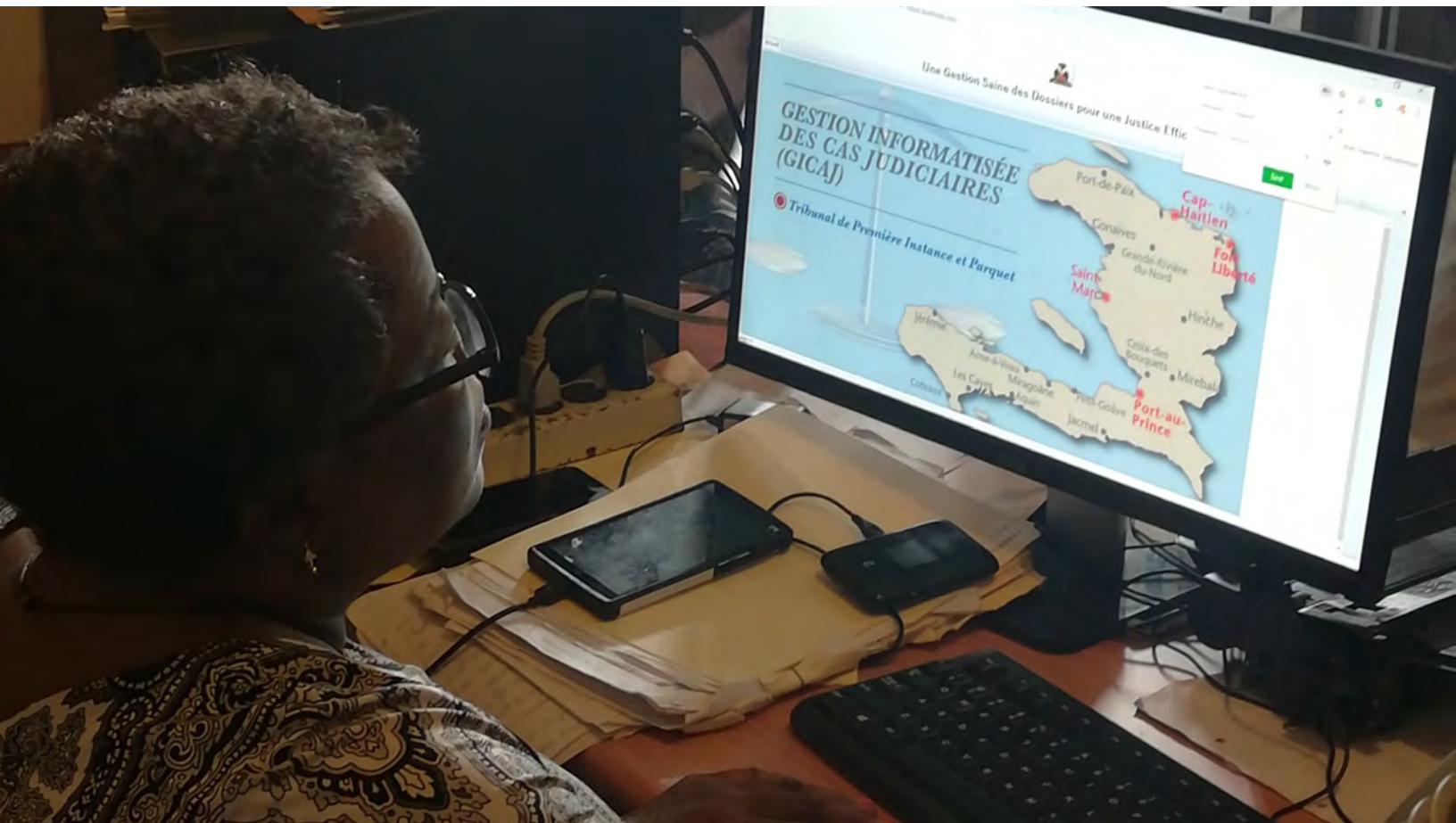




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MID-TERM PERFORMANCE EVALUATION REPORT

HAITI JUSTICE SECTOR STRENGTHENING PROGRAM (JSSP)

July 2020

This publication was prepared independently by Social Impact, Inc. at the request of the United States Agency for International Development.

USAID/HAITI JUSTICE SECTOR STRENGTHENING PROGRAM (JSSP) MID-TERM PERFORMANCE EVALUATION

Final Report

USAID/Haiti Office of Democracy and Governance

Evaluation Mechanism No: AID-521-A-15-00009

Cover Photo: A court clerk in Saint-Marc works on the Case Management Information System (French: Gestion Informatisée des Cas Judiciaires, or GICAJ)

Cover Photo Credit: Noel Jonathas, Jr.

This publication was produced at the request of the United States Agency for International Development. It was prepared independently by John Lis (Team Leader), Noel Jonathas, Jr. (Assistant Team Leader), and Pelex Flereme on behalf of Social Impact, Inc.

