisations.

The evaluators understand that the development of a rights-based approach has been discussed internally for a considerable time, and it is understood that its development is currently active, however no material is available to date, and the status of this initiative is unclear.

It would appear, however, that the development of a rights-based approach has been institutionally somewhat fraught. One staff member stated that "*the human rights-based approach has not been very good. We have tried to integrate it into programmes, but there is always the perception at ILAC 'why to do a human rights-based approach when we are a rule of law organisation?' This comes back to the perception that we are not a development organisation, we look at rule of law issues*

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<sup>36</sup> Ibid, Principle 4, p.20

*with a consortium of legal associations, and there is a perception we shouldn't be doing human rights. There is no knowledge of rights-based approaches within the consortium, as judges, prosecutors, and lawyers would not like to see themselves as activists. It is a difficult discussion here, and hard to take to the next step".*

The evaluators consider that the above-mentioned perception of ILAC and its members being resistant to integrating human rights is perhaps somewhat misguided; legal professionals are generally acutely aware of their crucial role in upholding human rights, as part of the rule of law apparatus. Their reservations appear to be linked more to a belief that addressing rights issues may detract from the neutrality of their interventions, which represents a strong element of added value (see *Added Value* position 2.2). Any perception that this neutral stance is compromised may in principle undermine dialogue, post assessment programming and may make it more difficult to gain trust. However, the evaluators emphasise that applying a rights-based approach does not imply activism, as suggested above, nor does it compromise the organisation's neutrality, but rather requires a shift of awareness towards the potential contributions the organisation can make to human rights ('doing maximum good') and avoiding harm.

More importantly, rule of law principles are themselves inextricably linked to human rights standards, (UN but also regional standards such as those developed by the Council of Europe) relative to fair trial rights and due process, international and transitional justice linked to grave violations of rights, etc. In short, support to the rule of law is almost by definition a direct contribution to human rights.

The evaluators observe that integrating rights issues are already present in ILAC's approaches. They are reprised in a vast majority of organisational outputs (strategies, policies, manuals, assessments, reporting, terms of reference, work-plans...), and clearly integrated in its activities. Whilst the current evaluation does not seek to assess the extent to which ILAC has contributed to human rights in practice, the evaluators also find *in passim* that the organisation has provided support to human rights in numerous contexts, for example relative to preserving fair trial rights, ensuring accountability for rights violations, and supporting access to justice, in particular vulnerable groups, and to this extent ILAC's *de facto* rights based approach is considered to be effective. The survey respondents thought that ILAC has 'to some extent' applied a HRBA approach.

Nevertheless, the absence of a specific rights-based policy or strategy remains a concern, with one external expert stating that "[ILAC] have adopted a way of doing, but don't have much written down, or analytical tools. They still did analysis [of these issues], but this is probably where they need to develop strategies, so everyone knows how you want to work on these issues". The evaluators are therefore of the view that ILAC should intensify and complete its efforts to develop its rights-based approach, and thereafter ensure its dissemination and implementation, in particular through its members and external experts.

#### 5.4.3 Conflict and risk analysis

Guiding Principle 6 of ILAC's Five Year Strategy states that "*ILAC is conflict sensitive and cautious to do no harm*", and that it is aware of the importance of

thoroughly understanding the contextual drivers where it operates and the interaction between such contexts and its interventions. The Strategy also states that it is “*vital that we understand the power relations between national actors and that we use this knowledge to maximise the positive impact of our work and minimise any negative consequences*”<sup>37</sup>.

This Principle is reprised in ILAC’s Operations Manual at several levels, notably in Strategic Priority 1.1.8 (*lessons learned from best practices [...] mainstreamed into all programmes*), integrated in consortium Membership Criterion 9, and in assessments’ terms of reference.

Conflict sensitivity is mentioned in various outputs, but there is no reporting regarding measures that have been taken in practice, nor any analysis or evaluation of their practices in this regard. A risk assessment template exists, which mentions conflict sensitivity, however the two assessments made available (Liberia, and Guatemala) are somewhat cursory, or incomplete, and no mention is made of conflict-related issues.

This is likely the result of the skillset of ILAC staff and the experts they engage, who do not necessarily have expertise in conflict-related issues, and a country’s political, cultural, and religious background. This is a further example of where a broader development expertise would provide considerable added value, and the need to ensure an appropriate selection of expertise.

Survey respondents consider ILAC quite conflict sensitive. Beneficiaries, however, may have limited understanding to what extent conflict analysis is applied in the entire assessment and programme cycle.

While ILAC is aware of deficiencies in this regard, they are of the view that their approach to risk and conflict has improved: “*we do much better on conflict analysis. Now we do a desk study, a political analysis, a conflict analysis, in programmes, and it works better than before*”. Nevertheless, it appears that the organisation’s narrow expertise inhibits their ability to undertake more strategic and nuanced analyses, with ILAC conceding that “*we don’t really have capacity in the team to look at triggers and drivers. Conflict is used more for the programmes, but perhaps this should have been used as a tool for assessments.*”

Stakeholders also agree that risk analysis is an organisational weakness, with one partner stating that “*in terms of operations, any organisation working in a conflict context needs a risk assessment framework. And donors need to be aware that these need to be put in place and factored into budgets.*”

A comprehensive risk analysis tool or protocol, which goes beyond the current template mentioned above, and which specifically incorporates conflict sensitivity, is therefore considered by the evaluators to be a long-overdue imperative, given the extremely high-risk contexts in which the organisation operates.

The further development of risk assessment could also support ILAC’s intervention criteria, alert donors to ILAC’s perspective of a possible intervention in

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<sup>37</sup> ILAC’s Five-Year Strategy 2017-21 p.22

high-risk area, prevent ILAC's risk of aligning with one side and thus risk of damage to the perception of ILAC's neutrality. Box 13 below emphasises the some of the risks that emerged in the Syrian context, and the need for appropriate exit strategies.

#### Box 12 - ILAC and risk in Syria

The risks involved in entering into the Syrian context were articulated from the outset, with a concern that the approach being 'opposition-oriented' demonstrated a lack of conflict sensitivity, with one expert stating that there was *"a risk of being seen as partisan. When you are only engaging with certain factions, you are then excluded from the broader context"*. The absence of an exit strategy also compounded these risks, with MFA deeply concerned from an early stage: *"We raised the issue of risk in 2018. We knew the regime would take over in big parts, so we asked, 'what is the exit strategy?' I am not sure we should have been involved in this"*.

The evaluators consider that such a risk assessment protocol should integrate, or be coupled with, political economy analysis, possibly along the lines of Sida's Power Analysis approach, which aims to map the informal political landscape, including its rules and structures, and understand how development cooperation and donor activities are influenced by this landscape and *vice versa*. Risk assessment should be more deeply embedded in assessments and programming, and mechanisms need to be developed for their regular review<sup>38</sup>. They should also be specifically linked to ILAC's intervention criteria, and should specifically incorporate security, operational, reputational and stakeholder risk, exist strategies, and the 'do no harm' principle. In addition, ILAC, Sida and any other donors should factor risk assessment and continuous monitoring into their budgets.

#### 5.4.4 Do No Harm

Doing no harm essentially refers to the principle that donor intervention should not undermine state-building processes. This is linked to the application of rights-based approaches, and conflict sensitivity, as mentioned above, but merits its own examination.

*"Donors can inadvertently do harm when the resources they deliver or the policy reforms they advocate, exacerbate rather than mitigate the conditions for violent conflict, or they weaken rather than strengthen the state [...] By not understanding the history and power dynamics in a partner country, donor actions can disrupt the political settlement that underpins the state, weakening the incentives for powerful*

<sup>38</sup> ILAC Secretariat held an webinar series in Oct -Nov 2020 for ILAC members on the topic of political economy analysis and how to integrate this as part of their work. Their intention is to integrate Political Economy Analysis (PEA) and adaptive approaches to ILAC's programming, including rolling out new guidance note and tools to be used when designing programmes, and for monitoring and evaluation purposes.

*elites to 'buy in' to state-building processes and increasing their incentives to 'opt out'”<sup>39</sup>*

The Do No Harm principle does not feature strongly in ILAC's strategy, Operations Manual and reporting, but emerged as a key issue in the Syria evaluation, and a study commissioned by ILAC on its support to civil documentation in 2018, which warned the team that ILAC's interventions may have unwanted effects that could harm ILAC beneficiaries, and also increased ILAC's reputational risk. This principle is particularly relevant in the context of ILAC's conflict analysis, and its preparation of assessments, and subsequently of programming. It is also highly relevant to the challenge of bringing assessments and programming closer together, with assessments of a technical, legal nature needing to be discussed, and issues prioritised.

This issue also highlights the evolution in ILAC's approach, which is increasingly applying a development lens, as described above at *Relevance*. The Do No Harm principle is already strongly embedded in the global development narrative, and subsequently in programming, whereas this has not yet been fully integrated in ILAC's own approaches. The Syria case highlighted the risk of harm to beneficiaries, for example populations using ILAC facilitated identity documents that the central government does not recognise, and exiled judges traveling to ILAC events at considerable personal risk.

## 5.5 FUNDRAISING

While a key objective of the core funding has been to provide support to broadening ILAC's funding base, this has not been attained, leaving the organisation deeply vulnerable.

There is general consensus that fundraising needs to be a top priority, and that the fund-raising strategy has not been implemented. There has also been a call for the Consortium and Board to discuss the way forward on this issue.<sup>40</sup> Fundraising is a critical issue since ILAC has insufficient capital and cannot generate sufficient resources through overheads from programmes and Consortium contributions. ILAC would be unable to continue its work if the core grant were not available.

The core funding assumed that ILAC would decrease its dependency on Sida and increase their fundraising capacity, which simply has not occurred. ILAC have failed to prioritise this and despite its strategy has not managed to turn this into success. Fundraising has been added to staff tasks in an ad hoc manner, and there has been no strategic engagement in scanning for opportunities and writing proposals, due to time and capacity constraints to drive this forward.

There is widespread concern about ILAC's fundraising efforts to date, particularly from Sida given that a key objective of core funding was to strengthen their

<sup>39</sup> Conflict and Fragility/ Do No Harm/ International Support for State-building, OECD (2010), p.9

<sup>40</sup> By Sida as well as at the AGM in 2019 where an accelerated progress towards broadening the Consortium's funding base was discussed.



fundraising capacity. Indeed, fundraising is considered even by external observers to be a major weakness, with an urgent need to source a diversity of funding, so that this responsibility can be shared. ILAC is aware of this but notes that it is a highly sensitive issue within the organisation.

A systemic issue is that ILAC is using core support for assessments, which has also brought about an artificial divide and indeed tension between assessments and programming and has put the pressure on fundraising at the Secretariat. This overdependency on a single donor is considered by interlocutors to have arisen due to a lack of prioritisation and a structural approach to fundraising, with numerous opportunities that have apparently not been capitalised upon. The discussion on fundraising needs to be closely examined in light of ILAC's future Strategic Plan and is not a matter of clarifying roles in the Secretariat and appointing additional staff. The discussion on fundraising needs to be closely examined in light of ILAC's new Strategic Plan, and involves clarifying roles in the Secretariat, the Board and/or appointing additional staff dedicated to fundraising.

The question that precedes the funding is what kind of organisation would ILAC like to be? What does it have to offer, how is it organised and how can funding support achieving its objectives?

The core grant is now used for assessments, the funding of the Secretariat, and some parts of programming and policy influence. Given ILAC's preference for bringing assessments closer to programming, the question is what kind of funding ILAC needs to bring about this major process? The assumption that assessments should be the trigger to generate funding needs to be closely examined in light of the above and below findings. Moreover, the core grant focusing on assessments has also caused a rupture between assessments and programming in the Secretariat as well as in the Consortium, which needs to be discussed.

## 5.6 THE SECRETARIAT

The Secretariat fulfils a relevant and critical role in day-to-day work related to the assessments and the programmes.

The interaction between the Consortium and the Secretariat is paramount since they are interdependent and need to work closely together. The Secretariat is small and can handle only a limited number of tasks given the current Strategic Plan and results framework. Introducing new policies or operational guidelines has been successfully managed. A key component of ILAC's support is the integration of lessons learnt by itself, its members, its beneficiaries, and the international rule of law community (see *Lessons Learnt* above). This provides an additional process by which difficulties can be avoided, successes can be replicated, and sustainability is significantly more likely.

A significant challenge of the Secretariat is the scattered nature of its tasks, with assessments and programming generating numerous diverging demands. In addition to supporting teams and programmes worldwide, other tasks also fall under the responsibility of the Secretariat, for example, the creation of a Reference Group that guides the assessment team. This fragmentation has impacted on the cohesiveness of

its approach and voice, with one staff-member noting the organisation's 'disjointedness'.

In addition, some priority tasks are not sufficiently reflected in a particular area such as communications and fundraising, with these having therefore not been implemented strategically. These are both serious shortcomings.

A key activity of the ILAC Secretariat is the coordination of its assistance, drawing on the considerable expertise of the Consortium membership. Whilst the Consortium has a strong legal, strategic, and operational structure, it nevertheless shares some of the vulnerabilities of any network, in that its existence, and hence its sustainability, is dependent entirely on the strength of its coordinating body. This makes the organisation and its membership highly vulnerable to funding constraints, and hence its financial sustainability is a matter of considerable concern (see also *Fundraising 5.5*).

Nevertheless, as a group of professionals, with common skills, values, and objectives, and with the momentum that ILAC has helped to create, there is a strong possibility that many of the alliances and relationships that have been developed between members over the years would remain, at least in the mid-term.

A critical question for the development of the Strategic Plan is therefore whether the Secretariat is 'fit for purpose', and the role and function of the Secretariat must be brought into line with the objectives of a new Strategic Plan and results framework. In this discussion the role of the Consortium and its different entities also need to be reassessed.

Since the Secretariat has a sound overview of what is occurring within the organisation and the Consortium, the evaluation team also has concerns that ILAC's identity is not well articulated despite the improvements since the PWC audit. There are also concerns about ILAC's position and in particular the Secretariat, to effectively manage assessments and programmes; bringing these closer together; and implementing a business model that effectively contributes to ILAC's vision and mission.

Key issues relative to ILAC's identity are:

1. Substance related: the extent to which ILAC should be stronger in bringing forward its voice (the independence of the judiciary for example) and focus on which products and services it can provide.
2. Consortium related: can the Secretariat leverage and mobilise the Consortium sufficiently to create more impact; and
3. Operationally: whether the Secretariat can meet the requirement to achieve the strategic objectives of the Strategic Plan.

Since ILAC's initial focus was on assessments, and its core business assessing the rule of law in various countries, the Secretariat's main task has been in supporting this process. The second stage, where programming emerges, requires a different approach and a diversity of human resources. The key response to programming has been cooperation with partners in-country, often bar associations or NGOs, but also justice institutions. The sub-granting to ILAC members and partners has also been a time- and resource-consuming task, due to the current internal programme and operational guidelines. This adds additional pressure on the Secretariat, since this



cooperation and implementation is the final responsibility of the Secretariat as the grant holder, including responding and being accountable to the donor.

Despite ILAC's collaboration with member organisations of the Consortium, it lacks presence on the ground (except for Tunisia), which makes its management role and being close to the programming processes limited and more challenging. It also reduces opportunities for constant engagement with donors, governments, and national and local stakeholders. Box 14 below outlines some of the key challenges that the Secretariat has faced in responding to demands with limited capacity.

#### Box 13 - Secretariat challenges

Limited resources and capacity lead to a range of challenges for the Secretariat given its current staffing levels. A number of new initiatives have increased the workload, for example, the recently appointed Advisory Council, which had a role in the work on Syria, is now being used for a new assessment in Yemen and Haiti.

The organisation's visibility, communication and levels of engagement also suffer from the Secretariat's limited capacity, all of which are identified as weaknesses. This prevents ILAC from capitalising on the results that are achieved. ILAC needs to learn how to leverage the potential of its membership to raise visibility for the Consortium as a whole and to its individual products. One staff-member noted that *"we have to strengthen our ability to convince the international community that our assessments and conclusions stand on solid professional ground. We have all the Bar Associations [at our disposal], but we need to find a way to communicate that."*

Partnerships are also identified as requiring greater investment, with one external expert stating that *"they want to do things on their own, instead of teaming up or seeking other partnerships. Why are they not working closer with UNDP RoL programmes? They have to be more proactive, and they're not."*

Lack of resources also impacts on the organisation's diversity of skills, with programme and operational expertise needed to complement ILAC's evident technical expertise in the Secretariat.

If assessments and programming need to be more aligned, these Secretariat management processes need to be reviewed. An important element is also the need to engage and observe what occurs locally and be visible in forums and engage with all stakeholders. ILAC has not been sufficiently visible, that is, ensuring that what it contributes produces added value both to needs and to what others are doing, and that its work remains anchored locally. At the same time, the lessons learned from COVID-19 may also help to re-assess how these processes can best be organised.

The role and functioning of the Secretariat, however, is closely linked to how the Consortium works and responds to requests from the Secretariat and vice versa. While the Operational Manual does not further discuss this, ILAC bylaws (in Chapter 5 Power) provide a comprehensive list of what ILAC can and should do. There is no further discussion on how these powers translate into operational roles and

responsibilities for both the Consortium and Secretariat. This has led to confusion and at times frustration and could undermine the effectiveness of ILAC as an organisation. Roles and responsibilities need to be clarified, the strategic leveraging of membership enhanced, the organisational structure adapted to meet the next Strategic Plan to increase effectiveness and use resources efficiently.

## 5.7 SUMMARY OF FINDINGS TO EFFECTIVENESS

- The Consortium has outstanding added value in its legal expertise but cannot supply adequate development expertise in its assessments, which would increase relevance to programming and to potential funders of those programmes. This absence could represent a risk to ILAC's future if programming is the main funding source. It could also pose a risk in terms of ILAC's position since it would like to bring assessments closer to programming and thus is the development lens necessary to broaden its perspective.
- ILAC has recently experimented with second assessments (Guatemala) with more focus, stronger pre- and post-guidance and stronger follow up. This is an important lesson since ILAC can; i) deepen its understanding and relevance; ii) increase dialogue, and uptake; and iii) continue its presence and strengthen its position.
- While the assessment methodology has improved, ILAC's technical tools, including risk management tools and its capacity to respond, are insufficient.
- Programming in countries is successful when there is demand, clear added value, and a focussed assessment. Countries with protracted humanitarian situations pose challenges for ILAC. In Syria ILAC's niche is limited and lessons learnt from the latter should inform ILAC's country selection criteria. Knowledge managed instruments are a critical and positive contribution to bringing assessments closer to programming, reaching a larger audience, their use as policy tools, and improving ILAC's position.
- While ILAC's work is highly relevant, policy dialogue is somewhat ad hoc and incidental. ILAC has not mobilised the Consortium sufficiently to increase policy dialogue and influence.
- ILAC has progressively increased its understanding of gender, conflict, and human rights approaches. Of these, gender is the best developed and applied. However, conflict and human rights approaches are insufficiently developed, both strategically and operationally, and subsequently have not been systematically applied.
- Do No Harm constitutes an important learning lesson for ILAC, along with conflict sensitivity and the rights-based approach.
- ILAC's focus on undertaking assessments has brought forward a (funding) divide between assessments and programming which has driven ILAC into a strategic split, and which has prevented ILAC from bringing assessments and programming closer together.
- Skills that are required to strengthen its position and create demand for its products and services are absent, or distributed among staff in an ad hoc manner, such as fundraising and communication.

- The Secretariat's role and responsibilities are not clear, and it is insufficiently staffed, including some posts that have become vacant recently. Its workload is increasing, and some functions not represented, such as communications and funding.

# 6 Coherence: how well does ILAC fit in with other initiatives?

## 6.1 COMPATIBILITY WITH OTHER INTERVENTIONS

This chapter discusses how ILAC fits with other interventions and what its added value is combined with its position in the rule of law.

There is consensus among all ILAC interlocutors and Sida that ILAC at its inception was needed by the world. The global, regional, and country contexts, however, have significantly changed in terms of analysis of fragile states, needs by different stakeholders, including duty bearers and rights holders, policies, international agreements, and resources flows. Moreover, more countries are experiencing conflict and fragility, often in regional contexts where the international community struggles to respond.

However, it is no longer clear that ILAC still occupies a truly unique position, given the challenge of crowded donor and cooperation markets in fragile, conflict-affected, transitional, and volatile contexts, including relative to both assessments and programming. ILAC also struggles to find a position in the competitive funding market.

While it strategically and operationally does not systematically analyse its position and reflect this in its Strategic Plan, ILAC has specific qualities in comparison to other organisations which often have more human and financial resources, and thus capacity to conduct assessments and implement programmes:

1. The Consortium holds a broad range of expertise coupled with a relevant network in the legal sector. If well organised, it can respond quickly and has convening power through direct access to this expertise. This has helped it in building a professional, legal reputation. Survey respondents confirm that ILAC has a unique legal competency that goes beyond many other capacity development programmes.
2. The peer-to-peer approach has been instrumental in gaining trust, obtaining access, and focussing on stakeholders who speak the same, legal language, and where ILAC as a Consortium of legal professionals can offer professional support that is removed from political situations and opinions. This has provided ILAC with a reputation of neutrality, credibility and a high level of integrity given the status many members have in their respective fields and countries.
3. This is evident in the case of Syria. While ILAC needs to better embark on comprehensive and multi-dimensional risk analysis, ILAC has over the course of 2019-2020 undertaken consultations and formed local partnerships with a

wider range of justice actors working across the country, moving away from being engaged in only one region, or aligning itself with one side of the conflict. These actors have in turn expressed interest in engaging with ILAC. Although some scepticism has been expressed, Syrian justice actors see the added value ILAC can offer in terms of technical assistance and capacity building, which is important for positioning in peacebuilding efforts, including the Constitutional Committee, as well as to prepare for future reform of justice institutions.

4. ILAC has started developing partnerships within and outside the Consortium. This has enabled ILAC to reflect on its position and contribution but has not translated yet to a recognisable ‘brand’. For example, the MENA programme brings together several organisations, which have differing expertise, backgrounds, and geographical focus. Partnerships at the global level are limited and ILAC is less visible in the grand scheme of international agreements and discussions in the UN. The survey respondents strongly agree that ILAC is compatible with other organisations and demonstrates great capacity for coordination, adaptability, and synergy of the several partners involved as well as ongoing interventions in country.

ILAC’s main challenge is the engagement of authorities and relevant stakeholders, where there is often a lack of political will (see *Relevance*, regarding the rule of invitation). There are some exceptions where ILAC works well with Ministries of Justice (Tunisia), but in most cases with protracted and prolonged cases of fragility and civil war, demand for its assessments and additional activities is not evident. Survey respondents also point to the challenge that while ILAC plans to build judges’ capacities and more in general the performance of the justice sector, this can be hindered due to the absence of a political will, which can also affect the independence of the judiciary.

While the Consortium has a high qualitative volume on the ‘supply’ side, the demand for assessments and in some cases programmes, is limited. On the one hand ILAC selects countries based on criteria and internal Consortium discussions, while on the other hand there is demand from bar associations and, for example, Sida. This arises since it focusses on stakeholders in the legal sector through its assessment and peer to peer review. However, lack of political will is the greatest obstacle to implementation while also posing a risk to ILAC’s neutrality and credibility, which it should carefully safeguard. This is a clear dilemma for the organisation.

In terms of its strategic and operational documents, ILAC’s Strategic Plan clearly states that it works in a complementary manner, and seeks to avoid duplication,<sup>41</sup> a point reprised by the Operational Manual<sup>42</sup>.

Its compatibility, however, starts from the preparation for assessments and what relevant analysis it can undertake combined with how it subsequently programs an

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<sup>41</sup> ILAC SP, page 17, discussing its Theory of Change.

<sup>42</sup> Page 92

intervention. In addition, ILAC's position, added value and visibility play a role in determining how compatible it is. This is not systematically embedded in the process, and instead forms part of an internal discussion. There is, therefore, limited evidence how this compatibility is researched or discussed internally, and at the preparatory, implementation and follow up stage of assessments.

While a more systematic approach needs to be incorporated into the strategies and operational documents of ILAC, emerging steps have been taken. In the current project on HLP rights in Syria, a legal needs assessment, including a comprehensive mapping of local and international legal actors was undertaken to ensure that ILAC's interventions and activities are complementary, rather than competing. Consultations at both local and international levels to ensure that ILAC's engagement can create a platform for ongoing and new activities have been undertaken. Additionally, similar approaches and consultations to leverage the work of ILAC members and other actors are also being employed in the Latin American region.

ILAC is not the sole organisation undertaking assessments, however there is evidence that it seeks complementarity in this regard. For example, in Syria, it made an explicit geographical choice to work in non-government-controlled areas and focus on a critical need: civil documentation citizens in areas where this was not provided by the government. In Tunisia, it articulated a clear focus on administrative tribunals, and in Guatemala its focus created opportunities for prolonged engagement, materialised in a regional initiative as mentioned above. Bringing focus and discussing priorities in an assessment are therefore inherent to its position and what it can do. As earlier mentioned, second assessments in a relatively short time frame provide ILAC with opportunities to position itself more strongly, including for programming and combined with robust follow up engagement, as Guatemala demonstrates. This also brings assessments closer to programming and increases relevance if adequately organised in a timely manner.

On the other side of the spectrum is Cuba, where almost no actors are active, and ILAC came in as a new provider, combined with a strong interest from Sweden to work in the country. The spectrum is broad: in Cuba, ILAC is the only actor in the legal sector, while in Syria there are many, including some of its members such as the ABA and IBA. Demand for ILAC programming does not necessarily include complementarity from the donors' perspective and in crowded donor environments. It also requires that ILAC has at the outset of an assessment a sense of the programme landscape, and whether it is going to remain or has the capacity to do so.

Related to this is ILAC's contribution to policy dialogue, where its position is less clear or visible. This depends on its memberships and partners, and the continuous engagement of the team that prepared and conducted the assessments. In some instances, its engagement with special rapporteurs or representatives in transitional justice are positive (Guatemala) but it has not capitalised sufficiently on its added value and position.

At the national level, its policy influencing comes as part of existing programmes where opportunities arise more naturally, in particular when ILAC has been present for a while and can better judge where opportunities exist (Tunisia, Guatemala).

ILAC has, for example, a strong connection with the UNCT in certain countries, but opportunities are not sufficiently seized, and the Consortium is used less effectively.

## 6.2 ADDED VALUE AND POSITION

ILAC's Added Value is clearly articulated in its Operational Manual, as outlined in Box 15 below.

### Box 14 - Added Value. Operational Manual page 92

ILAC's added value is in our membership. ILAC is comprised of more than 50 legal organisations and experts representing over 3 million legal professionals worldwide – judges, lawyers, prosecutors, and court administrators – who routinely apply rule of law principles as part of their daily practice in a variety of contexts and cultures. Due to our broad and extensive membership, we can rapidly engage anywhere in the world and respond to requests for legal expertise or practitioners in all legal fields or subjects.

ILAC complements other major international organisations providing rule of law assistance; UNDP (United Nations Development Programme), IDLO (International Development of Law Association), ICTJ (International Centre for Transitional Justice) etc. ILAC differs from these organisations in that we specialise in the earliest stages of transition, building national capacity for reforms and institutional development. We also provide assistance and engage in dialogue as professional peers – judges to judges, lawyers to lawyers – not as consultants nor as an international agency with hired experts.

Its added value is closely related to its compatibility. The membership of the Consortium is without doubt part of ILAC's added value since it consists of a network of legal professionals and organisations. Survey respondents refer to 'distinguished expertise'. Its broad legal competence is able to work in any country or region, by invitation or otherwise. Since individual members are judges and lawyers themselves, this creates a strong professional bond with those in fragile states. ILAC's convening role bringing people together around a set of issues is also effective, including in facilitating dialogue. Survey respondents are also positive about ILAC's role in terms of facilitating access to justice and contributing to the independence of the justice sector.

In sum, ILAC has a great deal to offer from a legal professional perspective, combined with a serious potential workforce. As one interlocutor pointed out: "The Consortium is a strength, but we need to be better at mapping out and selecting the right members for our programmes and assessments. They need a diversity of approaches, but also need understanding of the legal context". Survey respondents recognise ILAC's added value, for example, in the analysis of the implications of political decisions that affect the justice sector and strengthening the capacity for international human rights and judicial networking.

Added value is more challenging in the uptake from the assessments and the programming side. This is related to the earlier mentioned lack of development and



humanitarian expertise working in fragile states. In particular, the uptake and ‘translation’ of the assessment into developing programmes appears to require additional, technical expertise and better matching processes, whereas the extent to which complementary expertise and skills are present in the Consortium and the Secretariat could be improved. This also has a profound effect on how it can mobilise funding, and how it positions itself.

Added value also appears internally within the Consortium: ILACs assessments provide an entry point for members to continue to work and successfully design programs in the regions in which they are present. For example, the American Bar Association used the Guatemala assessment to receive funding from USAID for a human right programme.<sup>43</sup> It does occur, however, that members compete for the same resources, including ILAC as a Consortium. This has not yet been resolved.

### 6.3 SUMMARY OF FINDINGS TO COHERENCE

- ILAC’s compatibility is context- and country-dependent. Its overall compatibility, however, is part of the uniqueness of the Consortium in terms of its legal expertise and the application of its peer-to-peer approach.
- ILAC is developing partnerships to strengthen its position.
- ILAC has added value and in some contexts enjoys positive positioning amongst other rule of law actors. However, their visibility and engagement are insufficient to create a constant and diverse demand for both assessments and programmes, increase its influence in national, regional, and global forums, and attract donors.

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<sup>43</sup> This funding was provided based on pre-Trump foreign policy.



## 7 Sustainability

This chapter discusses sustainability of ILAC's interventions, which was not requested in the TOR, but which the evaluators consider to be important in the light of ILAC's work and Sida's core funding.

Inherent factors that impact on systemic change will also condition the sustainability of results: the volatility of contexts renders these highly fragile; political will to continue with reform or support institutions may be absent, or fade; political, social, and economic conditions may not be favourable.

Nevertheless, certain activities have significant scope for sustainability. Knowledge products such as policy briefs and webinars provide scope for dissemination and application, thereby supporting systemic, sustainable changes, and constitute important information sources for the international community. Further, assessments are independent, and are always published and available, and thus provide an ongoing resource, as the 2017 Syria assessment has demonstrated.

Revisiting countries where assessments have been undertaken would allow ILAC to examine the relevance and validity of the assessment and reiterate its analysis and recommendations. In a similar vein, interlocutors suggested that assessment teams should be directly involved *after* the assessment, in order to guide programming and follow the implementation of recommendations. Extended mobilisation of the assessment team would provide additional follow-up support to the Secretariat and would also generally unburden it to some extent. In addition to ensuring sustainability of these interventions, it would also protect ILAC from reputational risk, by countering concerns that it fails to follow-up its assessments in a systematic matter. This in turn contributes to ILAC's position that remains committed and pursues concerns, even when circumstances change.

Irrespective of how assessments are developed, implemented, or followed up by ILAC, they provide in and of themselves valuable information about the rule of law context in a particular country, at a particular time. This information, and associated recommendations, remain of considerable use to local and international stakeholders, not only in the short to medium term, but also in the longer term to establish sector baselines and history, which in conflict-afflicted countries are often absent or destroyed.

Capacity-building activities also have considerable scope for sustainability, although this is also highly context-dependent. Mentoring, technical assistance, training (training of trainers) allows skills to be acquired, which can be used in the long-term, and then passed on to others, although high attrition and movement of personnel, common in fragile states, can detract from this. Manuals and other professional tools also provide support to beneficiaries well beyond a programme's lifespan. Support to advocacy can contribute to reform to the sector that is then embedded in a country's legislative, regulatory and governance infrastructure in a

sustainable manner. Furthermore, ILAC's interventions are based on best practice and international standards, which themselves provide the credibility and impetus for the skills and processes acquired to be sustained.

In Tunisia, ILAC has introduced lasting changes in administrative tribunals, enhancing effectiveness and efficiency of their processes, and developing curricula for training. At the other end of this spectrum, sustainability in Syria has been problematic, as Box 17 below highlights.

#### Box 15 - Sustainability in Syria

In Syria, sustainability has been highly limited and questionable, with some systems and documentation that were established having already been destroyed. Materials were developed from workshops, which have been used and shared as part of another HLP project funded by GiZ, and it is considered that working with bar associations will provide an opportunity for impact in the long term.

International policy dialogue also has considerable scope for sustainability. By pooling the experience and expertise of its members, ILAC “*aims to inform the direction of policy and normative processes that will affect the rule of law sector at the international level*”<sup>44</sup>; these policies and processes in turn have potential historical resonance.

Survey respondents recognise the limitations and assert that ILAC's work is sustainable ‘to some extent’. Suggestions made by stakeholders include periodically monitoring the results of studies and analysis of the situation of justice; continuity of engagement and long-term commitment; secure take over by national staff; and closer collaboration with human rights activists and civil society.

## 7.1 SUMMARY OF FINDINGS TO SUSTAINABILITY

- Sustainability is largely absent in the current thinking of ILAC. Some of its work such as assessments, policy influence, knowledge products and capacity building hold relevant material and outputs contributing to sustainability in the medium to long term.
- ILAC has weak monitoring and evaluation systems to track performance over time and track its contributions assessing how sustainable they are and what impact has been observed.

<sup>44</sup> ILAC's Five-Year Strategy, p. 26

# 8 Conclusions

## 8.1 RELEVANCE

ILAC's work is relevant, and it is doing the right thing, but it is not always doing it right. The decisions to enter into a country - with a few exceptions - are not based on strategic criteria and deep analysis.

ILAC's strongest asset is the Consortium membership, which provides excellent legal expertise and can be mobilised and provide a credible and respected voice in the sometimes-crowded rule of law area.

ILAC is working in fragile and conflict-affected states, and hence assessment and programming require a strong peacebuilding and development lens, which is not at the core of the Consortium's expertise.

ILAC's work is relevant to Sida and above all to beneficiaries in country such as CSOs and bar associations.

## 8.2 EFFECTIVENESS

There is an inherent tension between assessments and programming, which is linked to how ILAC is using core funding. This is used for assessments, funding the Secretariat and some policy work whereas bilateral funding finances programmes. This divide is ineffective and will prevent ILAC from maturing and strengthening its position. This also affects how the organisation is structured, including the Secretariat which lacks sufficient human resources.

ILAC is working in fragile states and assessments and programming requires a peacebuilding and development lens which is of limited availability within the Consortium.

ILAC has learnt to apply its key capabilities where they have greatest leverage (in particular, bar associations and civil society), and to respond quickly as issues arise. However, their interventions often face numerous challenges on the ground, arising from the volatility of the contexts in which they operate, and a lack of political will to implement their recommendations.

ILAC is learning and willing to learn - trying to improve its organisational effectiveness, including introducing knowledge management tools, addressing a broader community, and introducing follow up assessments.

ILAC effectively uses *the potential* of the Consortium for its assessments which are conducted by its members, rather than in-house, as they were in ILAC's initial phases, which also helped develop a broader range of entry points, within the g7+ group of fragile or conflict-affected states.

The Consortium and Secretariat are not working sufficiently in tandem, and roles and responsibilities of the Secretariat are unclear vis à vis the Consortium.

Fundraising efforts are based on a split assumption that ILAC uses the core grant for assessment and non-core is for other programming.

ILAC's funding efforts have been scattered, with little focus on where opportunities are to be found and linked to robust follow-up after assessments.

### 8.3 COHERENCE

ILAC has added value depending on the country and context in which it is operating. Its assessments are relevant instruments to help different stakeholders in the rule of law, identify needs and plan forward.

Programming in a competitive field is challenging, and ILAC's position is not strong due to a lack of a development and peacebuilding perspective and limited cooperation with other partners.

ILAC lacks sufficient visibility and engagement in international platforms and is not sufficiently proactive in key ongoing dialogues.

### 8.4 SUSTAINABILITY

ILAC's focus on sustainability is largely absent. However, various products and services contribute to sustainability in the medium to long term.

ILAC has no structured monitoring or evaluation system to help it track performance in assessments, including contributing to sustainability and impact.

# 9 Recommendations

## **For Sida:**

1. Core funding should contribute to ILAC's new Strategic Plan. This will allow ILAC to independently decide where it can best offer its expertise, invest, and ensure follow up. It will also help seek funding for products and services it can offer.
2. Sida needs to reflect on how ILAC can strategically contribute to deliver on Sweden's strategies for international development, the rule of law, and global peace strategies, globally, regionally, and nationally and discuss how ILAC can support Sida while respecting the objectives of its new Strategic Plan.

## **For ILAC:**

In preparation of the next Strategic Plan, ILAC needs to reflect on its position and reflect on the products and services it has to offer.

### **ILAC's identity and positioning**

1. The Consortium should define its added and strategic value. Notably, it should undertake, in preparation for the new Strategic Plan, a benchmark exercise to clarify its niche and positioning. This would represent a learning exercise, to compare ILAC to other similar organisations, and would help define the products and services that it has to offer.
2. ILAC needs to review the function, role and responsibilities of the Secretariat and stipulate clearly what its contribution will be to the new Strategic Plan. It is recommended that it receives external support to facilitate these discussions.
3. The Consortium should introduce a better matching system for members, to select the most appropriate experts for assessments, and include preliminary and post-involvement beyond the assessment period. It needs to develop partnerships with organisations that can support its assessments with complementary, non-legal expertise.
4. The Consortium needs to improve its visibility and international profile should be improved, including its relevance and contribution to international agreements such as the SDGs and Agenda 2030, through inter alia engaging with strategic actors through better communication and joint work with others.

### **Internal ILAC improvements relevant to its Strategic Plan**

5. The Secretariat in collaboration with the Consortium should develop a more comprehensive set of technical tools for the use of staff and external experts in the preparation of assessments and other analytical outputs. These would include inter alia the development of country selection criteria, a more

- detailed assessment methodology, risk assessment guidance, and applying a rights-based approach.
6. Risk assessment should be more deeply embedded in assessments and programming, and mechanisms need to be developed for their regular review. They should also be specifically linked to ILAC's intervention criteria, and should incorporate security, operational, reputational and stakeholder risk, and the 'Do No Harm' principle.
  7. Policy dialogue should be further developed, and applied more assertively, particularly given the high levels of competition in the humanitarian, peacekeeping, and development spheres at the international level. An important entry point would be UN country and thematic special rapporteurs, and special representatives. Thematic rapporteurs could include *inter alia* those responsible for Truth Justice, Reparation and Guarantees of Non-recurrence, Independence of Judges and Lawyers, Human Rights Defenders (since many lawyers in conflict-affected contexts are front-line rights defenders, and particularly vulnerable), Rights of Persons with Disabilities, and the Right to Development.
  8. ILAC should intensify and complete its efforts to develop its rights-based approach, and thereafter ensure its dissemination and implementation, in particular through its members and external experts.
  9. The Secretariat should develop and apply a comprehensive dissemination strategy for assessments and use additional communication tools.

### **ILAC and beneficiaries**

10. ILAC should develop a more dynamic method of assessment, building on their recent experiences (for example, in Guatemala). In particular, it should: develop two streams of assessment, a preliminary analysis to address immediate concerns, and a subsequent more detailed assessment, to analyse the medium- to long-term. This should be partnered with a mechanism to provide an ongoing re-evaluation of the context. Assessments should include baselines, improve alignment in recommendations to different donors and other interested parties in country and include different scenarios for uptake.
11. Ensure that assessments have more assiduous preparation and apply the different tools that are available. Follow up and continued engagement should be provided in the period after the assessment. ILAC should consider increasing its presence on the ground and should in any event engage in more strategic partnering based on its complementary as a Consortium.
12. Develop mechanisms to monitor and evaluate the assessment, and to keep the Consortium and the assessment team engaged and mobilised.
13. Develop a separate plan as part of the assessment process to ensure adequate follow-up, and notably: i) to continue with policy engagement and utilise the ILAC's knowledge tools (policy notes, blogs, etc.); ii) to improve dissemination, including in the country and region; and iii) to consider additional actions following assessment recommendations prior to

programming in order to create a more hybrid structure between assessment and programming.

14. Restructure assessment teams to include peacebuilding, humanitarian, and development expertise in addition to legal specialists.
15. Develop partnerships with organisations that can help ILAC in a complementary manner both within and outside of the rule of law sector, including creating access to donors and others.

### **ILAC and partnerships**

16. ILAC should leverage the access to international fora of its members and partners, particularly those with more political weight (for example, the American Bar Association, the Law Society of England and Wales, the International Bar Association etc.)
17. Based on the benchmark exercise, ILAC should identify and develop strategic partnerships based on complementarity where it can draw on additional expertise depending on the country or region in which it works.

### **ILAC and Funding**

18. In the short term, ILAC should take immediate steps to diversify its funding base, spearheaded and supported by the Board. This would require the development and application of a comprehensive fund-raising strategy and work-plan.
19. Fund-raising efforts should be increased through joint applications with other organisations working in the rule of law and/or development sectors.
20. The Operations Manual needs to be updated to reflect how ILAC can work with partners, including relative to fundraising.

## 10 Lessons Learned

1. It was known to ILAC that its results framework was weak, and the evaluation has reconfirmed that it has not been effective in terms of collecting data and assessing progress towards results.
2. ILAC will shortly start on the elaboration of a New Strategic Plan and given the countries and regions ILAC works in and the wish to bring assessments closer to programming the Consortium may wish to rethink the timeline for its Strategic Plan. The team realises that changes in the rule of law sector will need time. Funding has shorter cycles and having a 3-year Plan allows ILAC to demonstrate results and strengthen its position. It will also foster flexible approaches, and pivot strategically and operationally.
3. Given the recommendations above about positioning ILAC would benefit from clearly articulating the products and services it can offer and consider whether a business plan could support the implementation of the Strategic Plan and in particular improve its position and ability to create diverse funding streams.



# Annex 1 – Terms of Reference

## **Terms of Reference for the Evaluation of the International Legal Assistance Consortium (ILAC), Global Core Support 2018-2021**

Date: 2020-09-01

### **1. General information**

#### **1.1 Introduction**

This evaluation assignment relates to the Swedish Global strategy for Sustainable Peace 2017-2022 and in particular to its first objective *Global capacity in prevention of armed conflict, peacebuilding and statebuilding processes, and human security* and the result *Strengthened capacity to counter corruption and impunity in fragile and conflict-affected states*.

An increasing proportion of people living in poverty live in societies deeply affected by war or armed conflicts whereof many are intra-state in nature. One root cause common to most of these conflicts is the failure of the State and its institutions to deliver rights and protection equally to all its citizens. The reason for this might be lack of the State's capacity, but also unwillingness by the political elite to share its political and economic powers. Many of today's conflicts are further complicated by various armed factions, and other States engaging in proxy wars which makes resolving conflicts extremely difficult and systematic violations of civilians' human rights are common. In this context, overwhelming humanitarian and other urgent needs often tend to be prioritised over needs related to justice sector reform even if there is a high demand for justice and accountability. The intervention to be evaluated intends to address this pattern by focusing on support to the judiciary and the independence of the judiciary at critical moments of the conflict cycle.

Sida has a long history of working with justice sector and rule of law support throughout different regions in the world, including state –to –state cooperation as well as support to civil society on the national and global level. A majority of this support is classified under the Democracy and Human Rights sector and only a smaller share under a Peace and Security-heading. Justice sector support is complex, not least in fragile and conflict/post-conflict settings, and success often requires a series of interrelated social and political changes. Sida has often emphasised that legal sector work require in-depth understanding of the local context and dynamics as well as political dialogue, and that the work cannot only be addressed as technical capacity development.

In the appraisal of support to ILAC it was assessed that the contribution would complement other justice sector contributions supported by Sida by particularly focusing on the independence of the judiciary at sensitive stages of transition phases, by providing analysis and recommendations to national as well as international

stakeholders and actors, and by mobilising organisations of the judicial professions (their members), using a peer-to-peer approach.

## **1.2 Evaluation object: Intervention to be evaluated**

The evaluation object is the International Legal Assistance Consortium (ILAC), a Stockholm-based non-profit organisation working within the area of justice sector development. ILAC is the umbrella of over 50 professional legal organisations from all over the world, gathering wide-ranging legal expertise and competencies from various contexts and legal traditions. ILAC aims to rapidly deliver politically and contextually relevant roadmaps of strategic needs and priorities in fragile and conflict-affected countries, and then provide assistance to help rebuild justice systems and the rule of law. ILAC also aims to contribute to international policy dialogue in justice sector reform design and implementation in transitional settings. The work is carried out in close partnership with local ministries, judges, prosecutors, court administrators, lawyers and lawyers' associations when there are strategic openings to provide expert guidance and/or when there exists political will to prevent further conflict and re-occurrence of atrocities, and build peaceful means for conflict resolution. A small Secretariat coordinates the consortium and ILAC's work. ILAC's elected Board of Directors comprises diverse member representatives and provides strategic guidance and oversight. ILAC also benefits from guidance provided by an Advisory Council drawn from its membership.

ILAC was founded as a response to a perceived lack of coordination of support to and initiatives on rehabilitation of justice in Bosnia after the civil war. A discussion was initiated on how international support could be faster, more responsible to needs, and better coordinated. An umbrella organisation was therefore created with the aim to marshal resources, find suitable experts for support programs, and coordinate international efforts in support of the government in the countries concerned. In 2002 the Consortium was formalised as a NGO under Swedish law and the Swedish MFA offered initial funding. Sida has provided project support to ILAC since 2005 and core support since 2011 (upon instruction in the Regleringsbrev). Sida is ILAC's main donor – only 6% of their total funding comes from another source. Sida has encouraged ILAC's fundraising efforts and since the first agreement for core support, the importance of widening the donor base has been emphasised.

The ongoing agreement period for core support runs from January 2018 to December 2021 with a total agreed budget of 32 380 000 SEK. As compared to before, core support to ILAC is now based on a comprehensive strategic plan and results framework. The core support covers a large part of ILAC's joint and general costs, its network structure and a limited amount of implementation in the field. In addition to the core support, ILAC implements three programs financed by different bilateral Sida-strategies: a regional MENA programme, a programme in Syria and a programme in Cuba. The core support covers complementary activities to programmes such as peer-to-peer exchanges or analyses and reports that inform programme adaptation and development. ILAC forward funds to partners/member organisations to implement parts of the programmes and projects, however no forwarding of funds is included in the core support.

As stated in ILAC's five year strategic plan, their vision is *equal access to justice for all* and the stated mission is *to rapidly respond and assess the needs of the justice sector in conflict-affected and fragile countries, and help strengthen the independence and resilience of justice sector institutions and the legal profession*.

The **strategic objectives** for this five-year period, 2017 – 2021, are:

1. The capacity of justice sector institutions, bar associations and their members to address public demands for accountability and justice in accordance with international standards, is enhanced.
2. International policy and practice in rule of law reform has been influenced.
3. Internal ILAC systems and capacities for demand-driven, flexible and coherent operations are further developed, and synergies within the membership to better capitalize on cutting-edge expertise are improved.

The ILAC Theory of Change elaborated in their strategic plan would in a summarised manner be that ILAC contributes with assessments and roadmaps for national stakeholders, so that relevant actors are better equipped to develop strategies to address needs and priorities aimed at rebuilding justice. On the basis of this, ILAC does also, in some contexts, coordinate members' programmatic work, based on peer-to-peer based programming, contributing to more independent and well-functioning justice systems. ILAC also opens up for other kinds of engagement, including flexible and "light" expert support to national stakeholders, which might be more feasible and relevant at an early stage, before full-fledged programs are in place. In addition to this, ILAC contributes to international policy and development dialogue.

Previous evaluations include an evaluation commissioned by ILAC's head office in Stockholm in 2011. The evaluation covered both organizational aspects and operational effectiveness and focused primarily on ILAC's role as coordinating agent for its member organizations, the organizational structures, decision-making procedures, lines of communication, partnerships, and ILAC's operations through in-depth case studies. Sida commissioned an Efficiency Audit in 2015 and there are also a few evaluations at programme level. The most recent one is an external evaluation of ILAC's Syria programme.

For further information, ILAC's strategic plan is attached as Annex D.

Both ILAC and Sida have previously assessed that the current intervention logic is not fully playing its role and it may therefore be challenged and further elaborated by the evaluator in the inception report.

### **1.3 Evaluation rationale**

The latest external evaluation related to the core support was carried out in 2011/2012. As the agreement for core support comes to an end as per December 31 2021, the time is right for an evaluation to guide Sida's decision on future support to ILAC.

## **2. The assignment**

### **2.1 Evaluation purpose: Intended use and intended users**

The purpose or intended use of the evaluation is to serve as an input to Sida's decision on future support to ILAC.

The primary intended users of the evaluation are Sida, in particular the Peace and Security Unit, and ILAC.

The evaluation is to be designed, conducted and reported to meet the needs of the intended users and tenderers shall elaborate in the tender how this will be ensured during the evaluation process.

During the inception phase, the evaluator and the users will agree on who will be responsible for keeping the various stakeholders informed about the evaluation.

## 2.2 Evaluation scope

The evaluation object is ILAC's core support during the ongoing agreement period from 2018 to date, i.e. implementation of ILAC's strategic plan 2017-2021. The bilateral programmes are not included in the scope of the evaluation but as they are linked to the core support, they will be considered to the extent needed to perform the evaluation.

The scope of the evaluation may be further elaborated by the evaluator in the inception report.

## 2.3 Evaluation objective: Criteria and questions

The objective of this evaluation is to evaluate ILAC's work during the ongoing agreement period, 2018 to date, with a focus on relevance, coherence and effectiveness.

- Evaluate the relevance, coherence, and effectiveness of ILAC as an input to Sida's decision on future support.

The evaluation questions are:

### **Relevance: Is the intervention doing the right thing?**

- To what extent has the intervention objectives and design responded to beneficiaries', global, country, and partner/institution needs, policies, and priorities, and have they continued to do so if/when circumstances have changed?
- To what extent have lessons learned from what works well and less well been used to improve and adjust intervention implementation?

### **Coherence: How well does the intervention fit?**

- How compatible has the intervention been with other interventions in the country, sector or organisations where it is being implemented?

### **Effectiveness: Is the intervention achieving its objectives?**

- To what extent has the intervention achieved, or is expected to achieve, its objectives, and its results, including any differential results across groups?

Questions are expected to be developed in the tender by the tenderer and further refined during the inception phase of the evaluation.

## 2.4 Evaluation approach and methods

It is expected that the evaluator describes and justifies an appropriate evaluation approach/methodology and methods for data collection in the tender. The evaluation design, methodology and methods for data collection and analysis are expected to be fully developed and presented in the inception report.

Limitations to the chosen approach/methodology and methods shall be made explicit by the evaluator and the consequences of these limitations discussed in the tender. The evaluator shall to the extent possible, present mitigation measures to address them. A clear distinction is to be made between evaluation approach/methodology and methods.

A gender responsive approach/methodology, methods, tools and data analysis techniques should be used.

Sida's approach to evaluation is utilization-focused, which means the evaluator should facilitate the entire evaluation process with careful consideration of how everything that is done will affect the use of the evaluation. It is therefore expected that the evaluators, in their tender, present i) how intended users are to participate in and contribute to the evaluation process and ii) methodology and methods for data collection that create space for reflection, discussion and learning between the intended users of the evaluation.

In cases where sensitive or confidential issues are to be addressed in the evaluation, evaluators should ensure an evaluation design that do not put informants and stakeholders at risk during the data collection phase or the dissemination phase.

Given the situation with Covid-19, innovative and flexible methods for remote data collection should be suggested.

## **2.5 Organisation of evaluation management**

This evaluation is commissioned by Sida's Unit for Peace and Human Security. The intended users are Sida and ILAC. As the evaluation will serve as an input to the decision on future support to ILAC, the primary intended user is the commissioner. The evaluand ILAC has contributed to the ToR and will be provided with an opportunity to comment on the inception report as well as the final report, but will not be involved in the management of the evaluation. Hence the commissioner will evaluate tenders, approve the inception report and the final report of the evaluation. The start-up meeting and the inception meeting will be held with the commissioner only.

## **2.6 Evaluation quality**

The evaluation shall conform to OECD/DAC's Quality Standards for Development Evaluation<sup>45</sup> and use the OECD/DAC Evaluating Peacebuilding Activities in Settings of Conflict and Fragility: Improving Learning for Results<sup>46</sup>. The

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<sup>45</sup> OECD (2010) *DAC Quality Standards for Development Evaluation*.

<sup>46</sup> OECD (2012) *Evaluating Peacebuilding Activities in Settings of Conflict and Fragility: Improving Learning for Results*.

evaluators shall use the Sida OECD/DAC Glossary of Key Terms in Evaluation<sup>47</sup> and the OECD/DAC Better Criteria for Better Evaluation<sup>48</sup>. The evaluators shall specify how quality assurance will be handled by them during the evaluation process.

## 2.7 Time schedule and deliverables

It is expected that a time and work plan is presented in the tender and further detailed in the inception report. Given the situation with Covid-19, the time and work plan need to allow for flexibility in implementation. The evaluation shall be carried out between September 28 2020 and February 23 2021. The timing of any surveys and interviews need to be settled by the evaluator in dialogue with the main stakeholders during the inception phase.

The table below lists key deliverables for the evaluation process. Alternative deadlines for deliverables may be suggested by the consultant and negotiated during the inception phase.

Deliverables	Participants	Tentative Deadlines
1. Start-up meeting at Sida HQ or by Skype if the evaluators are not based in Stockholm or due to Covid-19 restrictions.	Sida, evaluators	September 28 2020
2. Draft inception report		October 26 2020
3. Inception meeting at Sida HQ or by Skype if the evaluators are not based in Stockholm or due to Covid-19 restrictions.	Sida, evaluators	Tentative November 5 2020
4. Comments from intended users to evaluators (alternatively these may be sent to evaluators ahead of the inception meeting)	Sida and ILAC	Tentative November 18 2020
5. Final Inception report		Tentative November 30 2020
6. Draft evaluation report		Tentative January 25 2021
7. Debriefing/validation workshop (meeting)	Sida, ILAC, evaluators	Tentative February 1 2021
8. Comments from intended users to evaluators	Sida and ILAC	Tentative February 9 2021
9. Final evaluation report		February 23 2021

**The inception report** will form the basis for the continued evaluation process and shall be approved by Sida before the evaluation proceeds to implementation. The

<sup>47</sup> Sida (2014) *Glossary of Key Terms in Evaluation and Results Based Management*.

<sup>48</sup> OECD/DAC (2019) *Better Criteria for Better Evaluation: Revised Evaluation Criteria Definitions and Principles for Use*.

inception report should be written in English and cover evaluability issues and interpretations of evaluation questions, present the evaluation approach/methodology (including how a utilization-focused and gender responsive approach will be ensured), a stakeholder mapping, methods for data collection and analysis as well as the full evaluation design. A clear distinction between the evaluation approach/methodology and methods for data collection shall be made. All limitations to the methodology and methods shall be made explicit and the consequences of these limitations discussed. A specific time and work plan, including number of hours/working days for each team member, for the remainder of the evaluation should be presented. The time plan shall allow space for reflection and learning between the intended users of the evaluation.

**The final report** shall be written in English, and be professionally proof read. The final report should have clear structure and follow the report format in the Sida Decentralised Evaluation Report Template for decentralised evaluations (see Annex C). The executive summary should be maximum 3 pages. The evaluation approach/methodology and methods for data collection used shall be clearly described and explained in detail and a clear distinction between the two shall be made. All limitations to the methodology and methods shall be made explicit and the consequences of these limitations discussed. Findings shall flow logically from the data, showing a clear line of evidence to support the conclusions.

Conclusions should be substantiated by findings and analysis. Recommendations and lessons learned should flow logically from conclusions. Recommendations should be specific, directed to relevant stakeholders and categorised as a short-term, medium-term and long-term. The report should be no more than 35 pages excluding annexes (including Terms of Reference and Inception Report). The evaluator shall adhere to the Sida OECD/DAC Glossary of Key Terms in Evaluation<sup>49</sup>.

The evaluator shall, upon approval of the final report, insert the report into the Sida Decentralised Evaluation Report for decentralised evaluations and submit it to Nordic Morning (in pdf-format) for publication and release in the Sida publication data base. The order is placed by sending the approved report to [sida@nordicmorning.com](mailto:sida@nordicmorning.com), always with a copy to the responsible Sida Programme Officer as well as Sida's Evaluation Unit ([evaluation@sida.se](mailto:evaluation@sida.se)). Write "Sida decentralised evaluations" in the email subject field. The following information must always be included in the order to Nordic Morning:

1. The name of the consulting company.
2. The full evaluation title.
3. The invoice reference "ZZ980601".
4. Type of allocation "sakanslag".
5. Type of order "digital publicering/publikationsdatabas.

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<sup>49</sup> Glossary of Key Terms in Evaluation and Results Based Management, Sida in cooperation with OECD/DAC, 2014



## 2.8 Evaluation team qualification

In addition to the qualifications already stated in the framework agreement for evaluation services, the evaluation team shall include the following competencies:

- Experience from evaluating civil society network/membership organisations operating in fragile and conflict-affected countries
- Experience of justice sector and rule of law reform in fragile and conflict-affected countries

A CV for each team member shall be included in the call-off response. It should contain a full description of relevant qualifications and professional work experience.

It is important that the competencies of the individual team members are complimentary. Given the situation with Covid-19, it is highly recommended that local consultants are included in the team if appropriate.

The evaluators must be independent from the evaluation object and evaluated activities, and have no stake in the outcome of the evaluation.

## 2.9 Financial and human resources

The maximum budget amount available for the evaluation is 600 000 SEK.

The contact person at Sida/Swedish Embassy is Helena de Medeiros, Unit for Peace and Human Security (FRED), Department for Asia, Middle East and Humanitarian Assistance (HUMASIEN).

The contact person should be consulted if any problems arise during the evaluation process.

Relevant Sida documentation will be provided by Helena de Medeiros, Unit for Peace and Human Security (FRED), Department for Asia, Middle East and Humanitarian Assistance (HUMASIEN).

Contact details to intended users (cooperation partners, Swedish Embassies, other donors etc.) will be provided by Helena de Medeiros, Unit for Peace and Human Security (FRED), Department for Asia, Middle East and Humanitarian Assistance (HUMASIEN).

The evaluator will be required to arrange the logistics, such as booking interviews and preparing validation workshops and meetings.

## 3. Annexes

Annex A: List of key documentation

- ILAC Five year Strategy 2017-2021 (included in Annex D)
- Annual report for 2019 (included in Annex E)
- Sweden's Strategy for Sustainable Peace 2017-2022
- Evaluation of ILAC's Syria programme 2017- 2019, Conor Foley, June 2020
- Work plan and budget for 2020
- Evaluation of ILAC, Sthlm Policy Group, 2011/2012
- Efficiency audit, PwC, 2015
- Annual progress reports and final reports

Annex B: Data sheet on the evaluation object

<b>Information on the evaluation object (i.e. intervention)</b>	
Title of the evaluation object	ILAC Core Support 2018-2021
ID no. in PLANIt	11059A0101
Dox no./Archive case no.	17/001228
Activity period (if applicable)	2018-01-01 – 2021-12- 31
Agreed budget (if applicable)	32 380 000 SEK
Main sector	Peace and security
Name and type of implementing organisation	NGO or civil society
Aid type	Core contributions/pooled funds
Swedish strategy	Sustainable Peace 2017-2022

<b>Information on the evaluation assignment</b>	
Commissioning unit/Swedish Embassy	Sida's Unit for Peace and Human Security
Contact person at unit/Swedish Embassy	Helena de Medeiros
Timing of evaluation (mid-term, end-of-programme, ex-post, or other)	Mid-term evaluation
ID no. in PLANIt (if other than above).	11059A0102

Annex C: Decentralised evaluation report template

Annex D : ILAC Five year Strategy (2017-2021)

Annex E: Annual report for 2019

## Annex 2 – Evaluation matrix

Evaluation criteria	Evaluation questions	Indicators	Data collection instruments	Sources of information	Data analysis
<b>RELEVANCE</b>	<b>TOR Q: Is ILAC doing the right thing?</b>	Timing: how long does it take to make an assessment? The strategic time that the assessment is done. Not only cost effective but e.g., adaptable given the context E.g., some recommendations would apply to many countries	Document Review Interviews Survey	Mix of stakeholders based on the stakeholder mapping in close collaboration with ILAC	Interview guide Survey results Document Review leading to ILAC's results framework
1	a. To what extent has ILAC's objectives and design responded to beneficiaries' global, country, and partner/ institution needs, policies, and priorities. b. To what extent have they continued to do so if/ when circumstances have changed?	a. Interlocutors consider that ILAC objectives and design respond appropriately, adequately and in a timely and context-specific manner to professional, institutional, national, global needs, policies and priorities. 1. ILAC objectives and design respond appropriately, adequately and in a timely and context-specific manner to these elements, in line with available independent analyses.	Document Review Interviews Survey	Stakeholders in country and globally, ILAC staff and management Assessments Annual reports Survey Interviews	Combination of document review, interviews (coding), survey results

		b. Interlocutors consider that ILAC demonstrated flexibility and time sensitivity in its responses as specific circumstances changed.			
2	To what extent have lessons learnt from what works well and less well been used to improve and adjust ILAC support.	Lessons learnt have been rapidly identified, integrated into ILAC strategy, and implemented in their operations, and have contributed to an improvement of their support.	Document Review Interviews Survey	ILAC staff and management Annual reports and reports to Sida	Combination of document review, interviews (coding), survey results
<b>COHERENCE</b>	ToR Q: How well does ILAC fit in with other initiatives?		Document Review Interviews Survey	Mix of stakeholders based on the stakeholder mapping in close collaboration with ILAC	Interview guide Survey results Document Review Leading to ILAC's results framework
3	How compatible has ILAC's support been with other interventions in the country, sector and organisations where it is being implemented?	ILAC's support is designed and implemented taking into account other regional, national and sector initiatives, and is compatible with their objectives and activities.	Document Review Interviews Survey	Assessments, Annual Reports Case studies Survey Interviews Consortium interviews Stakeholders in country and globally (UN)	Combination of document review, interviews (coding), survey results

4	What is ILAC's added value compared with other relevant interventions?	ILAC's support represents a contribution that is not otherwise provided by other organisations or programmes working in the rule of law sector at the national, regional or global level, taking into account the respective roles of the Consortium and Secretariat, and the impact of the covid-19 pandemic to date and continuing.	Document Review Interviews Survey	Case studies Survey Interviews Stakeholders in country and globally,	Combination of document review, interviews (coding), survey results
<b>EFFECTIVENESS</b>	ToR Q: To what extent has the intervention achieved, or is expected to achieve, its objectives, and its results, including any differential results across groups?		Document Review Interviews Survey	Mix of stakeholders based on the stakeholder mapping in close collaboration with ILAC	Interview guide Survey results Document Review Leading to ILAC's results framework
5	To what extent are ILAC's support or activities contributing to the following in <u>the countries and region of their operation</u> : <ul style="list-style-type: none"> <li>- Increasing capacities, performance and integrity.</li> <li>- Identifying needs and developing strategies.</li> <li>- Increasing knowledge of and engagement with the ILAC</li> </ul>	<ul style="list-style-type: none"> <li>- Interlocutors consider that capacities, performance and integrity have been increased at the regional, national or sector level through ILAC's support or activities, taking into account varying levels of demand and capacity in different contexts.</li> <li>- Interlocutors consider that ILAC has contributed to the identification of needs and the development of strategies at the national and sector level, and</li> </ul>	Document Review Interviews Survey	Annual Reports Interviews and Survey Case studies Specific Reports on countries (Palestine, Guatemala). Evaluations (e.g., Syria)	Combination of document review, interviews (coding), survey results. Material separately assessed for case studies through

	network by a broad range of stakeholders.	these have been taken up in programming or other initiatives by ILAC and/or other actors. Interlocutors consider that ILAC interventions are suitably targeted and respond to ILAC's niche areas of expertise. - Interlocutors consider that their knowledge of and engagement with the ILAC network has been increased.		Consortium interviews Sida staff in country and the region interviews Stakeholders in country and globally	interviews and coding
6	To what extent is ILAC's support to policy dialogue, research, and lessons learned contributing to the achievement of SDG16+?	Interlocutors consider that ILAC's support to policy dialogue, research and lessons learnt has contributed to the achievement of SDG16+	Document Review Interviews Survey	Interviews Survey Examples of policy dialogue, specific materials prepared by ILAC Consortium interviews Stakeholders in country and globally (UN)	Combination of document review, interviews (coding), survey results.
7	To what extent is ILAC's support to policy dialogue, research, and lessons learned contributing to political processes led by UN agencies	Interlocutors consider that ILAC's support to policy dialogue, research and lessons learnt has contributed to UN and other political processes.	Document Review Interviews Survey	Consortium interviews UN Interviews Sida/MFA ILAC staff	Combination of document review, interviews (coding), survey results.

	and other rule of law policy makers?			Stakeholders in country and globally (UN)	
8	To what extent is ILAC effectively applying its HRBA and gender policy?	ILAC has applied the provisions of its HRBA and gender policy.	Document Review Interviews Survey	Document Review, Interviews: Sida country and regional staff Assessments Programme Documents Stakeholders in country and globally	Combination of document review, interviews (coding), survey results.
9	To what extent is ILAC effectively applying its conflict analysis?	ILAC has applied the provisions of its CA in all its work (assessment, policy influence, programmatic work)	Document Review Interviews Survey	Document Review, Interviews: Sida country and regional staff Assessments Programme Documents Stakeholders in country and globally	Combination of document review, interviews (coding)



10	To what extent has the Secretariat deepened its competence and refined its management & control mechanisms, and to what extent have these efforts contributed to high quality results?	ILAC has increased competence and integrated management & control mechanisms, and these have contributed to the results achieved.	Document Review Interviews Survey	ILAC staff and management, Consortium	interviews (coding), survey results.
11	To what extent has knowledge management and in particular the assessment method development been effective?	ILAC has refined the instrument over time, applied lessons learned and reached a significant number of interlocutors to broaden its base and contribute to reforms and policy dialogue	Document Review Interviews Survey	ILAC staff and management, Consortium	interviews (coding), survey results.
Additional questions relevant to the results framework and ILAC's higher objectives				Mix of stakeholders based on the stakeholder mapping in close collaboration with ILAC	Interview guide Survey results Document Review Leading to ILAC's results framework
11	To what extent has ILAC's support contributed to systemic changes in the RoL in the country or region, and notably relative to access to justice, independence and resilience of justice, accountability, and	Interlocutors consider that ILAC's support has contributed to systemic changes in the RoL in the country or region. Independent data confirms such changes have occurred, and that ILAC's contribution to same is likely.	Interviews Document review Survey	Document review Survey Case studies Stakeholders in country and globally	Combination of document review, interviews (coding), survey results. Case studies separately

	international policy and practice?	Interlocutors consider that ILAC's network and geographical presence contribute to these changes.		Similar organisations like ILAC	analysed through coding interviews
12	To what extent are the results sustainable and what is required to ensure that sustainability is maintained	Interlocutors indicate that they can continue their work without the intervention from ILAC. Strategies and approaches exist to ensure the sustainability of the results.	Document Review Interviews Survey	Interviews with Sida staff in country and region Survey	Interviews (coding), survey results.
13	How effective is the uptake of ILAC's assessments relative to programming, policy and strategy development, sector reform etc.?	Interlocutors consider that ILAC's assessments lead to a substantial uptake of recommendations at the programming, policy, strategy and sectorial level.	Document Review Interviews Survey	Interviews Sida staff in country. ILAC staff and management. ILAC Consortium	Document review, interviews (coding)
14	How effective is ILAC at influencing policy at global/regional/country level?	Interlocutors acknowledge ILAC's influence in their policies, programmes, reports, and other publications	Document Review Interviews Survey	Case studies Interviews with UN and other international bodies	Interview coding
15	How effective is ILAC at positioning itself among other networks and RoL organisations?	Interlocutors rate ILAC effective compared to similar networks or initiatives (benchmark)	Document Review Interviews Survey	Case studies Interviews with UN and other international bodies	Interview coding

## Annex 3 – Data collection tools

Six different interview guides were developed for the different types of interviewees. This is one example. **INTERVIEW GUIDE**

<b>Details and position of the interviewee</b>
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<b>Interviewer</b>
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<b>Date</b>
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<b>Additional Information</b>
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Introduction. Who are they; who are we?

The objective of this evaluation is to evaluate ILAC's work during the ongoing agreement period, 2018 to date, with a focus on **relevance, coherence, and effectiveness**.

**Relevance: Is ILAC doing the right thing?**

1. From your perspective how does ILAC respond to needs and priorities in country?
2. Is the invitation principle the right way of entry?
3. Has ILAC's objectives and design responded to beneficiaries' global, country, and partner/ institution needs, policies, and priorities.
4. Have they continued to do so if/ when circumstances have changed?

**Effectiveness:** To what extent has the intervention achieved, or is expected to achieve, its objectives, and its results, including any differential results across groups?

1. Are ILAC's support or activities contributing to the following in the countries and region of their Increasing capacities, performance and integrity.
  - Identifying needs and developing strategies.
  - Increasing knowledge of and engagement with the ILAC network by a broad range of stakeholders.
  - What are the limitations or challenges?
2. Is ILAC's support to policy dialogue, research, and lessons learned contributing to political processes led by UN agencies and other rule of law policy makers? How? Examples?

Policy dialogue is more increased = during 2019.....every organisation is doing the same thing. Good Is ILAC effectively applying its HRBA, gender policy and conflict analysis in the context of a fragile state?

3. How effective is ILAC at influencing policy at global/regional/country level using the Consortium? Are there risks?
4. How effective is ILAC at positioning itself among other networks and RoL organisations?

**Coherence:** How well does it fit with other initiatives?

1. How does the update take place from the assessment? Can ILAC get the right person in the right place? What is the role of the Consortium and e.g., National Bar Associations?
2. How effective is the uptake of ILAC's assessments relative to programming, policy and strategy development, sector reform etc.?
3. How compatible has ILAC's support been with other interventions in the country, sector and organisations where it is being implemented?
4. What is ILAC's added value compared with other relevant interventions?

**Other:**

1. How sustainable is ILAC's contribution?

**Closure:**

Did we miss anything?

What are the three things that ILAC needs to improve/ work on to create more impact? Prioritise

- 1.
- 2.
- 3.

# Annex 4 – Documentation

## Documents reviewed

### Strategic Documents

- ILAC Strategy 2017 – 2021
- ILAC Strategy Framework
- ILAC Revised Results Framework
- Description of the Revisions to the ILAC Results Framework
- Strategy for Sustainable Peace 2017 – 2022, Swedish MFA
- ILAC Gender Policy
- ILAC Environmental Policy
- ILAC Organigramme 2019
- ILAC Gender Equality Integration Manual
- ILAC Syria Programme Proposal 2017-2020, ILAC Syria Revised Risk Management Plan 2019
- ILAC Syria Programme Updated 2018 Results Framework and Revised Workplan 2018 and Budget Proposal
- ILAC MENA programme document 2018 - 2020
- ILAC Cuba Programme Document 2017 - 2021
- ILAC Syria HLP Project document 2020-2021
- ILAC Exit & Sustainability Strategy Civil Documentation (Syria Programme)
- ILAC Bylaws
- ILAC Operational Handbook 2017

### Evaluations & Reviews

- PWC Efficiency Audit ILAC 2016
- Report on ILAC Consultancy 2017
- Final Report Evaluation ILAC Syria Programme
- ILAC Impact Study Civil Documentation in Syria

### Annual Reports

- ILAC Annual Reports (2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018 2019)
- ILAC Annual Narrative Report 2018, 2019
- ILAC Feedback Annual Narrative Report 2019
- Annual Reports ILAC Syria Programme 2018, 2019
- ILAC Annual Report MENA Programme 2018-2019
- ILAC Cuba Programme Annual Report 2018,2019
- ILAC MENA Programme Annual Report 2019-2020

### Budgets & Financial Reports

- ILAC Core Unaudited Financial Report 2018
- ILAC Core Financial Support 2019

- ILAC Operational Budget 2020
- Budget Syria 2017
- Revised Budget ILAC Syria Programme 2018
- Rationale Revised Syria Programme Budget 2018
- Revised Budget ILAC Syria Programme 2019-2020
- ILAC Financial Report 2018-2019
- ILAC Financial Report Cuba 2019
- ILAC Financial Report Syria 2018
- ILAC Financial Report Syria 2019
- ILAC Financial Report MENA 2019-2020
- ILAC MENA Programme Annex 1 Financial Report 2018-2019
- ILAC Financial Report Cuba 2018

#### Workplans

- ILAC Workplan 2017
- ILAC Workplan 2020
- ILAC Workplan 2021
- ILAC Workplan Six Months 2017
- ILAC Syria Programme Workplan 2018
- ILAC Syria Programme Revised Workplan 2019-2020
- Planning documents/concepts/work plans for assessments and legal analysis

#### Other documents

- Summary of ILAC civil documentation seminar, January 2020, incl. future plans
- Assessment reports within the relevant time frame
- 1. CAR and Syria 2017 in order to understand activities after
  - o 2018 Assessment of the Administrative tribunal in Tunisia
  - o ILAC Rule of Law Assessment Report: Guatemala (2018)
  - o Judges as Peace Builders: How justice sector reform can support prevention in transitional settings (2018)
  - o Still looking for justice (Liberia assessment, 2019)
  - o A Window of Opportunity (Guatemala assessment, 2019)
- Documentation/follow on reports from policy dialogue
  - o Policy briefs on SDGs, Guatemala, and Palestine. ILAC-SIPRI forum publications
  - o Documentation from workshops or seminars from launch of policy briefs
- Documentation on ILAC methodology or methodology process
- Summaries from general annual meetings within the timeframe

#### From ILAC Website:

- Policy briefs
- Blogs
- Discussion Papers
- Latest News

## Annex 5 – List of interviewees

NAME	POSITION	ORGANISATION	DATE OF INTERVIEW
Helena de Medeiros	Programme Manager/Specialist Unit for Peace and Human Security	Sida	
Helena Bådagård	previous Programme specialist at the Unit for Peace and Human Security,	Embassy of Sweden in Addis Ababa.	291020
Kim Zander	Programme specialist at the,	Embassy of Sweden in Amman	031220
Hamzeh Yasin	Programme manager is	Embassy of Sweden in Amman,	031220
Fredrik Westerholm	Programme specialist	the Embassy of Sweden in Beirut	151220
Helen Belcastro	Previous manager ILAC Syria programme	the Embassy of Sweden in Beirut	151220
Ulrika Josefsson	Head of Development Cooperation	Embassy of Sweden to Lebanon and Syria.	
Marcela Lizana	Senior Policy Specialist at the EUROLATIN department,	Sida	07122020
Michael Andrade	Programme Manager	Embassy of Sweden to Guatemala	14012021
Anders Kompass	Former Ambassador to Guatemala	MFA	05012021
<b>ILAC Secretariat</b>			
Agneta Johansson	Executive Director	ILAC	11122020
Shane Quinn	Former Director of Programmes	ILAC	231020/ 071220/ 151220
Olof Sjögren	Director of Finance	ILAC	09122020
Richard Sannerholm joint with ILAC	Director of Operations	ILAC	171120/ 271120



colleagues (introduction)			
Ulrika Nilsson	Programme Manager	ILAC	0112020
<u>Amina El Mahdhi</u>	<u>Programme Manager</u>	ILAC	080121
<u>Lauren McIntoch</u>	<u>Programme Manager/Legal Adviser</u>	ILAC	17122020
Ylva Hartman	Legal Advisor ILAC	ILAC	080121
Guro Wiik	<u>Programme Adviser</u>	ILAC	09 12 20
Mikael Ekman	<u>Senior Legal Adviser</u>	ILAC	111220
Patrick Hartwig	<u>Programme Manager</u>	ILAC	08122020
<b>ILAC Governing Board</b>			
Elizabeth Howe	President	ILAC	08122020
Christopher Lehman	Board Member	ILAC	3122020
Nina Lahoud	Board Member	ILAC	14122020
Rolf Ring	Treasurer	ILAC	09122020
<b>ILAC Advisory Council</b>			
Sanjeewa Liyanage		International Bridges for Justice	151220
Lizzette Robleto de Howarth	Assessment expert, Guatemala	Law Society of England and Wales	141220
Jaime Chavez Alor	Assessment expert Guatemala	Vance Center	18122020
Marie-Claude Jean- Baptiste	Assessment expert CAR, AC rapporteur for Haiti	Vance Center	22122020
Karin Mathis	Former President of the American Bar Association	ABA	21122020
<b>Others</b>			
Lisa Hellström	Consultant	Independent	20112020
Karin Mathis	Former President of ABA	ABA	
Keith Raynor, Judge, UK	Expert, 2017 Syria assessment		08122020
Cecilia Karlstedt	Advisor to ILAC	Independent	02122020
MFA Per Örneus	Retired Ambassador	MFA	25112020

## Annex 6 – Stakeholder analysis

Who (stakeholders, disaggregated as appropriate) Consider adding email address if you know this.	What (their role in the intervention)	Why (purpose of involvement in the evaluation)	Priority (how important to be part of the evaluation process)	When (stage of the evaluation to engage them)	How (ways and capacities in which stakeholders will participate) Include data source that they will participate in (Interview, Survey)	Comments for Selection and approach Yellow= first priority Contribution = what can we collection from them ? Interpretation needed = *
Individuals/organisations who can respond to ILAC's results towards its strategic plan with a focus on the core grant (assessment/policy dialogue plus bilateral cooperation)						
<b>Sida</b>						
Helena de Medeiros Programma Manager/Specialist Unit for Peace and Human Security Sida <a href="mailto:helena.de.medeiros@sida.se">helena.de.medeiros@sida.se</a>	Management	Empower/ Manage	High	Throughout the evaluation	Client/Managing evaluation Informant Support throughout the evaluation IR, draft and final reports and briefings	

<p><b>Helena Bådagård</b> – previous Programme specialist at the Unit for Peace and Human Security, responsible for the contribution to ILAC. Now working at the Embassy of Sweden in Addis Ababa.  <a href="mailto:Helena.badagard@gov.se">Helena.badagard@gov.se</a></p> <p><b>Kim Zander</b>, Programme specialist at the Embassy of Sweden in Amman, managing ILAC MENA programme <a href="mailto:kim.zander@gov.se">kim.zander@gov.se</a>. The new programme manager is Hamzeh Yasin. <a href="mailto:Hamzeh.yasin@gov.se">Hamzeh.yasin@gov.se</a></p> <p><b>Fredrik Westerholm</b>, Programme specialist at the Embassy of Sweden in Beirut, managed ILAC Syria programme earlier) + <b>Helen Belcastro</b>  <a href="mailto:Fredrik.westerholm@gov.se">Fredrik.westerholm@gov.se</a></p> <p>Ulrika Josefsson, Head of Development Cooperation at Embassy of Sweden to Lebanon and Syria. (referred to <b>Fredrik &amp; Helen</b>)  <a href="mailto:Ulrika.josefsson@gov.se">Ulrika.josefsson@gov.se</a></p> <p><b>Marcela Lizana</b>, Senior Policy Specialist at the EUROLATIN department, managing ILAC Cuba programme  <a href="#">Guatemala</a>  <a href="#">Michael Andrade ( Sida ) 2021</a>  <a href="#">Ambassador Anders Kompass ( 2021)</a>  <a href="#">Two additional names ( Rickard )</a></p>					<p>Interview Interview</p>	<p>All Sida people have been invited</p>
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ILAC Secretariat	Project management	Empower/ Manage	High	Throughout the evaluation, data collection, approval of all reports	Client/Managing evaluation Informant Support throughout the evaluation	
Shane Quinn, Director of Programmes <a href="mailto:shane.quinn@ilac.se">shane.quinn@ilac.se</a> Agneta Johansson, Executive Director <a href="mailto:agneta.johansson@ilac.se">agneta.johansson@ilac.se</a> Olof Sjögren, Director of Finance <a href="mailto:olof.sjogren@ilac.se">olof.sjogren@ilac.se</a> Richard Sannerholm, incoming Director of Operations, <a href="mailto:Richard.sannerholm@ilac.se">Richard.sannerholm@ilac.se</a> Ulrika Nilsson, Programme Manager <a href="mailto:ulrika.nilsson@ilac.se">ulrika.nilsson@ilac.se</a> Amina El Mahdhi, Programme Manager <a href="mailto:amina.mahdhi@ilac.se">amina.mahdhi@ilac.se</a> (current Syria programme) Lauren McIntoch, Programme Manager/Legal Adviser <a href="mailto:Lauren.mcintoch@ilac.se">Lauren.mcintoch@ilac.se</a> Guatemala Guro Wiik, Programme Adviser <a href="mailto:guro.wiik@ilac.se">guro.wiik@ilac.se</a> Mikael Ekman, Senior Legal Adviser <a href="mailto:Mikael.ekman@ilac.se">Mikael.ekman@ilac.se</a>	Different roles in Managing the grant	Empower/ Manage	High	Throughout the evaluation Data collection and reports	Informant Audience throughout the evaluation      Interview Interview Interview Interview	All invited

<u>Patrick ( MENA, programme )</u> Hortman (recent since April 2020). Start up in Yemen, MENA						
Governing Board	ILAC stakeholder in core grant	Empower/Contribute	High	Data collection and reports	Informant Audience throughout the evaluation	
Elizabeth Howe, President <a href="mailto:elizabeth.howe@ilacnet.org">elizabeth.howe@ilacnet.org</a> Christopher Lehman (CEELI Institute - Prague) <a href="mailto:Christopher.Lehmann@ceeli.eu">Christopher.Lehmann@ceeli.eu</a> Kimitoshi Yabuki (Lawyer - Tokyo) <a href="mailto:k.yabuki@yabukilaw.jp">k.yabuki@yabukilaw.jp</a> Nina Lahoud (long time UN, retired - NYC) <a href="mailto:nina.lahoud@gmail.com">nina.lahoud@gmail.com</a> Raji Sourani (Palestinian Centre for Human Rights – Gaza) <a href="mailto:rajisourani@gmail.com">rajisourani@gmail.com</a> Rolf Ring (Raoul Wallenberg Institute of Human Rights and Humanitarian Law) – ILAC Treasurer <a href="mailto:rolf.ring@rwi.lu.se">rolf.ring@rwi.lu.se</a>			High Others TBD			All yellow marked Board members invited
Advisory Council	ILAC stakeholder in core grant	Empower/Contribute	High TBD	Data collection and reports	Informant Audience throughout the evaluation	Introductions needed for yellow markings

Angela Conway or Karen Matthis, ABA ROLI <a href="mailto:Angela.Conway@americanbar.org">Angela.Conway@americanbar.org</a> Talking to Maha SHomali			High			
Paul Williams, Public International Law and Policy Group <a href="mailto:pwilliams@pilpg.org">pwilliams@pilpg.org</a> catch up effect end of current strategy	AC rapporteur for Yemen					
Sanjeewa Liyanage, International Bridges for Justice <a href="mailto:sliyanage@ibj.org">sliyanage@ibj.org</a> spoke to Andrew Ozanian						
Marek Svoboda, CEELI Institute <a href="mailto:Marek.Svoboda@ceeli.eu">Marek.Svoboda@ceeli.eu</a> (Chris can cover)						
Lizzette Robleto de Howarth, Law Society of England and Wales <a href="mailto:Lizzette.RobletoHowarth@lawsociety.org.uk">Lizzette.RobletoHowarth@lawsociety.org.uk</a>	Assessment expert, Guatemala					Case
Anne Ramberg, IBA Human Rights Institute Head of S Bar ( Cuba)			medium			
Violaine Autheman, NCSC <a href="mailto:vautheman@ncsc.org">vautheman@ncsc.org</a> Tunisia, MENA court admin			medium			
Jaime Chavez Alor, Vance Center <a href="mailto:JChavezAlor@nycbar.org">JChavezAlor@nycbar.org</a>	Assessment expert, Guatemala,					Case

	Covid19 in MENA					
Marie-Claude Jean-Baptiste, Vance Center <a href="mailto:mjeanbaptiste@nycbar.org">mjeanbaptiste@nycbar.org</a>	Assessment expert CAR, AC rapporteur for Haiti		Medium			
Sareta Ashraph <a href="mailto:sjashraph@gmail.com">sjashraph@gmail.com</a> Syria assessment						Case study
Organisations/ individuals who contribute and enable ILAC to implement assessments and programmes in country/region						
<b>Partners in country</b>						
MENA Violaine Autheman, NCSC AC <a href="mailto:vautheman@ncsc.org">vautheman@ncsc.org</a> Phil Chambers, IBAHRI meeting scheduled Programme lawyer: meeting scheduled <a href="mailto:Phil.Chambers@int-bar.org">Phil.Chambers@int-bar.org</a> Amelie Sallfors, RWI <a href="mailto:Amelie.sallfors@rwi.lu.se">Amelie.sallfors@rwi.lu.se</a> Angela Conway, ABA ROLI AC <a href="mailto:Angela.Conway@americanbar.org">Angela.Conway@americanbar.org</a> speaking with someone else Brett Edwards, PILPG <a href="mailto:bedwards@pilpg.org">bedwards@pilpg.org</a>	Partner	Empower/ Contribute	High	Informant Audience Data collection and reports	Survey	Note color Advisory Council
Syria Phil Chambers, IBAHRI speaking this week	Partner	Empower/ Contribute	High		Survey “	Case study



<a href="mailto:Phil.chambers@int-bar.org">Phil.chambers@int-bar.org</a>  Marek Svoboda, CEELI <a href="mailto:Marek.svoboda@ceeli.eu">Marek.svoboda@ceeli.eu</a>  Andrew Ozanian <a href="mailto:Aozanian@ibj.org">Aozanian@ibj.org</a> (Both Sida and GiZ )  Maha Shomali <a href="mailto:Maha.shomali@abaroli.org">Maha.shomali@abaroli.org</a> <u>Dep Director (Jordan) waiting for her to respond</u>  Amelie Sallfors <a href="mailto:Amelie.sallfors@rwi.lu.se">Amelie.sallfors@rwi.lu.se</a> <u>Across programmes</u>  Conor Foley, independent evaluator <a href="mailto:Conorfoley30@hotmail.com">Conorfoley30@hotmail.com</a>					“  “  “  Interview	
Cuba Carlos Dominguez, IBA <a href="mailto:cdominguez@lega.law">cdominguez@lega.law</a> Training ( not sensitive) David Eile, RWI <a href="mailto:david.eile@rwi.lu.se">david.eile@rwi.lu.se</a>	Partner	Empower/ Contribute	High		Survey	ILAC ? security

Jaime Chavez Alor, Vance Center <a href="mailto:JChavezAlor@nycbar.org">JChavezAlor@nycbar.org</a> Training						
Guatemala Jaime Chavez Alor, Vance Center <a href="mailto:JChavezAlor@nycbar.org">JChavezAlor@nycbar.org</a> Lizzette Robleto de Howarth, The Law Society DONE <a href="mailto:Lizzette.RobletodeHowarth@lawsociety.org.uk">Lizzette.RobletodeHowarth@lawsociety.org.uk</a>  Angela Conway, ABA ROLI <a href="mailto:Angela.Conway@americanbar.org">Angela.Conway@americanbar.org</a> see above Lisa Hellström <lisamee72@hotmail.com>	Partner	Empower/ Contribute	High		Survey	
Other	Partner	Empower/ Contribute	High		Survey	Completed
Karin mathis, Former President of ABA Assessment contributors other than above						
Keith Raynor, judge, UK DONE <a href="mailto:HHJ.Keith.Raynor@ejudiciary.net">HHJ.Keith.Raynor@ejudiciary.net</a>	Expert, 2017 Syria assessment	Contribute	Medium	Data collection and reports	Informant Audience Survey	Case study ?
Timothy Meyer, lawyer, Senior Programme Manager, ABA-ROLI Africa Division SEE ABOVE	Expert, Liberia assessment	Contribute	Medium			
Stefan von Reimer, lawyer, German Bar Association	Expert, 2017 Syria	Contribute	Medium			

<a href="mailto:stefan.von.raumer@icloud.com">stefan.von.raumer@icloud.com</a>  (possible alternative Anna Gilsbach, lawyer, German Bar Association and expert in Liberia assessment) <a href="mailto:gilsbach@dka-kanzlei.de">gilsbach@dka-kanzlei.de</a> / <a href="mailto:mail@rain-gilsbach.de">mail@rain-gilsbach.de</a>	assessment and Syria HLP					
Bill Meyer, lawyer, former ILAC president <a href="mailto:Meyer@hcboulder.com">Meyer@hcboulder.com</a>	Expert in numerous assessments	Contribute	High/Medium			
Alvaro Montenegro, Alianza por las Reformas <a href="mailto:alvaricokn@gmail.com">alvaricokn@gmail.com</a> Judge Carlos Ruano, President <a href="mailto:rpcgiovanni@hotmail.com">rpcgiovanni@hotmail.com</a>	Civil society leader on justice sector reform in Guatemala President of the Association of Guatemalan Judges for Integrity (AGJI)		High			Case study Needs introduction Interpretation ? Survey ?
Judge Domagoj Frntic Also, Tunisia Consortium as a mechanism	CEELI Institute Expert in		High/Medium			Case study

	analysis and policy dialogue initiatives in Palestine					
Policy dialogue contributors other than the above		Empower/Contribute	High	Data collection and reports	Informant Audience Interview	
Dr Suyoun Jang, SIPRI  SDG 16 David Stevens	Co-authored paper with ILAC after 2017 SIPRI Forum					Case study Introduction
? Paul Fisher			High			Add details
Sector stakeholders in each context						
Ministries (Justice, Interior, Foreign Affairs, Development, Gender, Youth...) Liberia Guatemala	Informed stakeholder in ILAC's programmes Beneficiary	Empower/Contribute	High	Data collection and reports	Informant Audience Survey	ILAC to provide plus introduction Survey Focussed plus few individuals for interview
Relevant national programmes/ projects (donor support & other)	Informed stakeholder in ILAC's programmes	Empower/Contribute	High	Data collection and reports	Informant Audience Survey	

## ANNEX 6 – STAKEHOLDER ANALYSIS

Judiciary, prosecutors, judicial councils, training institutes, Leadership of Tunisian Administrative Tribunal	Informed stakeholder in ILAC's programmes Beneficiary Partner	Empower/Contribute	High	Data collection and reports	Informant Audience Survey	
Lawyers, Bar Associations, Legal Aid Tunisian Bar Association International Cooperation Focal Point	Informed stakeholder in ILAC's programmes Beneficiary Partner	Empower/Contribute	High	Data collection and reports	Informant Audience Survey	
NHRI, other oversight institutions Libya	Informed stakeholder in ILAC's programmes Beneficiary	Empower/Contribute	Medium	Data collection and reports	Informant Audience Survey	
CSOs specialised in justice/ rule of law/ human rights Shawan Jabarin, Executive Director, Al Haq, Ramallah (Palestinian HR organisation) <a href="mailto:shawan@alhaq.org">shawan@alhaq.org</a>		Empower/Contribute	High	Data collection and reports	Informant Audience Survey	Survey ILAC add plus team
Organisations other than the partners who benefit from ILAC's interventions						
UN missions in country: UNDP, UNODC, UN Peacekeeping (OROLSI ? Rob ) , UN Women, UNICEF, other national missions.	Informed stakeholder in ILAC's programmes	Empower/Contribute	High	Data collection and reports	Informant Audience Interview	Case studies Survey ILAC provide names

<p>Seynabou Dia, OHCHR, Tunisia <a href="mailto:sdia@ohchr.org">sdia@ohchr.org</a></p> <p>Corrado Quinto, Chief Technical Advisor, Justice and Human Rights, UNDP Tunisia D. Christopher Decker, Joint Programme Manager, UNDP Ramallah, <a href="mailto:chris.decker@undp.org">chris.decker@undp.org</a></p> <p><u>Liberia Global Focal Point</u> <u>CAR</u></p>	Beneficiary					
<p>G 7+ Secretariat Habib</p> <p>Helder da Costa General Secretary <a href="mailto:hdacosta@mof.gov.tl">hdacosta@mof.gov.tl</a> / <a href="mailto:helcosta@yahoo.com">helcosta@yahoo.com</a></p>	Informed stakeholder in ILAC's programmes Beneficiary	Empower/ Contribute	High	Data collection and reports	Informant Audience Interview	ILAC introduction
<p>Folke Bernadotte Academy Rhodri Williams. <a href="mailto:Rhodri.Williams@fba.se">Rhodri.Williams@fba.se</a> (former colleague)</p>	Partner	Empower/ Contribute	High	Data collection and reports	Informant Audience Interview	No intro
Global ROL Focal Point – DPPA/UNDP					interview	Case studies Double check Caty Thompon ILAC
Persons who are contributing to ILAC's organisational development						

Cecilia Karlstedt	Advisor to ILAC	Contribute	High	Data collection	Informant Audience Interview	Completed
Other interest groups who are not directly participating in the intervention but relevant						
MFA Sweden Both relevant country desks and senior diplomatic corps including department for public international law	Informed stakeholder in ILAC's programmes and assessments and policy dialogue	Contribute	High	Data collection	Informant Audience Interview	ILAC to suggest Guatemala?
MFA Per Örneus <a href="mailto:per.orneus@gov.se">per.orneus@gov.se</a>	Knows ILAC from the time that the MFA funded ILAC	Contribute	High	Data collection	Informant Audience Interview	Completed
European Union Delegations (projects/programmes) Timothy Baines, Attaché, EU Delegation Tunisia	Informed stakeholder in ILAC's programmes	Contribute	Low	Data collection	Informant Audience Interview	
Development partners & cooperation agencies (diplomatic missions/ agencies (DFID, Danida....)) Jason Tulk, Counsellor (Head of Cooperation), Representative Office of Canada to the Palestinian Authority	Informed stakeholder in ILAC's programmes	Contribute	Medium  LOW	Data collection	Informant Audience Interview	ILAC check on case study names

<a href="mailto:jason.tulk@international.gc.ca">jason.tulk@international.gc.ca</a>						
International Development Law Organisation	International RoL/ justice sector stakeholder	Contribute	Medium	Data collection	Informant Audience Interview	Team contacts
International Commission of Jurists (Member ) Mak Pollard <a href="mailto:Matt.Pollard@icj.org">Matt.Pollard@icj.org</a>	International RoL/ justice sector stakeholder		Medium			ILAC
EuroMed Justice (EU regional programme)	International RoL/ justice sector stakeholder	Contribute	Medium	Data collection	Informant Audience Interview	Team contacts
Overseas Development institute <a href="mailto:P.domingo@odi.org.uk">P.domingo@odi.org.uk</a> Executive Director Pilar Domingo, Overseas Development Institute Veronica Taylor, professor, REGNET, ANU <a href="mailto:veronica.taylor@anu.edu.au">veronica.taylor@anu.edu.au</a>	Snr researcher		High		Survey	ILAC suggest
Hague Institute for Innovation of Law Executive Director Sam Muller			High			
Academics who can comment on ILAC's performance						



Professor Mark Klamberg, Stockholm University Faculty of law <a href="mailto:Mark.Klamberg@juridicum.su.se">Mark.Klamberg@juridicum.su.se</a>			low			
Other						All for triangulation
Sweden's permanent mission to the UN (hosting ILAC ) on various topics.						All for triangulation

## Annex 7 – Outputs contributing to strategic outcomes

The objectives and expected results of the Care Activities are:

1. The capacity of justice sector institutions, bar associations and their members to address public demands for accountability and justice in accordance with international standards, is enhanced.
2. International policy and practice in rule of law reform has been influenced.
3. Internal ILAC systems and capacities for demand-driven, flexible, and coherent operations are further developed, and synergies within the membership to better capitalise on cutting-edge expertise are improved.

	1.1	1.2	2.1	2018 (ILAC will revised the results framework so reporting is not always possible against the targets) Each column reports on all Strategic Outcomes (SO)	2019 New targets and indicators were developed and or replaced others. New are four at the end of the table	2020 (elements taken from ILAC's 2021 workplan which looks back at achievements 2020) <sup>50</sup>
<b>Strategic Outcomes (3 out</b>	<b>ILAC programmes contribute to</b>	<b>ILAC assessments contribute to</b>	<b>2.1. ILAC policy dialogue,</b>			

<sup>50</sup> ILAC Annex A, Workplan 2021 (no date)

of 5 have most core funding)	increased capacity, performance and integrity of courts, prosecutors' offices, bar associations or embryos of justice structures	international community and national governments or other national actors being better equipped to develop strategies to address needs and priorities to rebuild justice systems	research, and lessons learned contribute to the achievement of SDG16+ as well as relevant political processes led by UN agencies and other rule of law policy makers			
	<b>TARGETS</b>	<b>TARGETS</b>	<b>TARGETS</b>			<b>2020</b>
	1. Degree to which internal/external reviews and/or programme evaluations demonstrate the successful achievement of results in accordance with work plans and results frameworks.	1. Number of relevant ILAC country assessments, and thematic assessments completed.  <b>Target:</b> 1. At least 7 assessments completed.  2. At least five	1. Degree to which ILAC's systematic analysis of results and lessons learned informs its engagement with external actors and its contribution to Policy Dialogue.  <b>Target:</b> 1. 80% of external	No concrete reporting on 1.1 SO= 1.2 During 2018, two assessment reports were conducted and/or Finalised Guatemala and Tunisia  Three assessments (Tunisia, Guatemala and Syria) were used	Haiti postponed. Second visit and report on Guatemala Liberia assessment Palestine assessment: judicial independence	Publication of an extensive set of reports on key challenges notably on the backsliding of democracy and rule of law with a particular focus on the judiciary.  <b>Assessments:</b> ILAC undertook two larger rule of law assessments in Latin America. For

	<p><b>Target:</b></p> <p>1. ILAC monitors and demonstrates successful results across 80% of our programmes.</p> <p>2. ILAC 100% adapts its work plans and results frameworks in response to unforeseen challenges or changes in context.</p>	assessments are used by actors relevant to rule of law reform in the given context.	engagement based on ILAC lessons learned and results analysis.		Syria assessment: housing, land and property rights	Guatemala, the “The Window of Opportunity”, a report examines the state of Guatemala’s justice sector since the publication of ILAC’s rule of law assessment report on the Guatemalan justice sector in May 2018. Another report, “Justice in the time of COVID-19”, provides a comprehensive review on the impact of the pandemic on the rule of law in Latin America and the Caribbean.
	<p><b>2. Degree to which the programmes address the needs of women and men equally.</b></p> <p><b>Target:</b></p>	<b>2. Number of well-executed and monitored report-dissemination and follow-up strategies that highlight and promote local</b>	<b>2. Number of substantive joint ventures with Rule of Law policy makers.</b>	SO= 1.2 Two dissemination strategies (Tunisia and Guatemala)		2 Furthermore, ILAC embarked on three new projects aiming to assess the capacity of key justice institutions in the countries ILAC has

	<p>1. ILAC 100% follows its gender policies for programme analysis, planning, implementation and M&amp;E.</p> <p>2. ILAC monitors and is 100% responsive to locally identified needs and gender disparities.</p>	<p><b>ownership and international coordination.</b></p> <p><b>Target:</b></p> <p>1. Each implemented assessment includes a clear and effective dissemination strategy that is successfully implemented.</p> <p>2. ILAC reports monitored and evaluated based on locally driven priorities and in line with international engagement.</p>	<p><b>Target:</b></p> <p>1. Three semi-formalised partnerships (e.g. based on an MoU) with international or regional groups that influence rule of law policy and/or practice.</p> <p>2. At least ten joint activities (seminars, trainings, joint papers, high-level discussions) with colleague organisations on rule of law policy and/or practice relevant to ILAC's strategy</p>	<p>Interaction with g7+ and Pathfinders (SDG16)</p> <p>2.1 Increase membership. Plus partner with Pathfinders, SIPRI and g7+</p> <p>8 joint ventures</p>		<p>had long-term programme engagement with, including Syria and Cuba, and a regional study where ILAC is looking into how the COVID-19 pandemic has affected people's access to justice in Tunisia, Palestine, and Libya, to shed light on how national as well as international actors can support institutions to adapt to new realities and foster better preparedness for potential future abruptsions.</p>
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	<p><b>3. Number of new programmatic initiatives based on ILAC assessments explored and/or launched.</b></p> <p>1. At least five initiatives explored and/or launched.</p>	<p><b>3. Level of local ownership and receptivity to ILAC report recommendation(s).</b></p> <p><b>Target:</b></p> <p>1. At least 2 local activities per assessment highlighting report recommendations and findings.</p> <p>2. At least one recommendation per ILAC report is highlighted as relevant by local stakeholders in their project activities.</p>	<p><b>3. Number of cases in which ILAC’s recommendations, research and lessons learned are reflected in Rule of Law policies, standards and guidelines.</b></p> <p><b>Target:</b></p> <p>1. At least five ILAC recommendations are included in planning and policy documents for rule of law projects and/or other development initiatives.</p> <p>2. At least five ILAC recommendations</p>	<p>SO= 1.2 Relevant Activities in Tunisia and Syria</p> <p>Several recommendations acted upon in Tunisia and Syria.</p> <p>SO= 2.1</p> <p>Tunisia: may recommendations followed</p>		<p>3: a Preliminary findings from the study COVID-19 Middle East and North Africa formed the basis of ILAC’s contribution to ILAC member Word Justice Project’s World Justice Challenge 2021, on “Accountable Governance and the COVID-19 Pandemic: Recommendations for Action”.</p> <p>3b discussion paper on HLP in Syria was published at the end of the year, concluding a series of workshops implemented under ILAC’s Sida funded Syria programme. A scoping report was also initiated during</p>
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			and/or lessons learned are reflected in reports, conference conclusions, and/or policies by global or regional organisations.			2020 as part of Sida-funded research on the justice system in that country. 3c. In conjunction with the two assessments undertaken in Guatemala in 2020, ILAC also published two shorter policy briefs on timely rule of law topics in Guatemala, and organised online webinars, with and for high level national and international legal to facilitate discussions and generate exchange of knowledge and experiences.
	<b>4. ILAC's internal programmatic tools, templates and documents reflect</b>		<b>4. Number of cases in which ILAC provides expertise in public</b>	5 cases	Lessons learned on Syria (evaluation): improve	<b>Partnership with</b> World Justice Project. A key component of this partnership is to

	<p><b>increased knowledge and conscious application of lessons learned with regards to conflict and gender sensitivity, results management and Rule of Law in transitional, fragile and conflict affected settings</b></p> <p><b>Target:</b>  1. ILAC's programmes implement and follow developed tools, policies and templates to 100%.  2. Increased understanding of conflict and gender sensitivity, and results based management shown</p>		<p><b>seminars and expert groups.</b></p> <p><b>Target:</b>  1. At least 20 cases.</p>		<p>methodology and continue with convening dialogue.  Lessons learned: continuing to ensure that assessments and programmes are more closely aligned in terms of thematic and country focus, new programmes are bolstered by a rigorous legal and political, economy analysis and the link from programmes to policy is more effective and process-oriented.</p>	<p>jointly develop a pilot that will explore how lower-level data at institutional and community levels, generated to build the Rule of Law Index, could be made available for rule of law practitioners,</p>
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## ANNEX 7 – OUTPUTS CONTRIBUTING TO STRATEGIC OUTCOMES

	through proper application across all ILAC activities and reports.					
2019 additional						
<b>Enhance the quality of ILAC's assessments</b> Take further measures to improve our assessment methodology, including the development of a guide to ILAC justice assessments. Closely follow the routines for knowledge management from our programmes and assessments, in cooperation with our members.					Methodology guide revised.	

<b>Strengthen ILAC's thematic expertise</b> Mobilise expertise within membership and engage with national stakeholders on issues relating to customary justice, housing land and property, independence of the judiciary in closing space environments, and promotion of justice goals in the New Deal and SDG16+. Broader engagement with civil society organisations in national settings.					Working with ODI  Continue follow up with partners from 2018	
<b>Develop ILAC's Fundraising capabilities</b>					Contact with several European donors. GIZ	Diversifying our funding portfolio remains one of

Identify fundraising goals and develop engagement strategies for sovereign donors, foundations and private sector partners. Fundraising is undertaken in close cooperation with the Board of Directors, our Advisory Council and members.					proposal, joint work with ABA	ILAC's top priorities for 2021. Last year we began a pilot project funded by GIZ focusing on housing, land, and property rights in Syria. The project builds on the work initiated under the Sida-funded Syria programme, and will run for one year. We will begin a discussion with GIZ on the possibility of a second phase, to scale up the project to other geographical areas of the country. ILAC was also granted SEK 1.7 million from the Folke Bernadotte Academy, for a one-year project aiming to support rule of law and the evolvement of
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						<p>peaceful societies in Latin America (Guatemala, Colombia, and Mexico), through strengthening independence of the judiciary and to push back against corruption in the region. The project, “Judges as Peacebuilders”, beginning in March, is informed by ILAC’s recent assessments and roundtable discussion with justice actors in Guatemala and the region. We have also led the work on a call for proposals issued by the European Instrument for Democracy and Human Rights</p>
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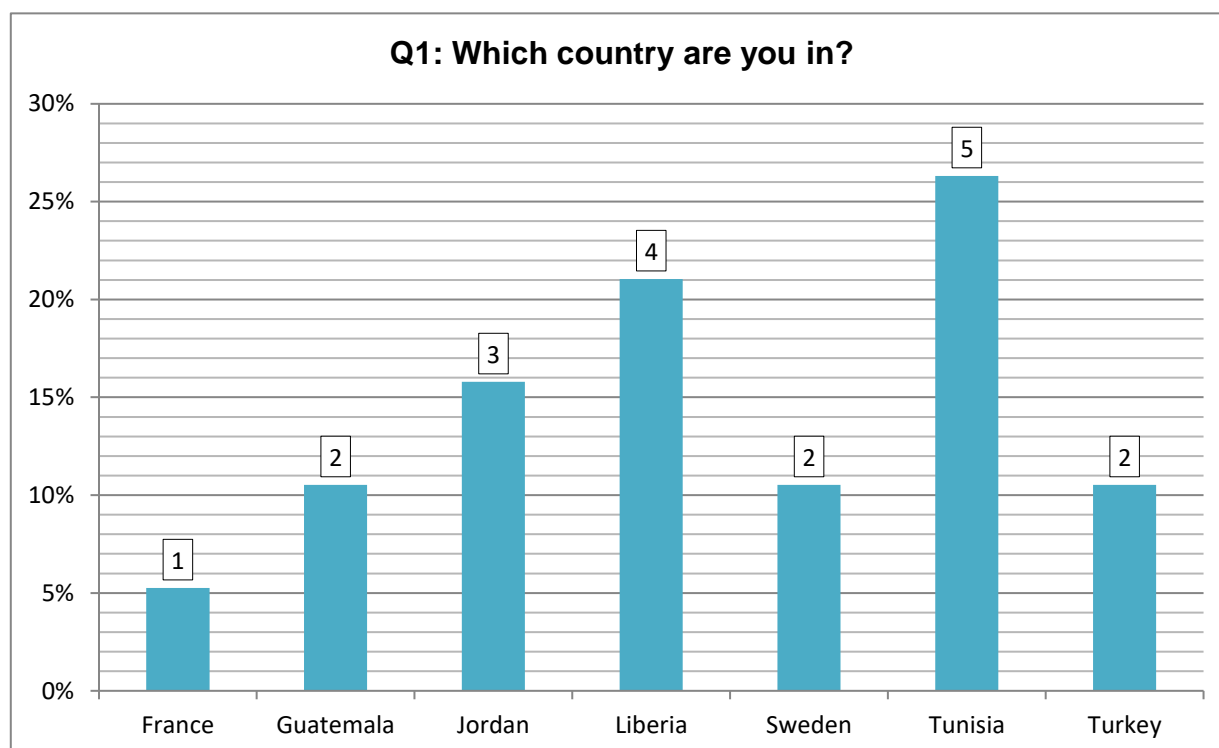
## ANNEX 7 – OUTPUTS CONTRIBUTING TO STRATEGIC OUTCOMES

						(EIDHR). The submitted proposal focuses on strengthening civil society to uphold rule of law, human rights and democracy in Tunisia, Palestine, and Libya, together with six ILAC members and in partnership with two local organisations. Preliminary decisions from EIDHR are expected in February. For 2021, ILAC is also a co-applicant in two proposed projects in Tunisia and Algeria, issued by the U.S. State Department Bureau for Democracy, Human Rights, and Labour.
<b>Further develop ILAC's</b>					5 policy briefs 5 blogs	Continuous blogs and policy briefs

<b>engagement in policy dialogue</b> Systematic review of our points of contacts at key agencies (UN, EU, IDLO, etc). Bring lessons from programmes and assessments to bear on discussions on New Deal and SDG16+. Continue efforts to improve our communications products, particularly regarding impact storytelling, the website and social media.					Entry points at various organisations New website	
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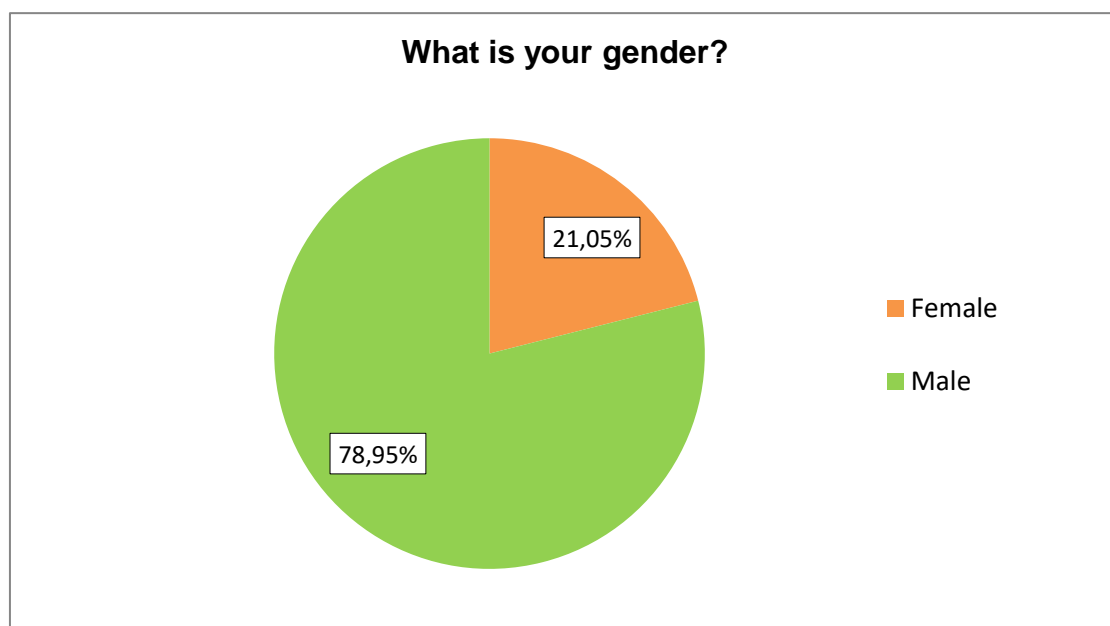
## Annex 8 – Survey results

Question 1: Which country are you in?



Answer Choices	Responses	Frequency
France	5,26%	1
Guatemala	10,53%	2
Jordan	15,79%	3
Liberia	21,05%	4
Sweden	10,53%	2
Tunisia	26,32%	5
Turkey	10,53%	2
<b>Answered</b>		<b>19</b>
<b>Skipped</b>		<b>0</b>

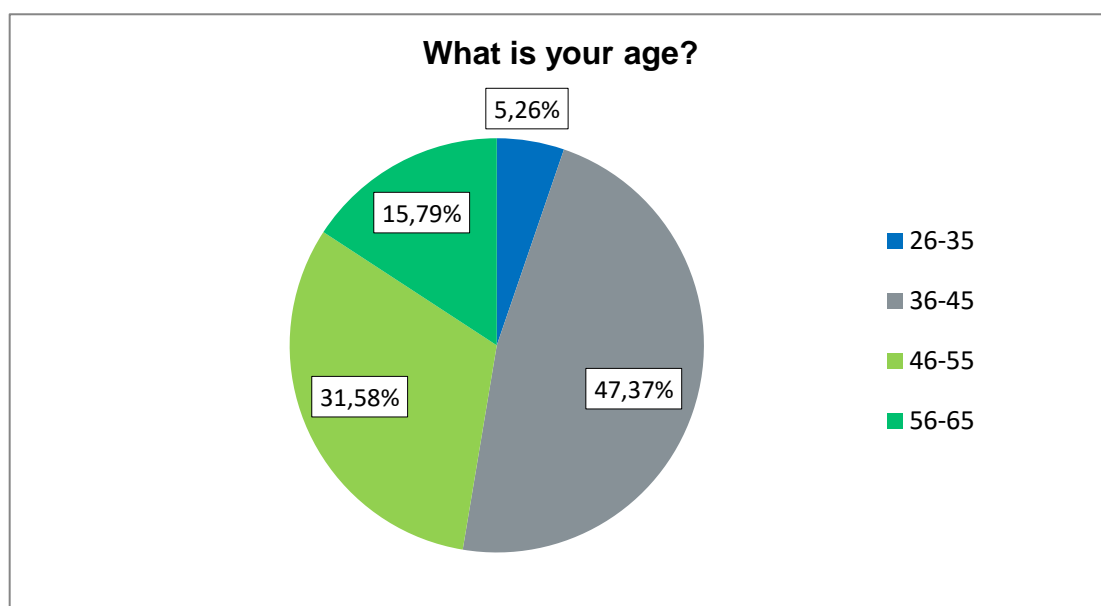
Question 2: What is your gender?



Answer Choices	Responses	Frequency
Female	21,05%	4
Male	78,95%	15
Other	0,00%	0
Prefer not to say	0,00%	0
	<b>Answered</b>	<b>19</b>
	<b>Skipped</b>	<b>0</b>

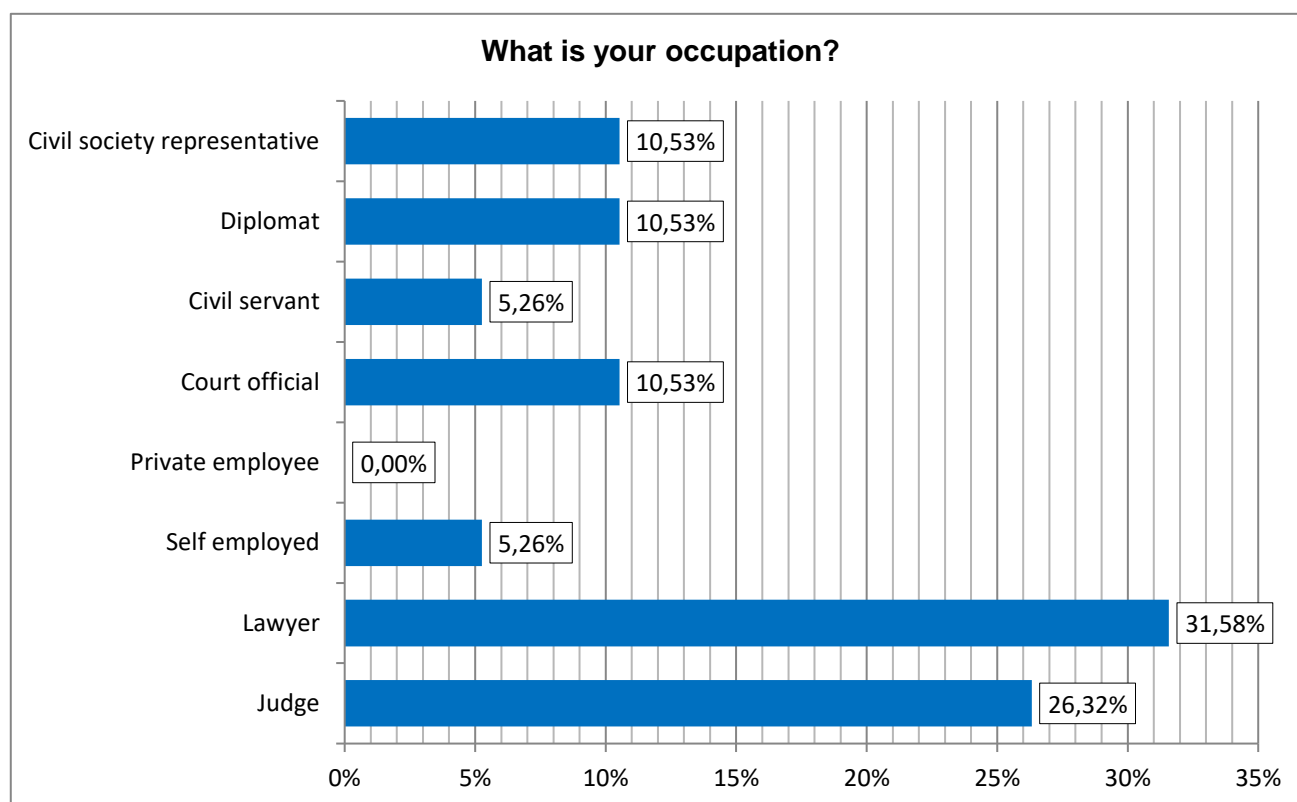


Question 3: What is your age?



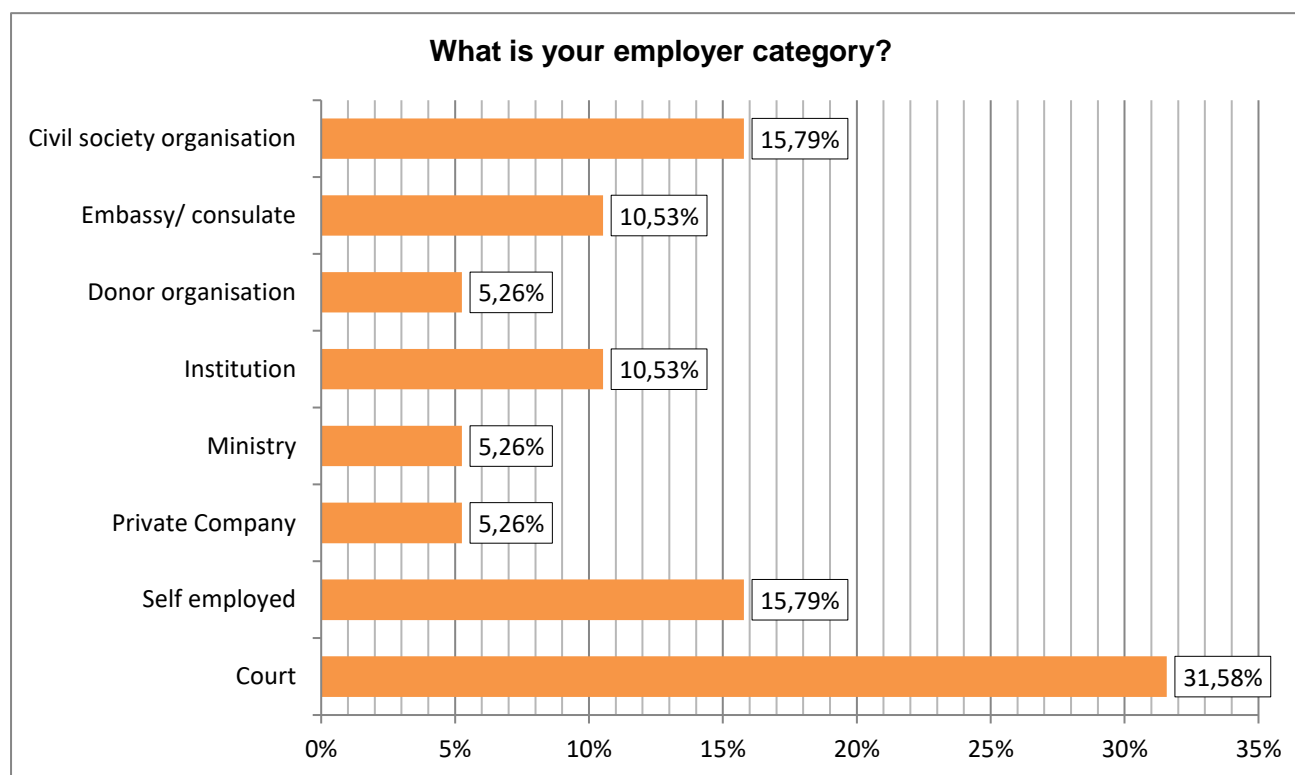
Answer Choices	Responses	Frequency
18-25	0,00%	0
26-35	5,26%	1
36-45	47,37%	9
46-55	31,58%	6
56-65	15,79%	3
Over 65	0,00%	0
Prefer not to say	0,00%	0
	<b>Answered</b>	<b>19</b>
	<b>Skipped</b>	<b>0</b>

## Question 4: What is your occupation?



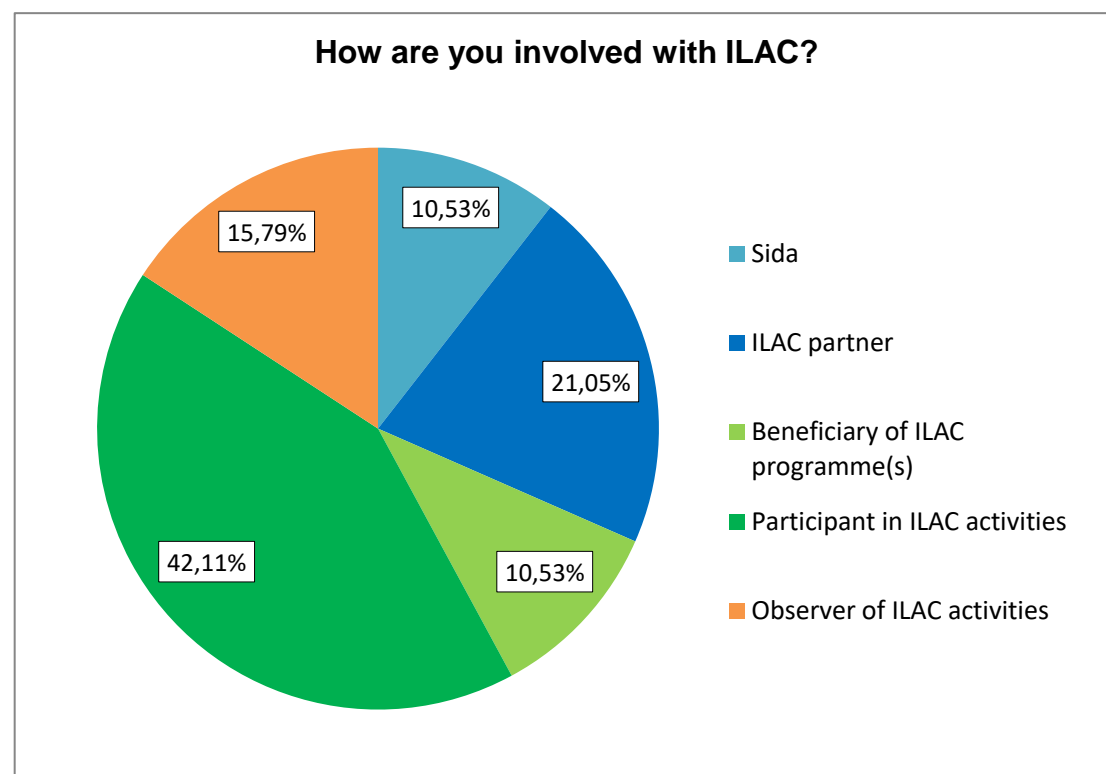
Answer Choices	Responses	Frequency
Judge	26,32%	5
Lawyer	31,58%	6
Self employed	5,26%	1
Private employee	0,00%	0
Court official	10,53%	2
Civil servant	5,26%	1
Diplomat	10,53%	2
Civil society representative	10,53%	2
Prefer not to say	0,00%	0
Other	0,00%	0
Specify (optional)		4
	<b>Answered</b>	<b>19</b>
	<b>Skipped</b>	<b>0</b>

Question 5: What is your employer category?



Answer Choices	Responses	Frequency
Court	31,58%	6
Self employed	15,79%	3
Private Company	5,26%	1
Ministry	5,26%	1
Institution	10,53%	2
Donor organisation	5,26%	1
Embassy/ consulate	10,53%	2
Civil society organisation	15,79%	3
Prefer not to say	0,00%	0
Other	0,00%	0
Specify (optional)		1
	<b>Answered</b>	<b>19</b>
	<b>Skipped</b>	<b>0</b>

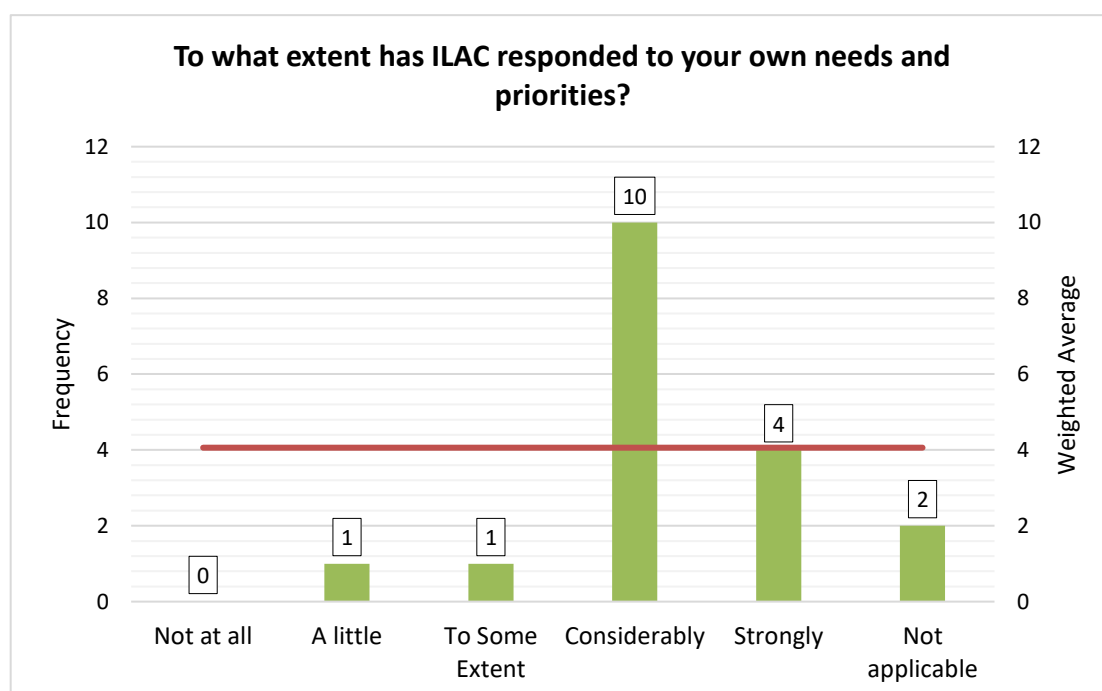
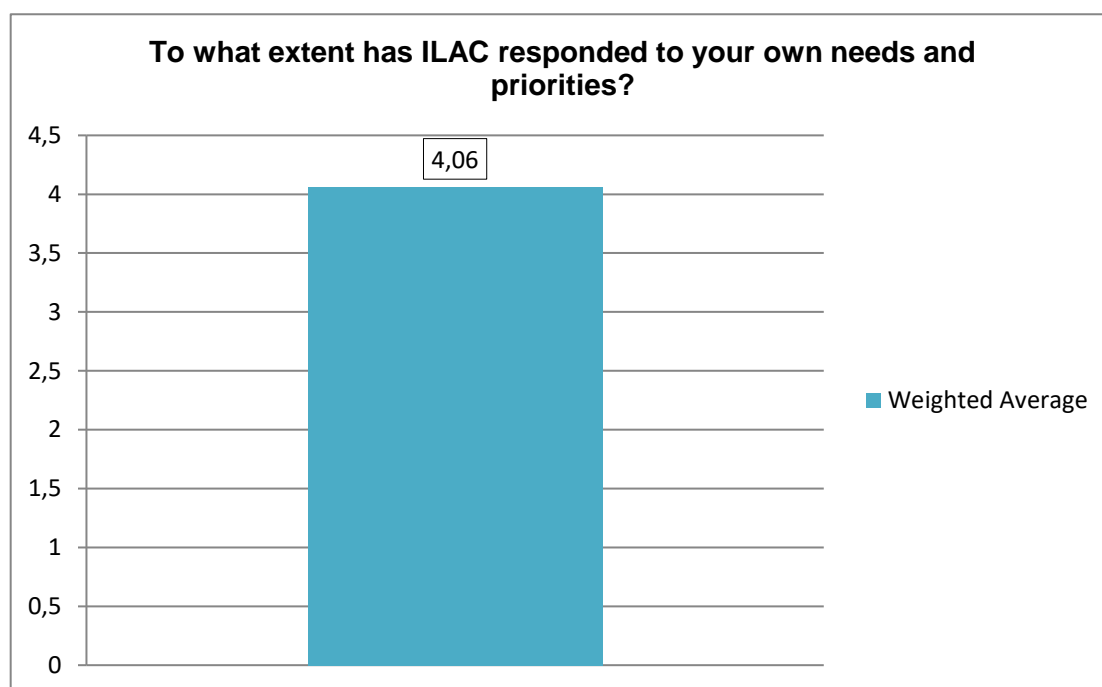
Question 6: How are you involved with ILAC?



Answer Choices	Responses	Frequency
Sida	10,53%	2
ILAC employee	0,00%	0
ILAC partner	21,05%	4
Beneficiary of ILAC programme(s)	10,53%	2
Participant in ILAC activities	42,11%	8
Observer of ILAC activities	15,79%	3
Other	0,00%	0
Specify (optional)		1
	<b>Answered</b>	<b>19</b>
	<b>Skipped</b>	<b>0</b>

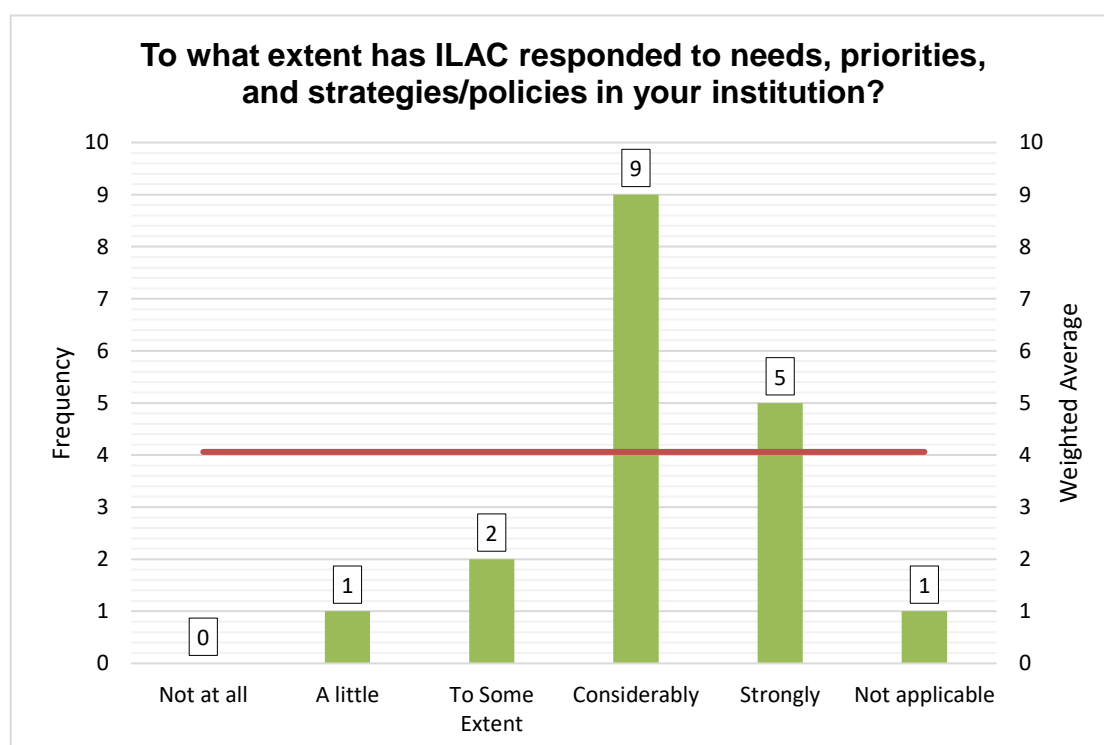
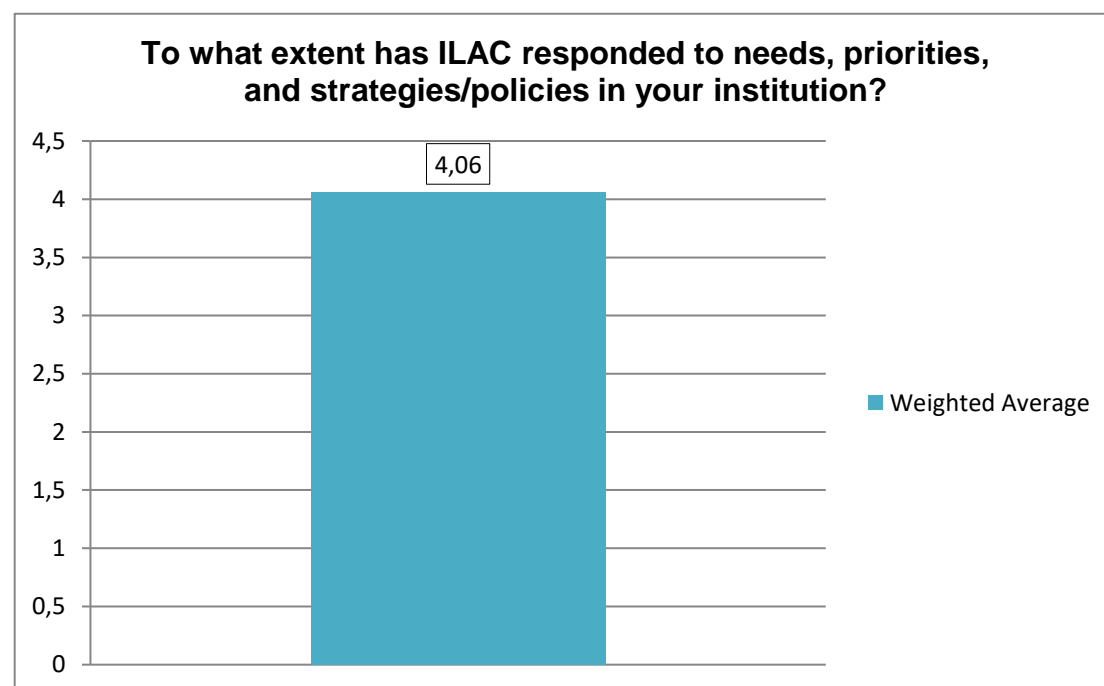
Question 7: To what extent has ILAC responded to your own needs and priorities?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	0,00%	0	5,56%	1	5,56%	1	55,56%	10	22,22%	4	11,11%	2	18	4,06



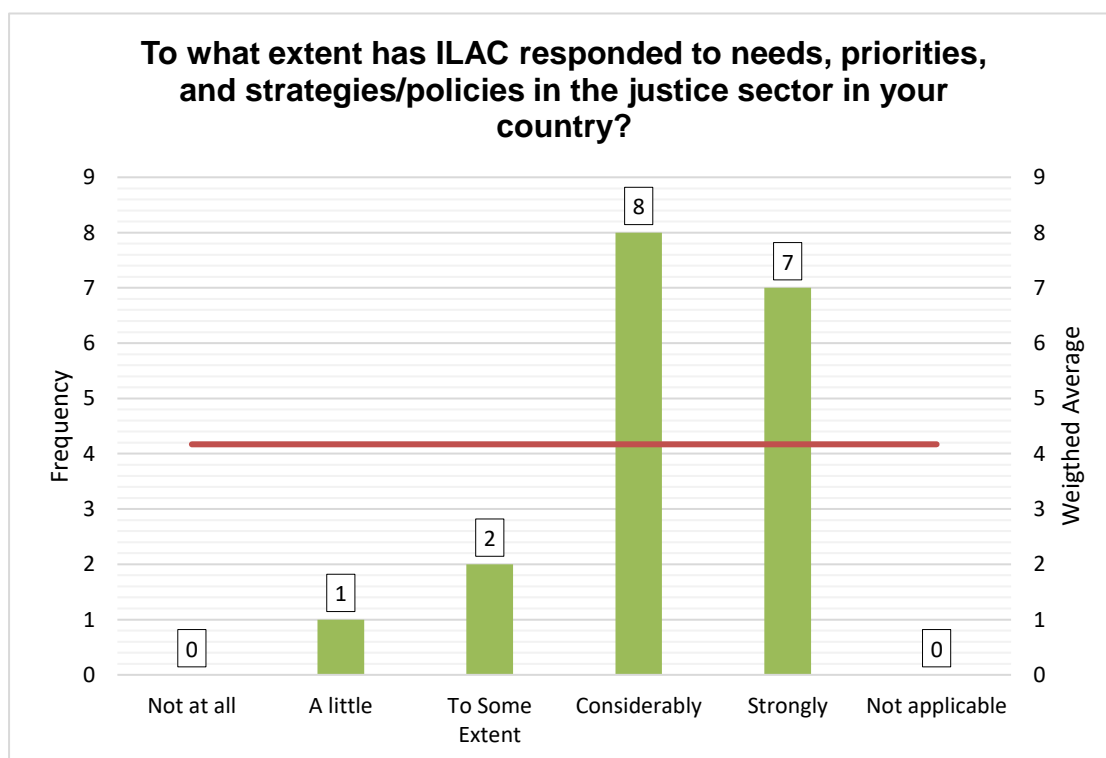
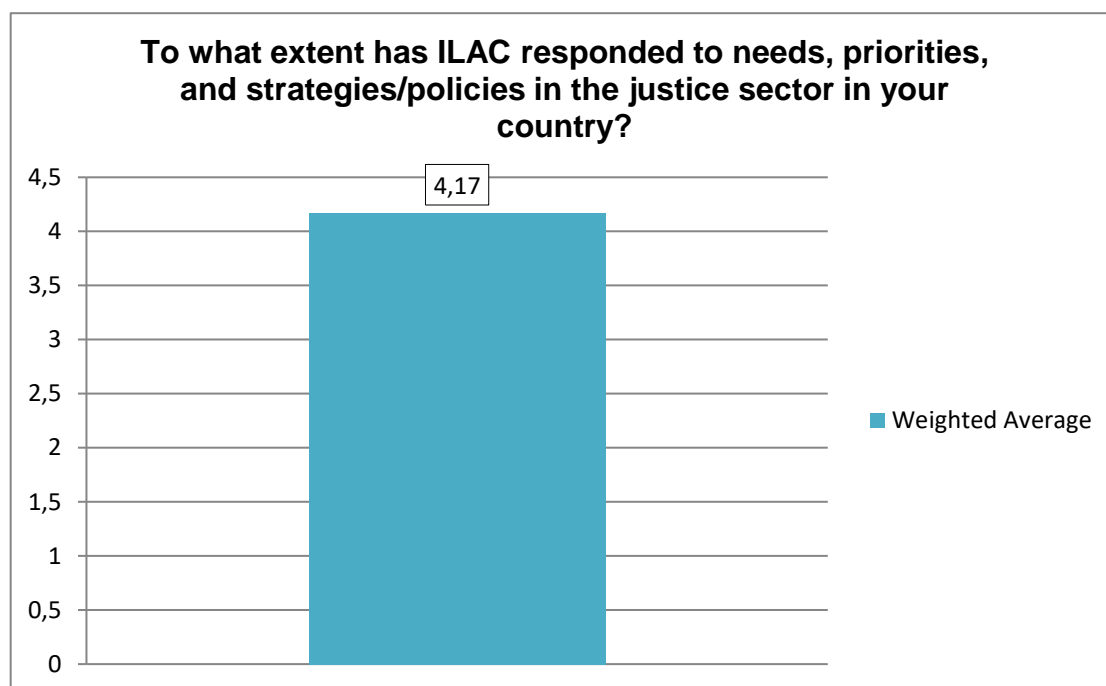
Question 8: To what extent has ILAC responded to needs, priorities, and strategies/policies in your institution?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	0,00%	0	5,56%	1	11,11%	2	50,00%	9	27,78%	5	5,56%	1	18	4,06



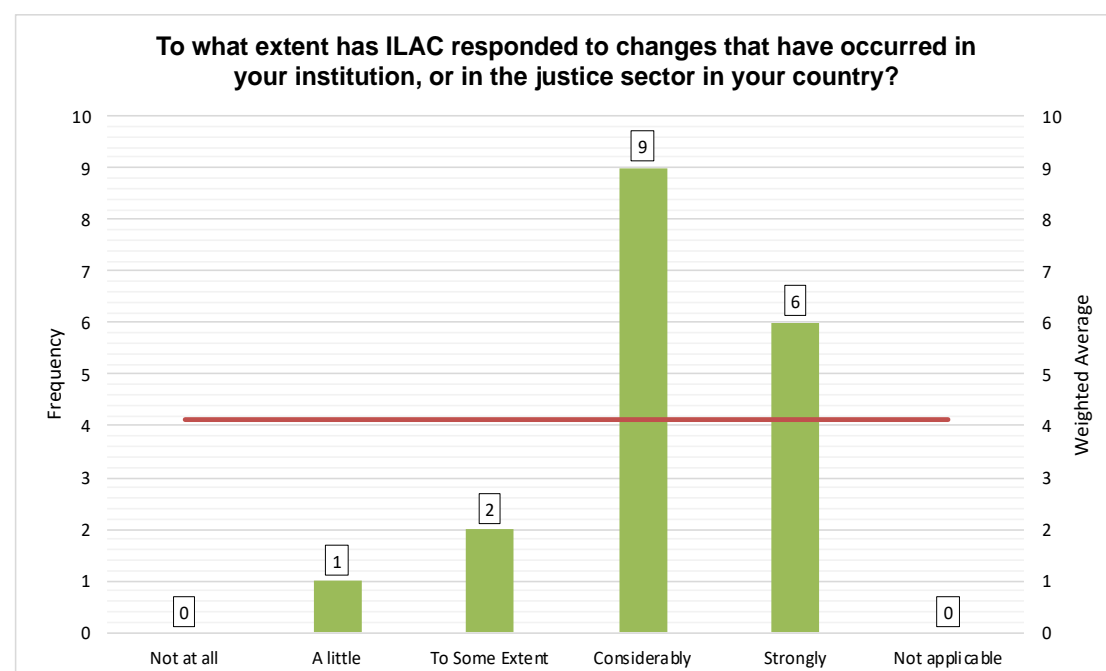
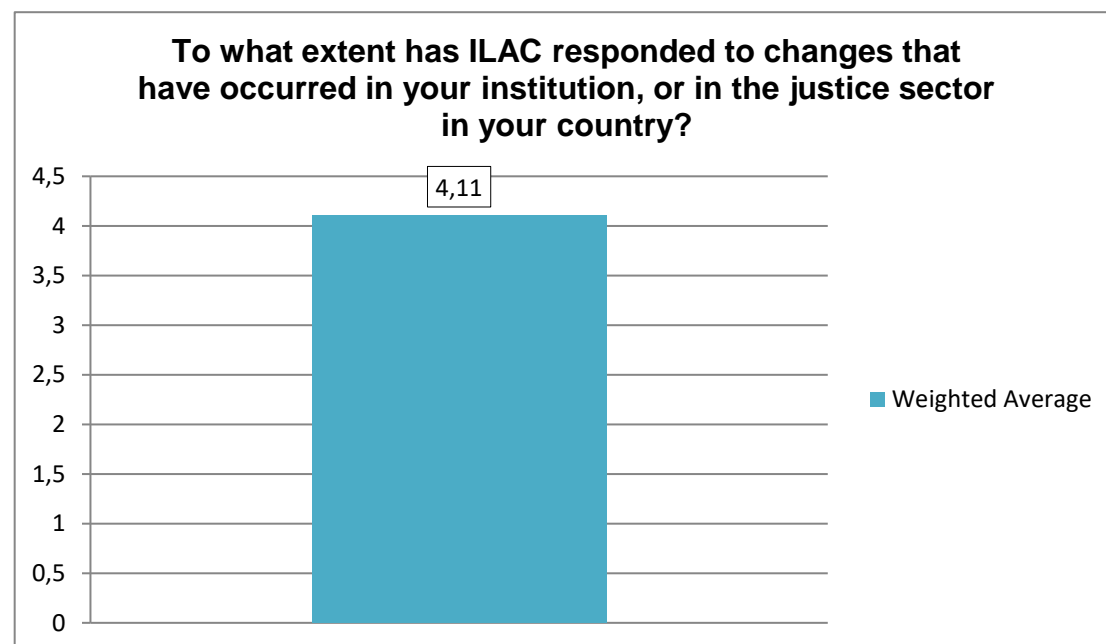
Question 9: To what extent has ILAC responded to needs, priorities, and strategies/policies in the justice sector in your country?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	0,00%	0	5,56%	1	11,11%	2	44,44%	8	38,89%	7	0,00%	0	18	4,17



Question 10: To what extent has ILAC responded to changes that have occurred in your institution, or in the justice sector in your country?

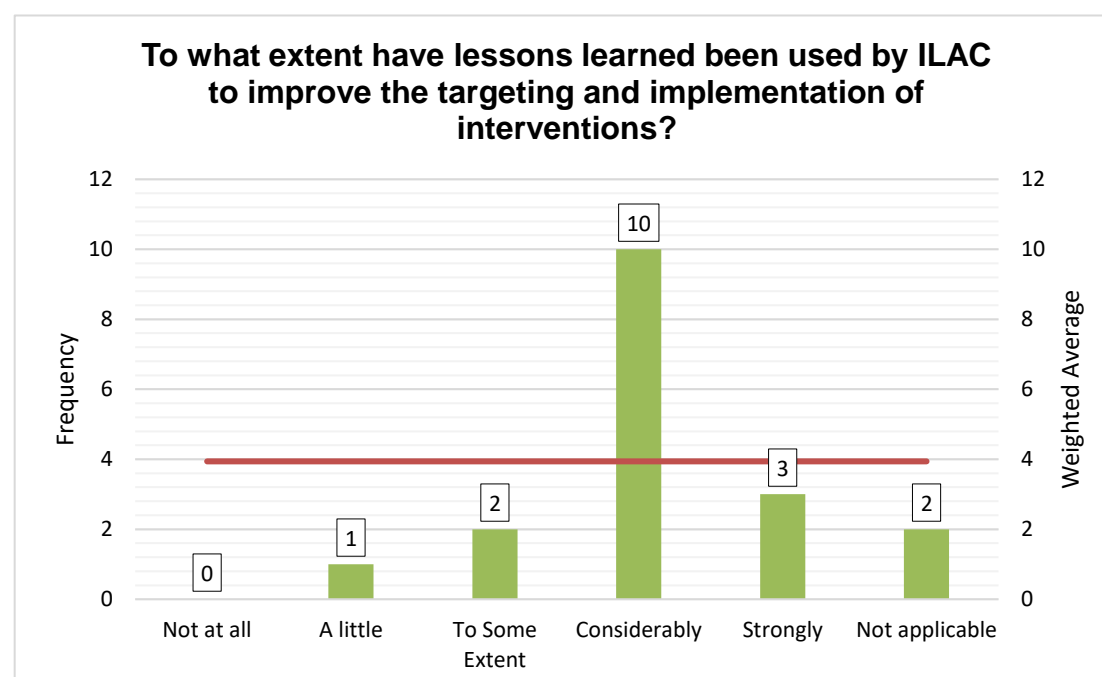
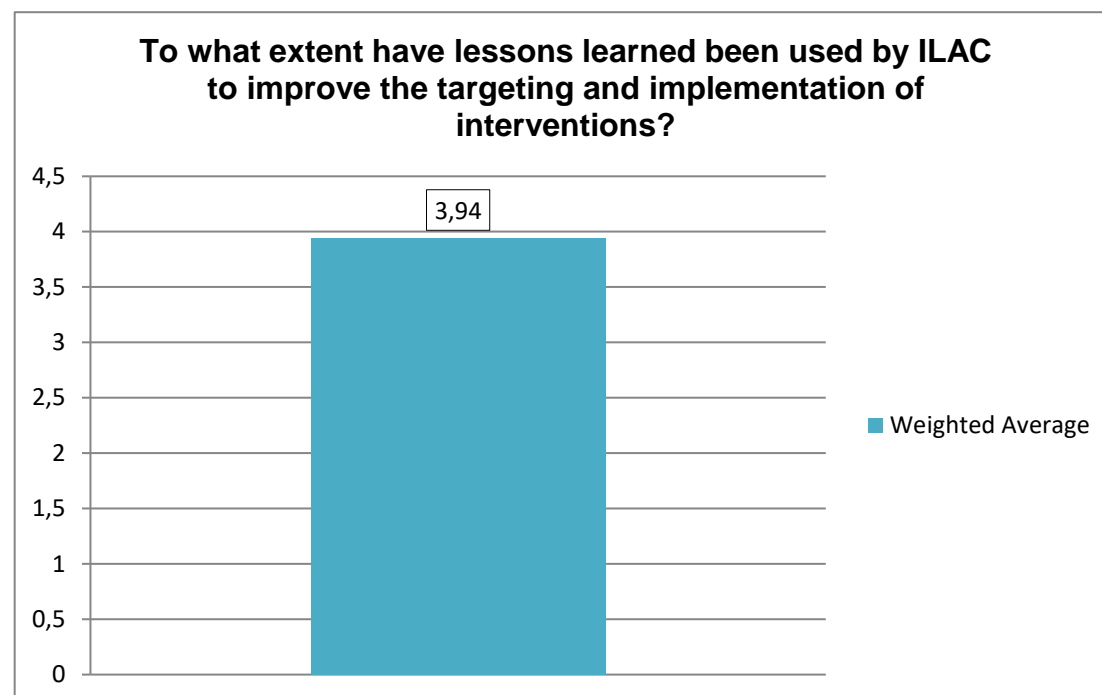
	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	0,00%	0	5,56%	1	11,11%	2	50,00%	9	33,33%	6	0,00%	0	18	4,11





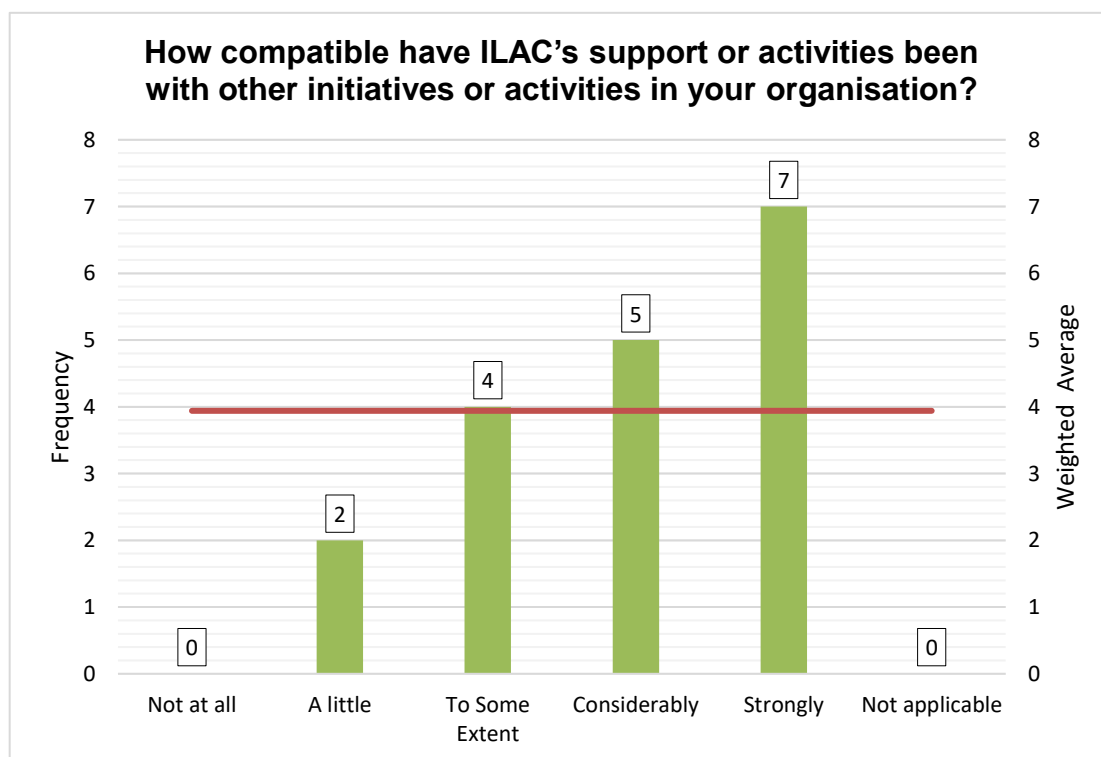
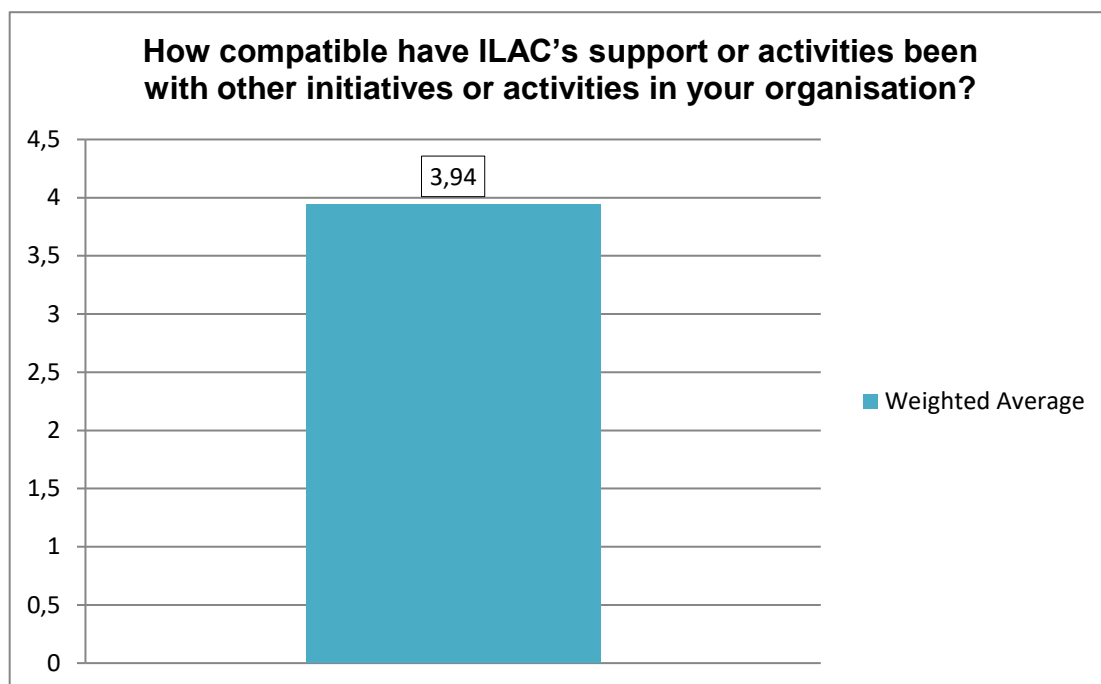
Question 11: To what extent have lessons learned been used by ILAC to improve the targeting and implementation of interventions?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	0,00%	0	5,56%	1	11,11%	2	55,56%	10	16,67%	3	11,11%	2	18	3,94



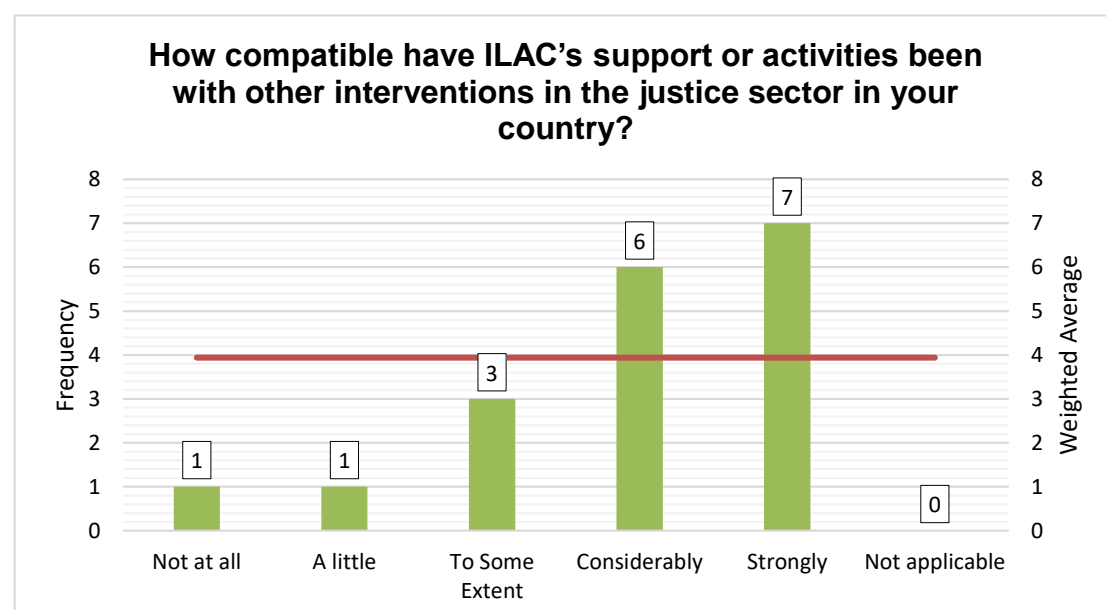
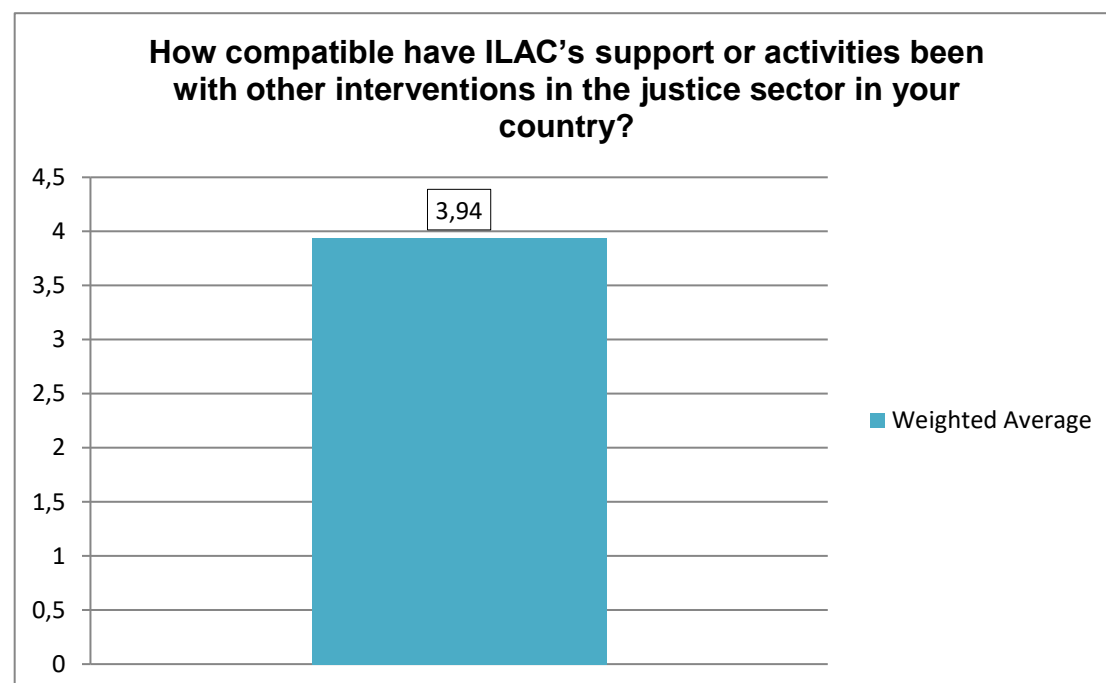
Question 12: How compatible have ILAC's support or activities been with other initiatives or activities in your organisation?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	0,00%	0	11,11%	2	22,22%	4	27,78%	5	38,89%	7	0,00%	0	18	3,94



Question 13: How compatible have ILAC's support or activities been with other interventions in the justice sector in your country?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	5,56%	1	5,56%	1	16,67%	3	33,33%	6	38,89%	7	0,00%	0	18	3,94

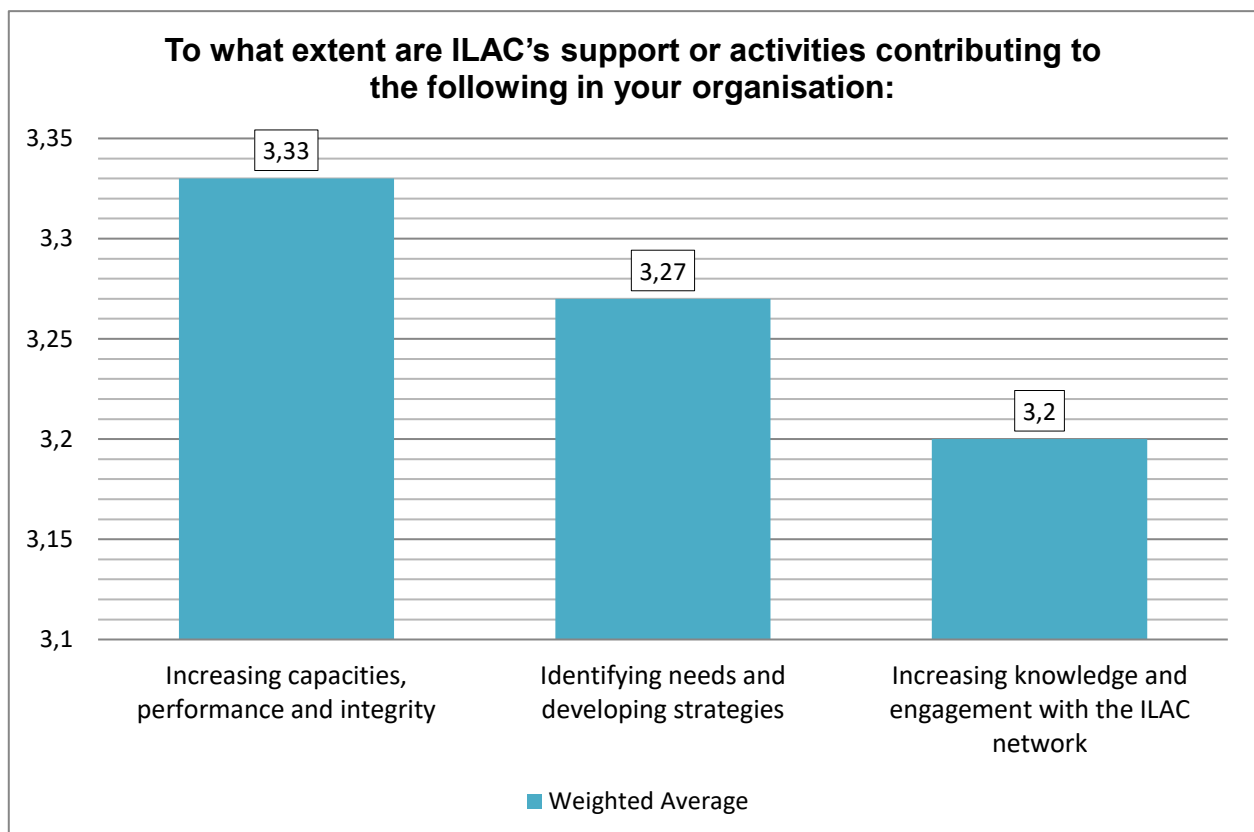


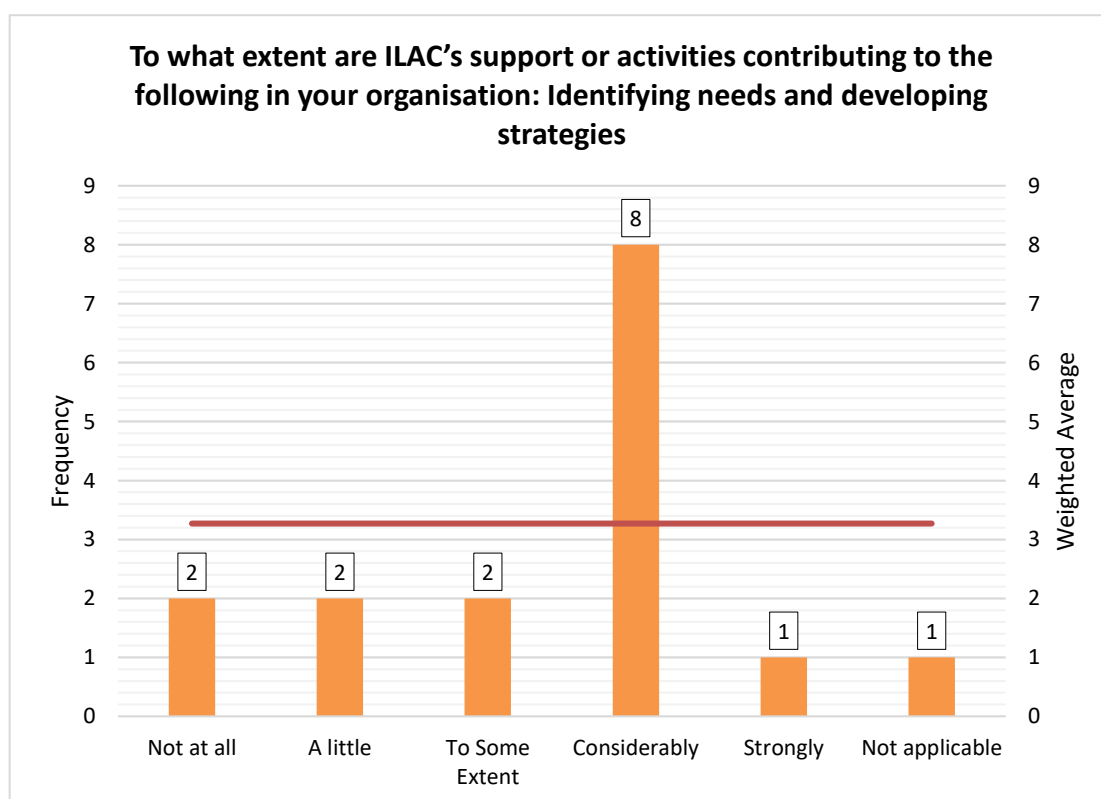
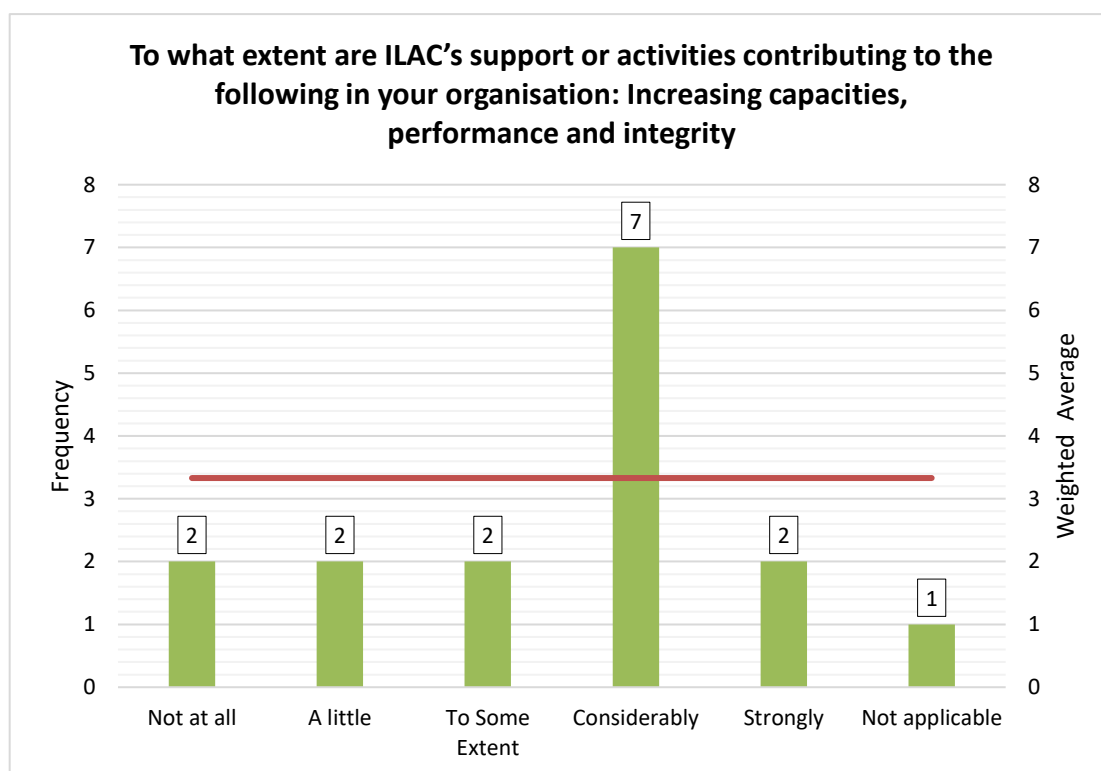
Question 14: What is ILAC's added value compared with other interventions in the justice sector?

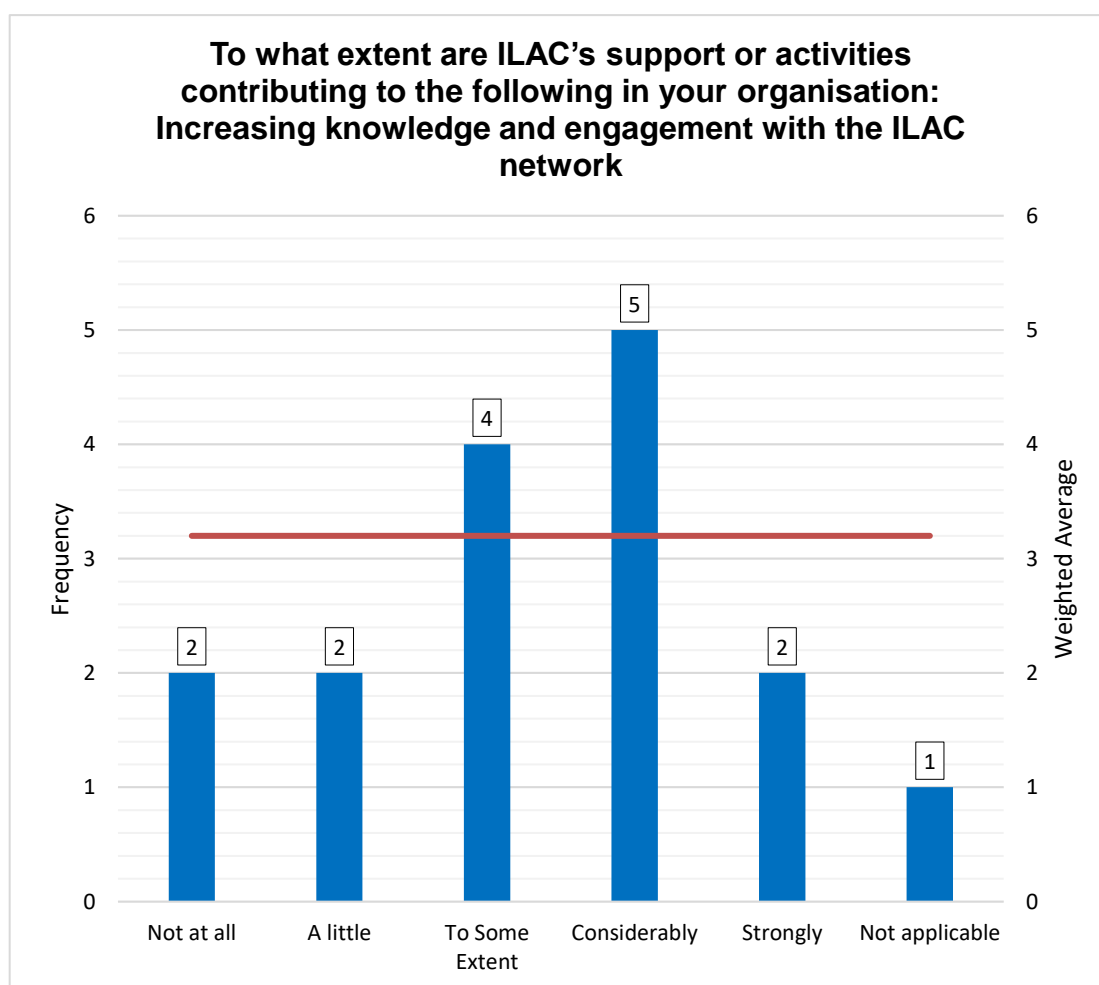
Respondents	Responses	Translation
	Analysis	
	ILAC has added to the justice sector through its training of magistrates, lawyers, judges and other judicial actors	
	Independence of the Justice Sector	
	Facilitates access to justice	
	serious steps have been taken; sending delegates to meet with human rights organizations from one hand, and the justice sector from the other hand, including the justice sector developments in its reports, conducting briefs on this matter, and follow up on the work	
	Comprehension	
	ILAC has help in the justice system by helping in the training of lawyers, judges and magistrate thru training and other workshops that enable them to better perform in the justice sector	
	Recently, ILAC became more inclusive, working on all parts of Syria, this a great added value, which not all of organization adopted.	
	It's strong legal grounding, and independent character.	
	Analysis of the implications of political decisions that affected the justice sector.	
	Strengthening the capacity for international human rights and judicial networking	
	ILAC made it possible to know the reality of the justice system, through studies and analysis of various issues or situations in which the administration of justice is found in Guatemala.	
	The improvement in the administration of the courts is significant as well as contributing to a greater understanding of anti-corruption methods	
	Facilitating access to justice Providing solutions resulting from internal needs and experiences by relying on local means	
	There is not added value.	
	remarkable added value in the operation of services, in decisions and in its modernization strategies	
	During five roundtable discussions, ILAC provided value-added exercises and workshops and a broader understanding of housing and property issues The work was ground-breaking	
	The distinguished expertise and information of the International Legal Aid Federation staff	

Question 15: To what extent are ILAC's support or activities contributing to the following in your organisation:

	1 Not at all		2 A little		3 To some extent		4 Considerably		5 Strongly		N/A		Total	Weighted Average
Increasing capacities, performance and integrity	12,50 %	2	12,50%	2	12,50%	2	43,75%	7	12,50%	2	6,25%	1	16	3,33
Identifying needs and developing strategies	12,50 %	2	12,50%	2	12,50%	2	50,00%	8	6,25%	1	6,25%	1	16	3,27
Increasing knowledge and engagement with the ILAC network	12,50 %	2	12,50%	2	25,00%	4	31,25%	5	12,50%	2	6,25%	1	16	3,2

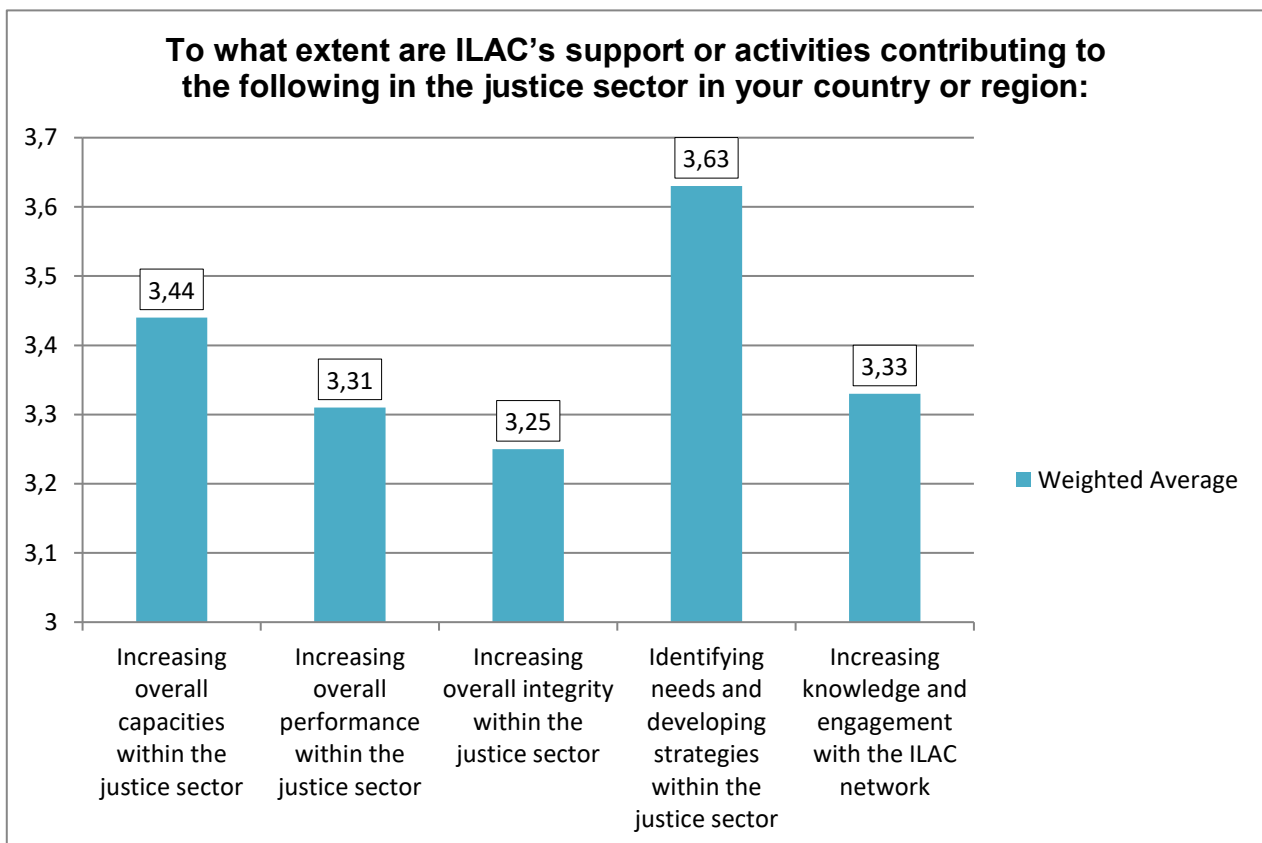






Question 16: To what extent are ILAC's support or activities contributing to the following in the justice sector in your country or region:

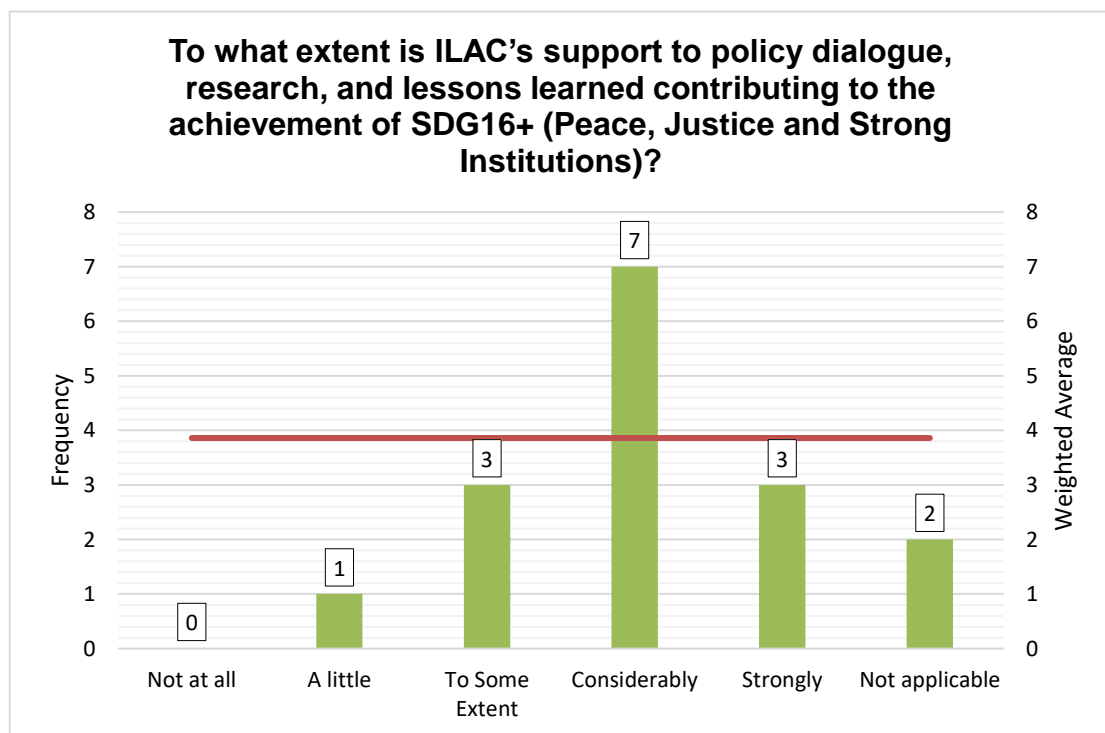
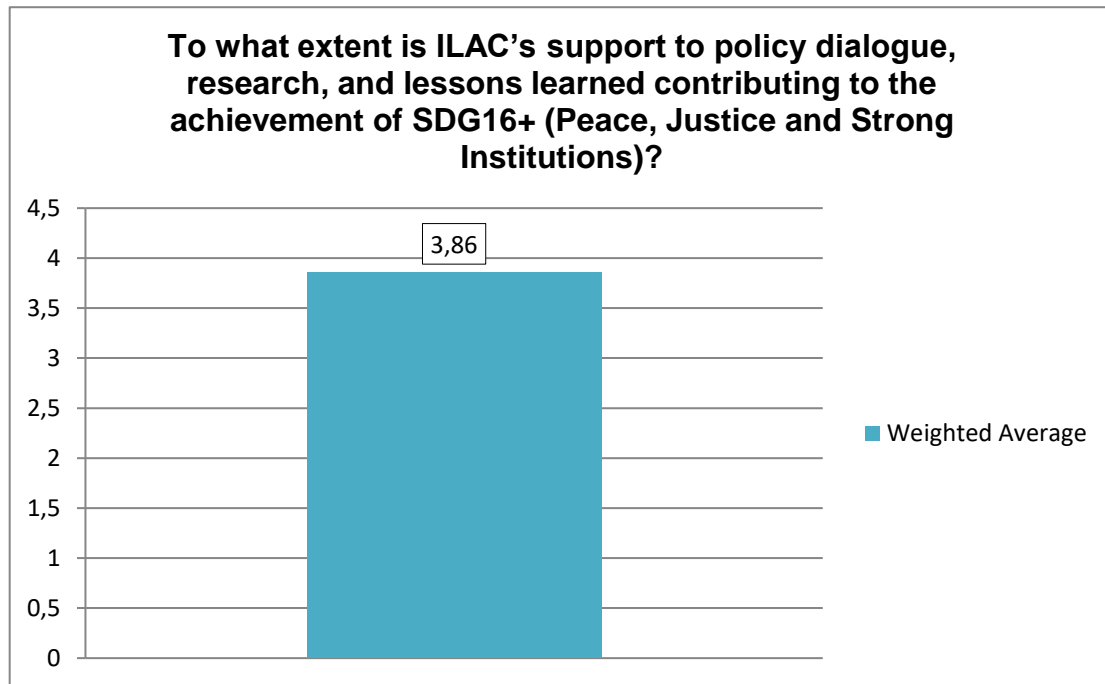
	1 Not at all		2 A little		3 To some extent		4 Considerably		5 Strongly		N/A		Total	Weighted Average
Increasing overall capacities within the justice sector	6,25%	1	6,25%	1	37,50%	6	37,50%	6	12,50%	2	0,00%	0	16	3,44
Increasing overall performance within the justice sector	12,50%	2	6,25%	1	37,50%	6	25,00%	4	18,75%	3	0,00%	0	16	3,31
Increasing overall integrity within the justice sector	12,50%	2	0,00%	0	56,25%	9	12,50%	2	18,75%	3	0,00%	0	16	3,25
Identifying needs and developing strategies within the justice sector	12,50%	2	0,00%	0	25,00%	4	37,50%	6	25,00%	4	0,00%	0	16	3,63
Increasing knowledge and engagement with the ILAC network	12,50%	2	0,00%	0	31,25%	5	43,75%	7	6,25%	1	6,25%	1	16	3,33





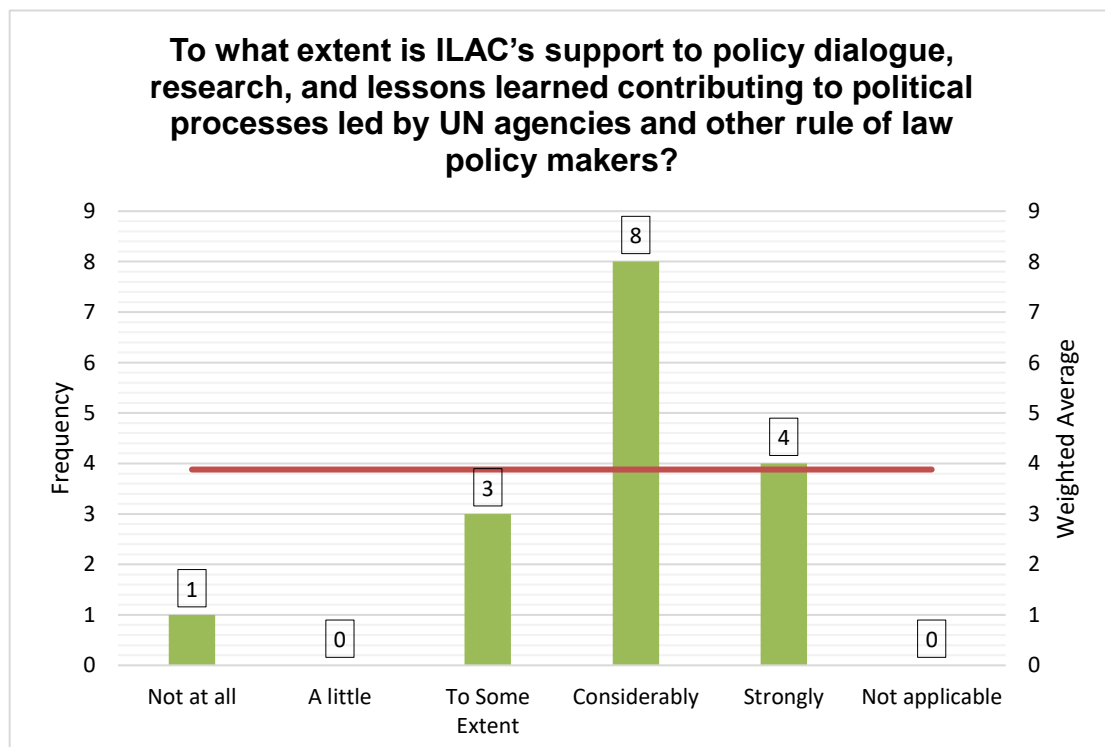
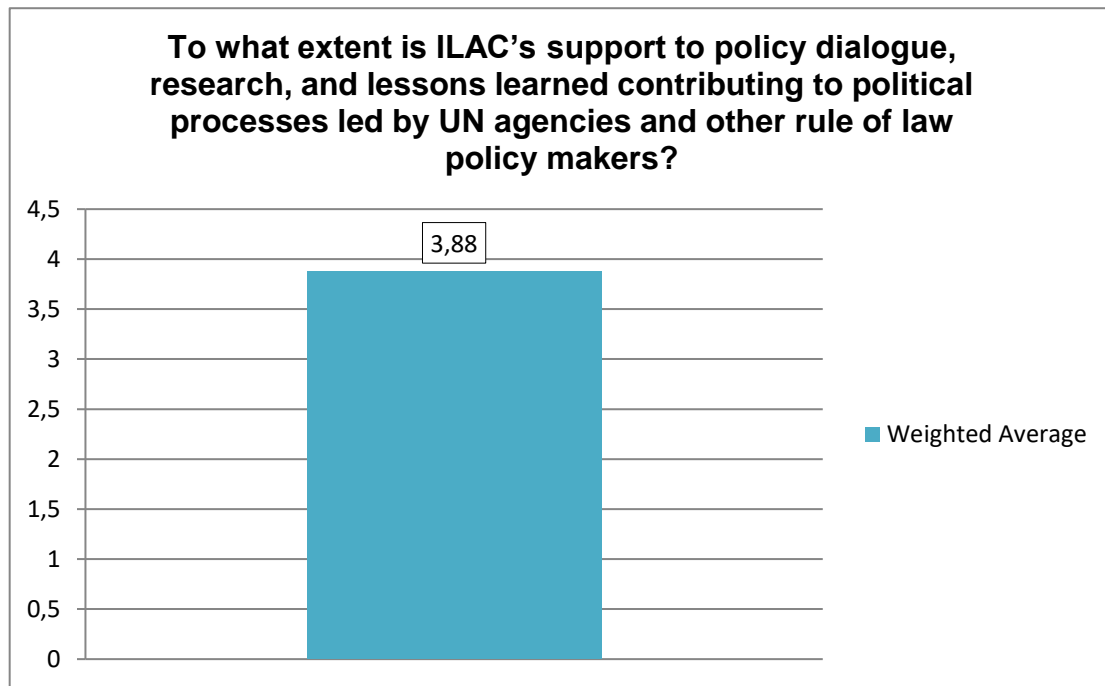
Question 17: To what extent is ILAC's support to policy dialogue, research, and lessons learned contributing to the achievement of SDG16+ (Peace, Justice and Strong Institutions)?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	0,00%	0	6,25%	1	18,75%	3	43,75%	7	18,75%	3	12,50%	2	16	3,86



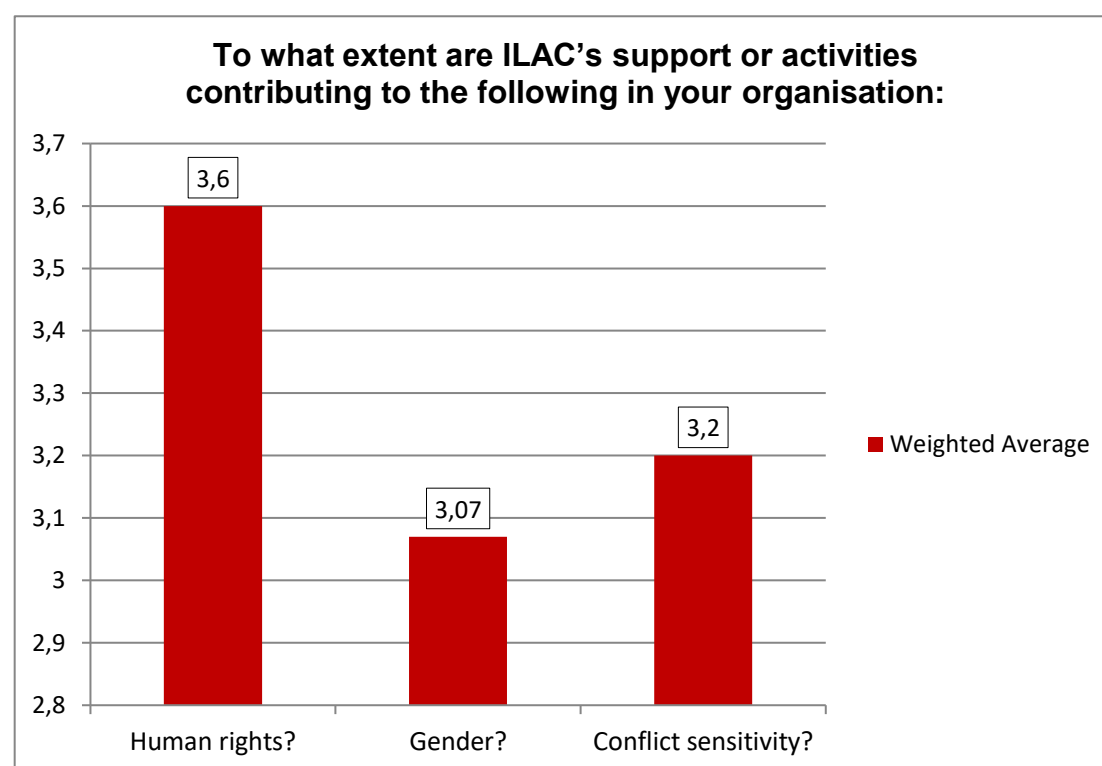
Question 18: To what extent is ILAC's support to policy dialogue, research, and lessons learned contributing to political processes led by UN agencies and other rule of law policy makers?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	6,25%	1	0,00%	0	18,75%	3	50,00%	8	25,00%	4	0,00%	0	16	3,88

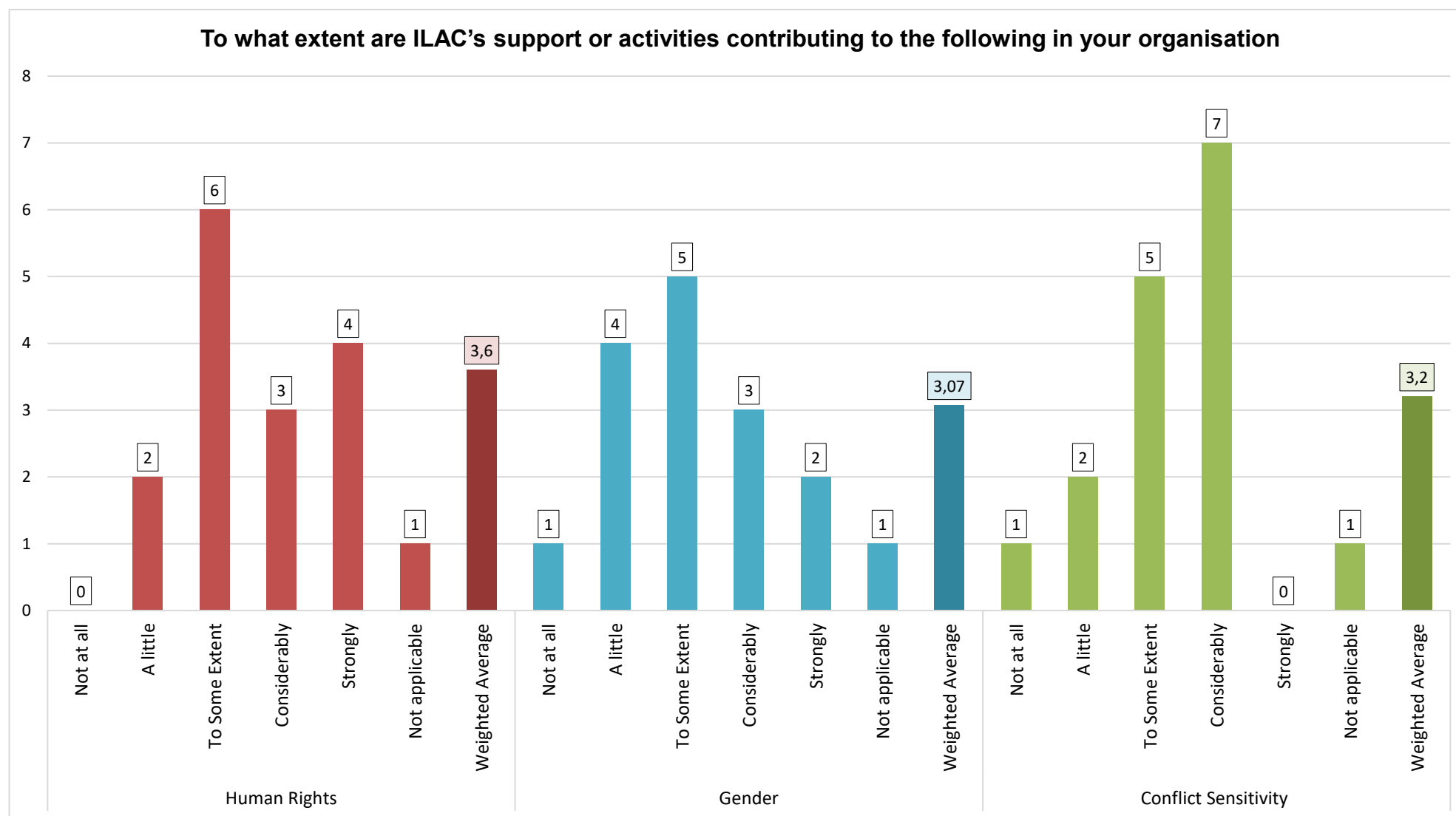


Question 19: To what extent are ILAC's support or activities contributing to the following in your organisation:

	Not at all		A little		To some extent		Considerably		Strongly		N/A		Total	Weighted Average
Human rights?	0,00%	0	12,50%	2	37,50%	6	18,75%	3	25,00%	4	6,25%	1	16	3,6
Gender?	6,25%	1	25,00%	4	31,25%	5	18,75%	3	12,50%	2	6,25%	1	16	3,07
Conflict sensitivity?	6,25%	1	12,50%	2	31,25%	5	43,75%	7	0,00%	0	6,25%	1	16	3,2

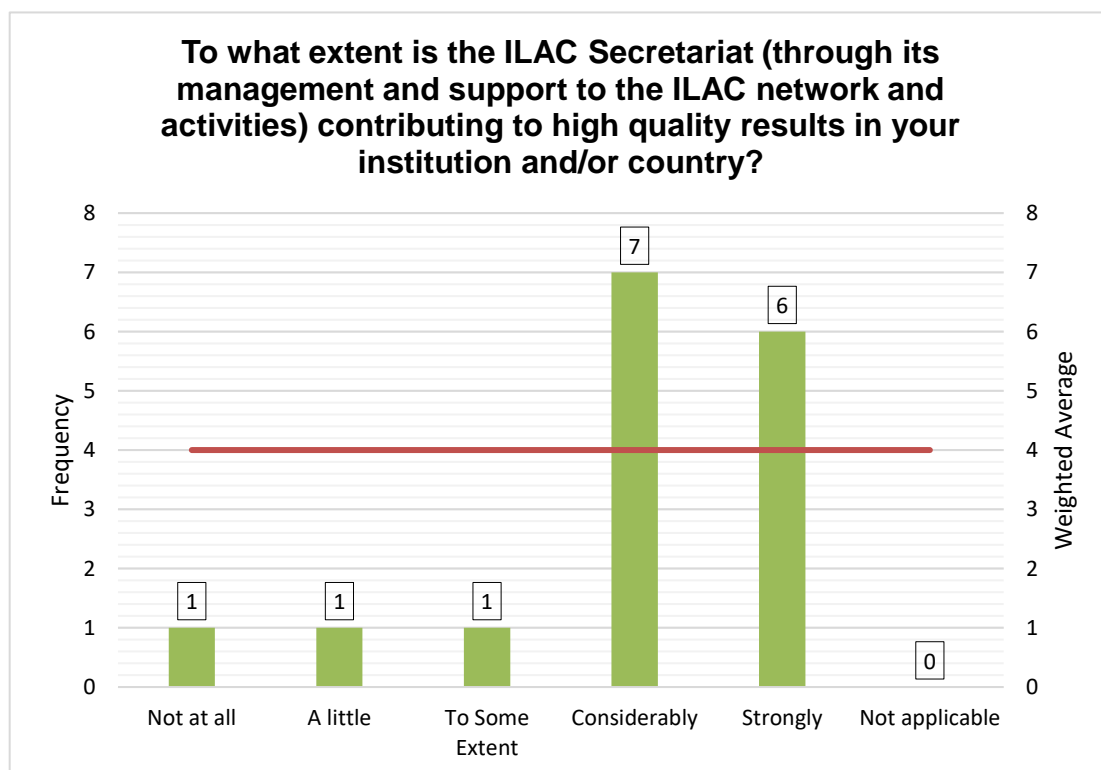
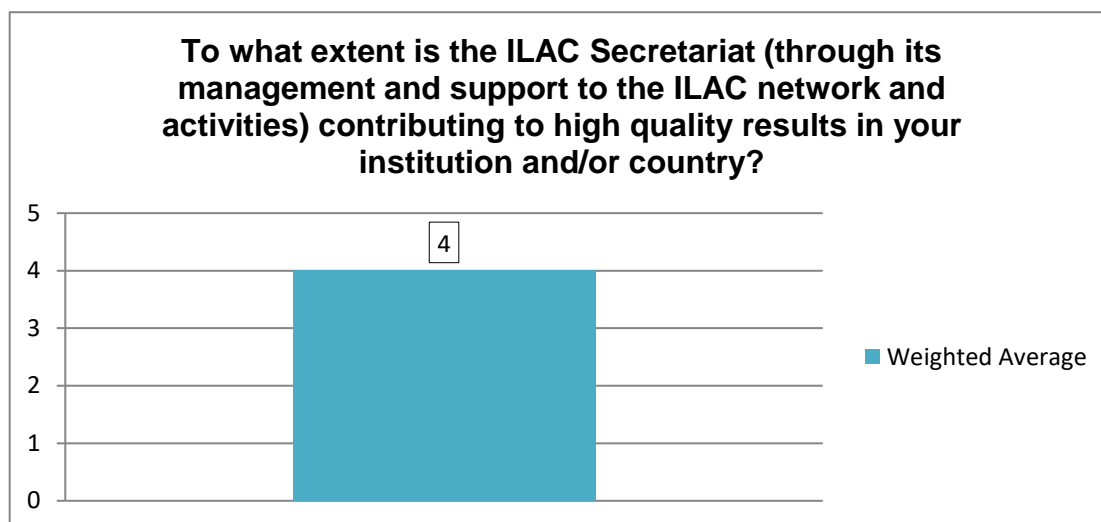


No comments for Gender and Conflict Sensitivity



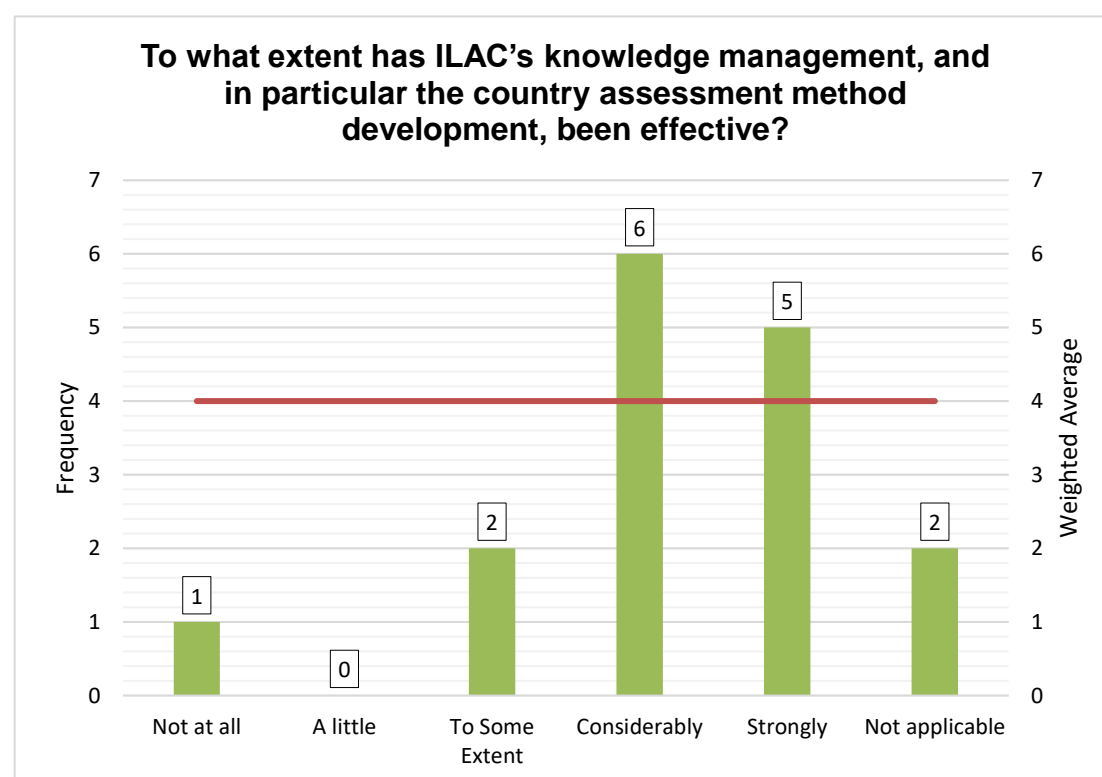
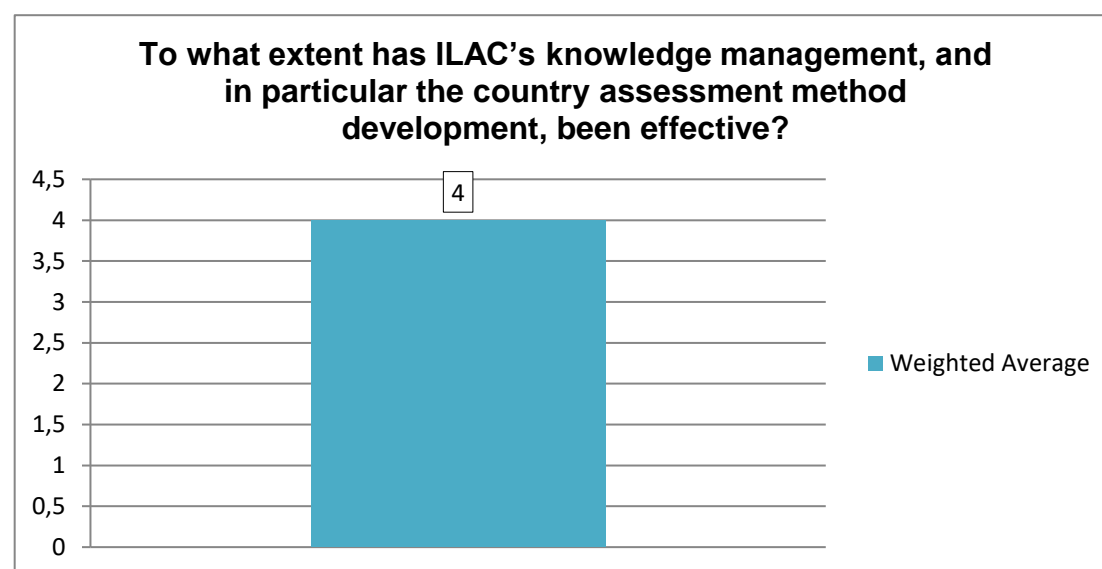
Question 20: To what extent is the ILAC Secretariat (through its management and support to the ILAC network and activities) contributing to high quality results in your institution and/or country?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	6,25%	1	6,25%	1	6,25%	1	43,75%	7	37,50%	6	0,00%	0	16	4



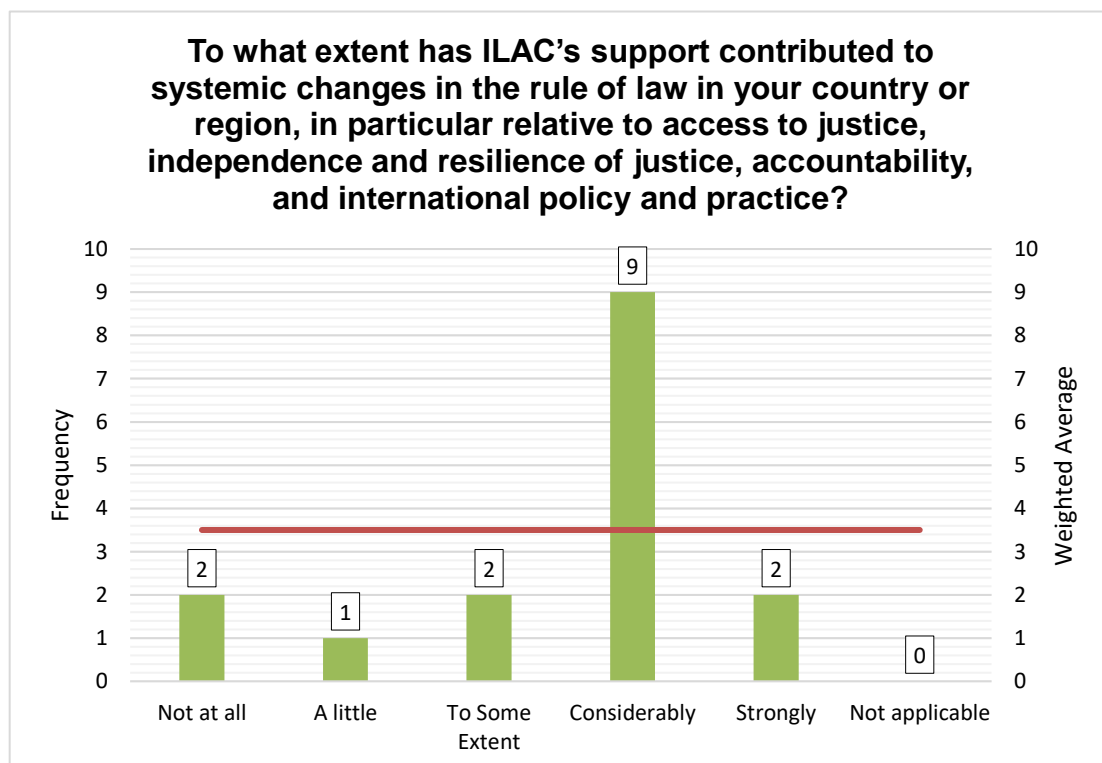
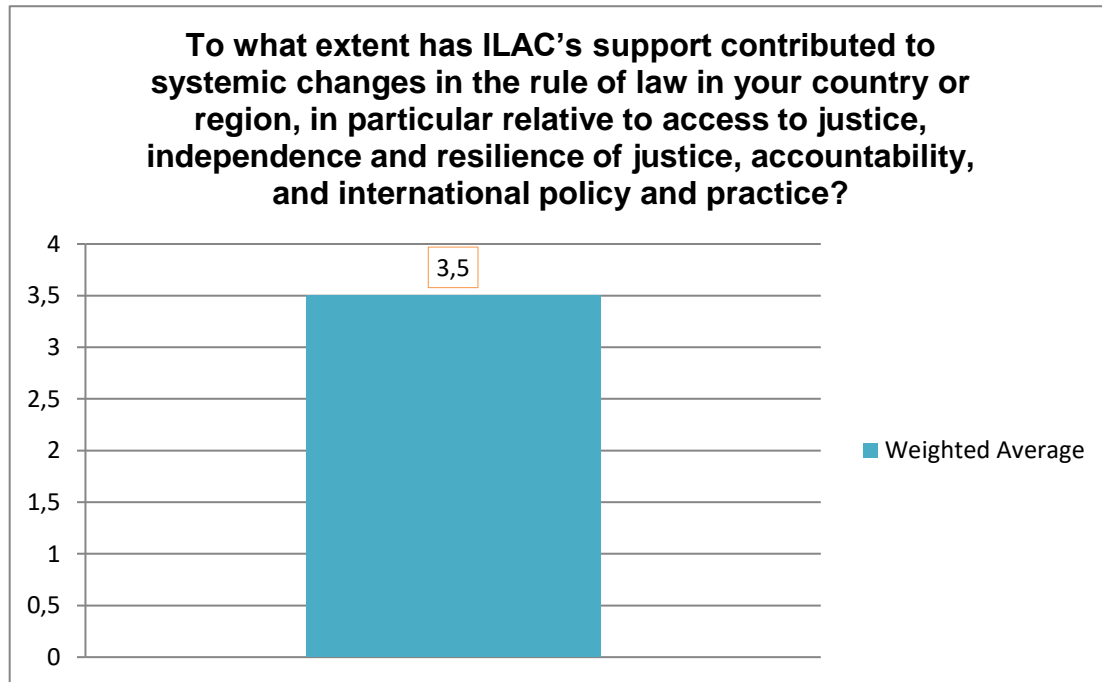
Question 21: To what extent has ILAC's knowledge management, and in particular the country assessment method development, been effective?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	6,25%	1	0,00%	0	12,50%	2	37,50%	6	31,25%	5	12,50%	2	16	4



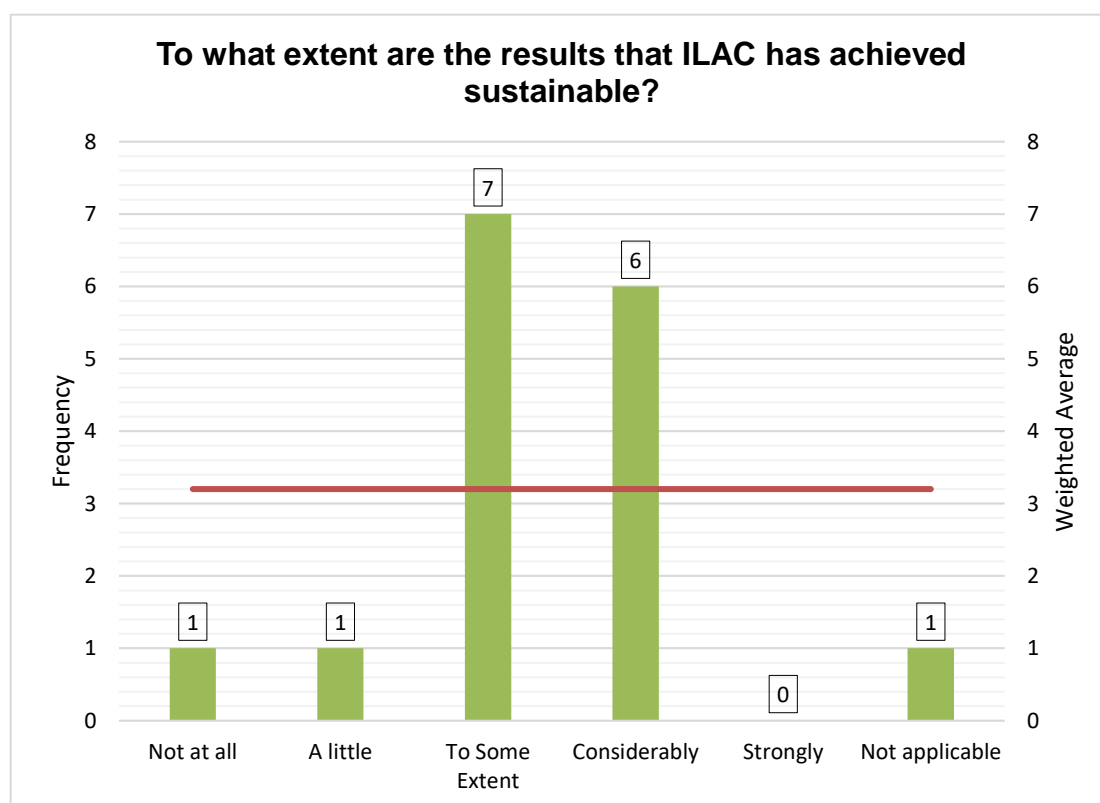
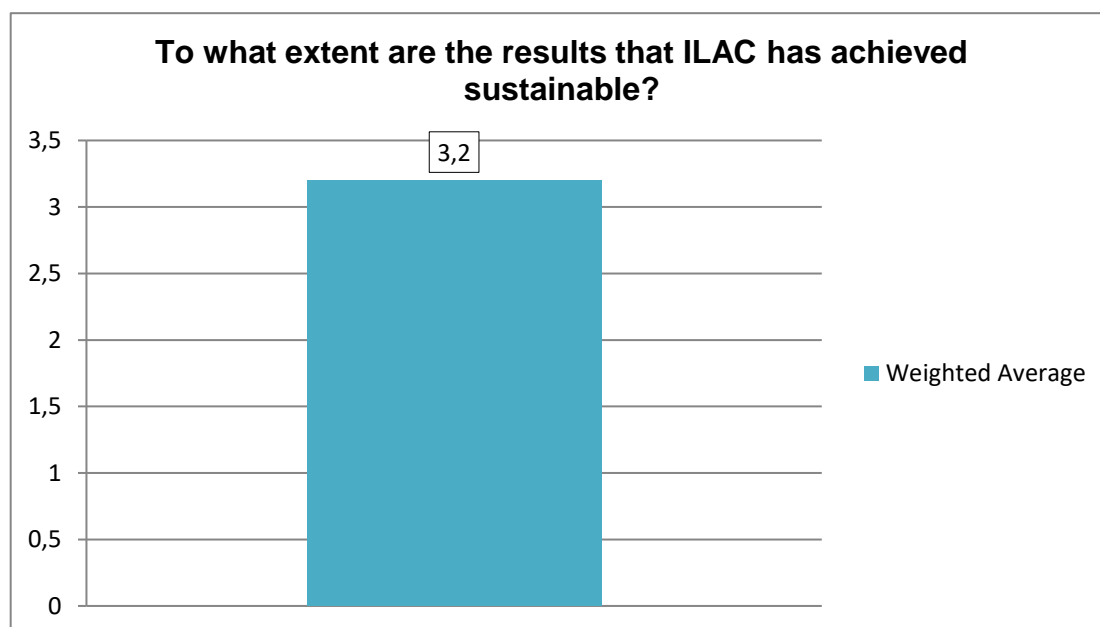
Question 22: To what extent has ILAC's support contributed to systemic changes in the rule of law in your country or region, in particular relative to access to justice, independence and resilience of justice, accountability, and international policy and practice?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	12,50%	2	6,25%	1	12,50%	2	56,25%	9	12,50%	2	0,00%	0	16	3,5



Question 23: To what extent are the results that ILAC has achieved sustainable?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	6,25%	1	6,25%	1	43,75%	7	37,50%	6	0,00%	0	6,25%	1	16	3,2



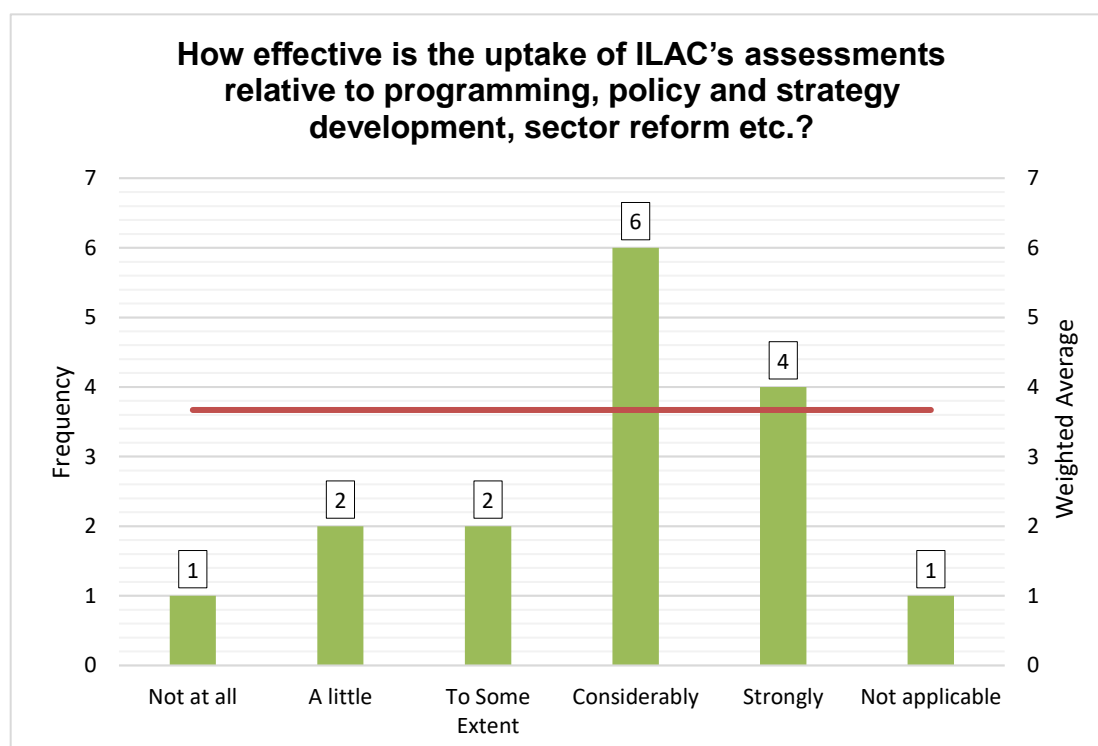
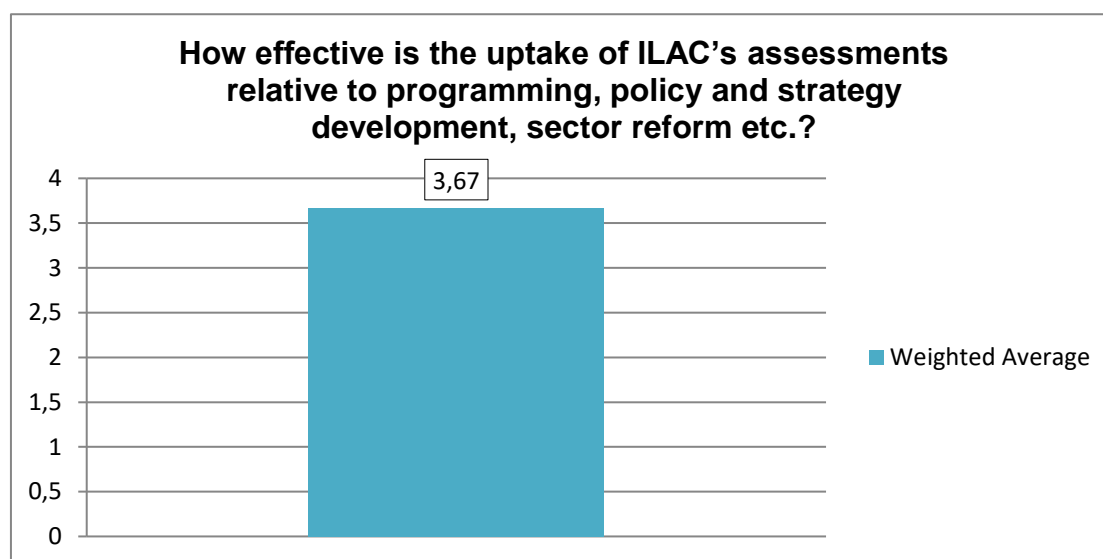


Question 24: What is required to ensure that sustainability is maintained?

Respondents	Responses
1	Longer term engagement
2	More support to the legal and justice sector. Helping the courts in keeping accurate records and helping to train the clerks in the various courts and having the courts fully computerized.
3	Train and allow locals to take over administration of the project.
4	upgrading and support
5	playing a pivotal role putting pressure on the donors who are funding the judiciary
6	More collaboration with activists in human rights
7	Long term commitment.
8	Continued engagement by ILAC.
9	x
10	Continuing to communicate constantly, not temporarily, and intermittently
11	periodically monitoring the results of studies and analysis of the situation of justice.
12	Continuity
13	To establish strong links with civil society
14	<ul style="list-style-type: none"> <li>- strengthening ILAC team</li> <li>- Increased budget</li> <li>- contract with national consultants according to needs and programs</li> </ul>
15	Establishing an effective communication network with jurists <ul style="list-style-type: none"> <li>- Establishing a network of experts in housing and property rights</li> <li>- Conducting studies and research that follow the Syrian variables.</li> </ul>
16	Continuity of activity and accumulation of knowledge

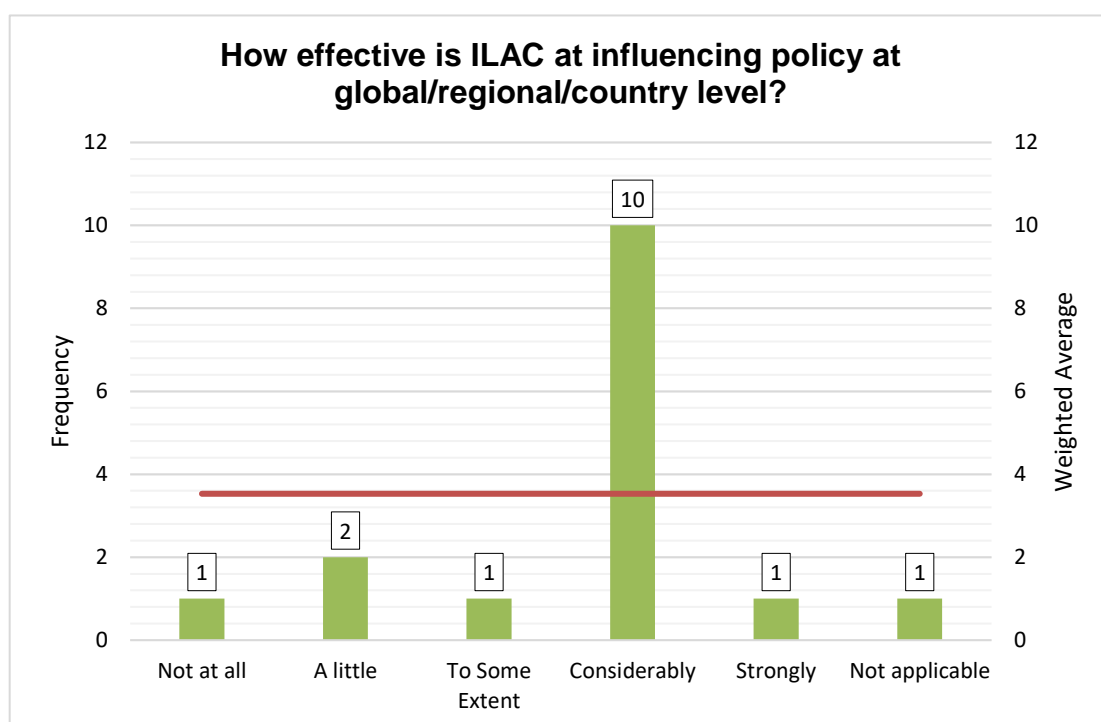
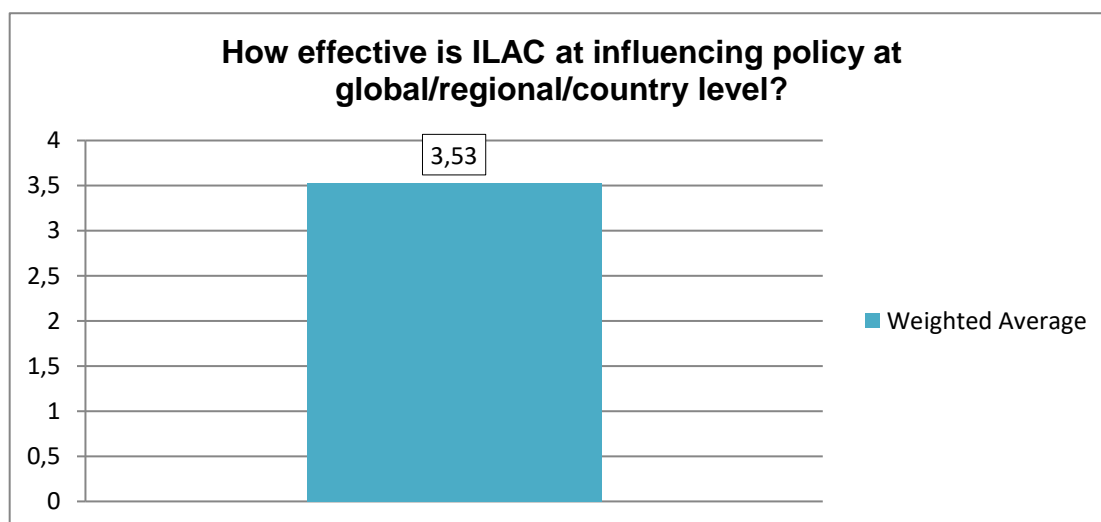
Question 25: How effective is the uptake of ILAC's assessments relative to programming, policy and strategy development, sector reform etc.?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	6,25%	1	12,50%	2	12,50%	2	37,50%	6	25,00%	4	6,25%	1	16	3,67



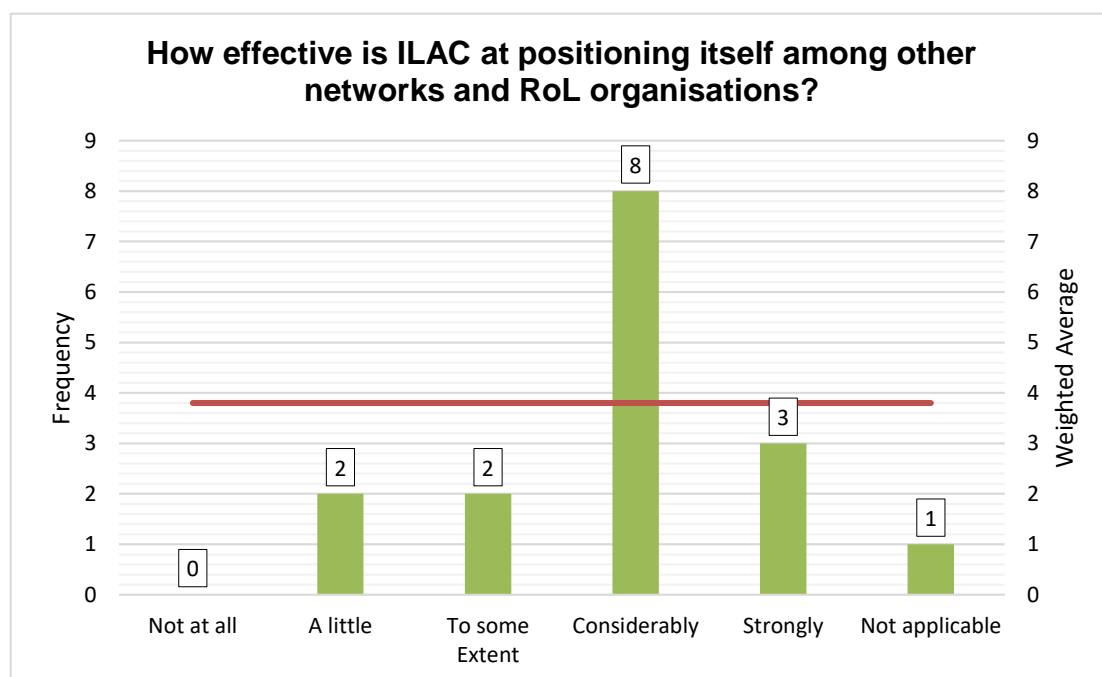
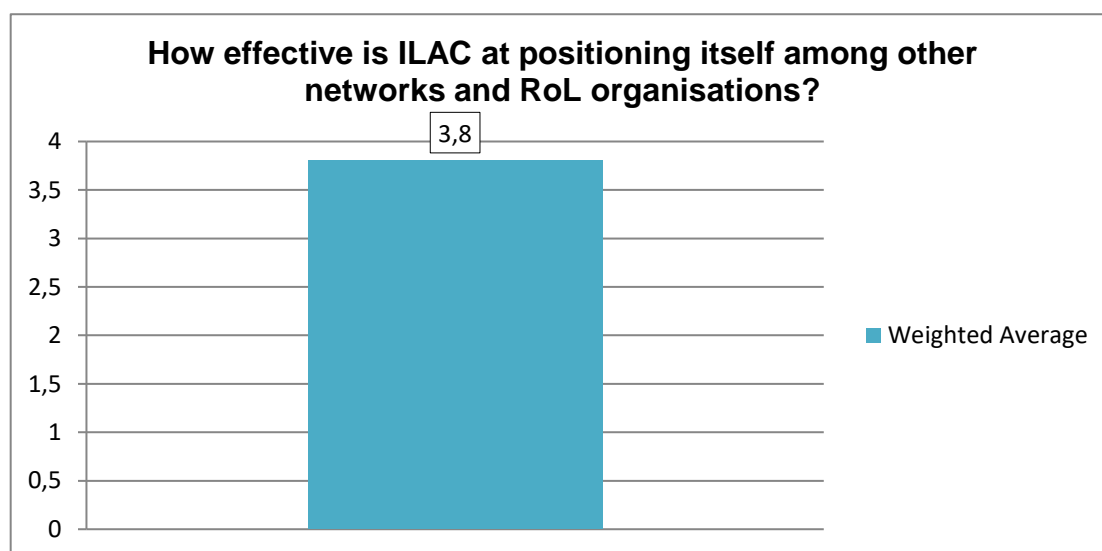
Question 26: How effective is ILAC at influencing policy at global/regional/country level?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	6,25%	1	12,50%	2	6,25%	1	62,50%	10	6,25%	1	6,25%	1	16	3,53



Question 27: How effective is ILAC at positioning itself among other networks and RoL organisations?

	Not at all		A little		To some extent		Considerably		Strongly		Not Applicable		Total	Weighted Average
star	0,00%	0	12,50%	2	12,50%	2	50,00%	8	18,75%	3	6,25%	1	16	3,8



Question 28: Do you have any other comments?

Respondents	Responses
	In order to be successful there is a need for a serious reform in the justice sector and to work with all actors to build up the integrity, credibility, accountability that has been lost.
	The project itself is good for Liberia but, it should take seriously recommendations from the beneficiaries.
	none
	It must stop being afraid to include lawyers and judges in same activities
	Please do keep this inclusive approach in Syria and be sure that Syrians from all parties are represented in ILAC activities.
	ILAC is doing very important work in a challenging setting. They are well connected and can thus influence important policy makers. Given the challenges inherent in the justice sector here is it difficult for any organisation to achieve results greater than "to some extent"
	It is important to monitor, study and analyse various issues of justice in Guatemala. The academic events that they have carried out allow to visualize the situation of justice in Guatemala
	ILAC is very well appreciated and respected in Tunisia and needs technical (ad-hoc consultants) and financial reinforcement.
	Despite the union's distinguished efforts towards the Syrian issue and raising the competence and knowledge of the Syrian judges and lawyers, it preferred building more communication between them and continuing communication and consultations ... I also think that there is a need to present specialized studies on the Syrian issue.



## Evaluation of the International Legal Assistance Consortium (ILAC), Global Core Support 2018–2021

This report presents the evaluation of global core support by Sida to the International Legal Assistance Consortium, with the purpose of generating learning and accountability, supporting Sida's decision making on new support, and providing input for ILAC in the elaboration of a new Strategic Plan. ILAC's work is relevant to Sida's various policies. ILAC has added value depending on the country and context in which it operates. While gender issues are well-addressed, conflict and human rights approaches are insufficiently developed. Its assessments are relevant instruments to help different stakeholders make progress in the rule of law, identify needs, and plan forward. ILAC's visibility and engagement are insufficient to create a constant and diverse demand for its assessments, increase its influence and attract donors. Core funding should contribute to ILAC's new Strategic Plan and ILAC should continue to work on defining its niche and positioning. ILAC will also benefit from bringing non-legal expertise to its assessments increasing relevance to different stakeholders, including donors. In doing so, it needs to develop partnerships with relevant partner organisations.

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