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The authors' views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

ABSTRACT

The Haiti Justice Sector Strengthening Program (JSSP) mid-term performance evaluation examines the ways and extent to which the activity is supporting the professionalization, independence, accessibility, and efficiency of the Haitian justice sector and how JSSP has set the stage for sustainable improvement. Successful interventions demonstrate that the activity is effective at addressing technical problems, while difficulties in promoting judicial independence show that JSSP is less effective in addressing problems with political causes. Support to legal assistance offices provided legal assistance to those who could not afford an attorney, particularly to detainees, and contributed to a reduction in prolonged pretrial detention, a longstanding problem. JSSP sought to support greater efficiency through development of a new criminal code that has not yet been enacted and implementation of a Case Management Information System (CMIS). JSSP encouraged increased Haitian Government ownership of key justice initiatives by promoting reform legislation, legal education reform through Haitian institutions, memoranda of understanding with key governmental bodies, and establishment of agencies to manage legal assistance and CMIS, but it is unclear if the government has sufficient resources to continue JSSP initiatives after the activity ends. JSSP's effect on professionalization has been limited. Judicial decisions are not independently made, and promoting judicial independence is difficult because politicians do not want to relinquish their control over the judiciary. Despite JSSP interventions, there is a lack of confidence in the formal justice sector. The evaluation report concludes with 11 recommendations for JSSP in its final year.

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ABBREVIATIONS AND ACRONYMS

ABA/ROLI	American Bar Association Rule of Law Initiative
ACOR	Alternate Contracting Officer's Representative
ADR	Alternative Dispute Resolution
ADS	Automated Directive System
ANAMAH	<i>Association Nationale des Magistrats Haitians</i> (National Association of Haitian Magistrates)
ATL	Assistant Team Leader
BAL	<i>Bureau d'Assistance Légale</i> (Legal Assistance Bureau)
CdB	Croix-des-Bouquets
CEJA	<i>Centro de Estudios de Justicia de las Américas</i> (Justice Studies Center of the Americas)
CH	Cap-Haitian
CHAIFEJ	<i>Chapitre Haitian de l'Association Internationale des Femmes Juges</i> (Haitian Chapter of the International Association of Women Judges)
CMIS	Case Management Information System
CNAL	<i>Conseil National d'Assistance Légale</i> (National Legal Assistance Council)
CONAJ	National Committee for the Advancement of Justice
COP	Chief of Party
COR	Contracting Officer's Representative
CPD	<i>Combite pour la Paix et le Développement</i> (Cooperative for Peace and Development)
CSO	Civil Society Organization
CSPJ	<i>Conseil Supérieur du Pouvoir Judiciaire</i> (High Judicial Council)
CTC	Commission Technique de Certification (Vetting Commission)
DC	District of Columbia
DCPJ	<i>Direction Centrale de la Police Judiciaire</i> (Central Directorate of the Judicial Police)
DEC	Development Experience Clearinghouse
DO	Direct Observation
EMA	<i>École de la Magistrature</i> (Magistrates' School)
EQ	Evaluation Question
EQUI	Evaluation Quality, Use, and Impact
ESS	Evaluation and Survey Services
ET	Evaluation Team
FBH	Federation of Bar Associations of Haiti
FCR	Findings, Conclusions, and Recommendations
FGD	Focus Group Discussion
FL	Fort-Liberté
FY	Fiscal Year (Oct. 1-Sept. 30)
GOH	Government of Haiti
GREAS	<i>Groupe de Recherche and d'Analyse Stratégique</i> (Strategic Research and Analysis Group)
HQ	Headquarters
IP	Implementing Partner
JIU	Judicial Inspection Unit
JSSP	Justice Sector Strengthening Program
KII	Key Informant Interview
LOE	Level of Effort

MACCI	<i>Misión de Apoyo contra la Corrupción y la Impunidad</i> (Mission to Support the Fight against Corruption and Impunity)
MINUJUSTH	<i>Mission des Nations Unies pour l'appui à la Justice en Haïti</i> (United Nations Mission for the Support of Justice in Haiti)
MISCOH	International Mission of Cooperation against Corruption in Haiti
MJPS	Ministry of Justice and Public Security
MOUFHED	<i>Mouvement des Femmes Haïtiennes pour l'Éducation et le Développement</i> (Haitian Women's Movement for Education and Development)
OPC	Office for the Protection of the Citizen
PA	Project Assistant
PAP	Port-au-Prince
PAPBA	Port-au-Prince Bar Association
PD	Project Director
PM	Project Manager
PNH	<i>Police Nationale d'Haïti</i> (Haitian National Police)
Q	Quarter
QA	Quality Assurance
RECIDP	<i>Réseau Civisme et Droits de la Personne</i> (Civil and Human Rights Network)
RNDDH	<i>Réseau National de Défense des Droits de l'Homme</i> (National Human Rights Defense Network)
SOW	Scope of Work/Statement of Work
SI	Social Impact
SM	Saint-Marc
Tel.	Telephone
TIP	Trafficking in Persons
TL	Team Leader
TPM	Team Planning Meeting
ULCC	<i>Unité de Lutte contre la Corruption</i> (Anti-Corruption Unit)
UCREF	<i>Unité Centrale de Renseignements Financiers</i> (Central Financial Intelligence Unit)
USAID	United States Agency for International Development
USG	United States Government
Y	Year

EXECUTIVE SUMMARY

INTRODUCTION

The United States Agency for International Development (USAID)/Haiti requested that Social Impact's (SI) Evaluation and Survey Services (ESS) project design and conduct an independent mid-term evaluation of the Haiti Justice Sector Strengthening Program (JSSP) implemented by Chemonics International, Inc. JSSP's goal is to support the Government of Haiti (GOH) and civil society to expand access to quality justice for Haitian citizens. JSSP has four overarching objectives: 1) improving the legal, policy, and regulatory framework; 2) strengthening the judiciary as an independent, credible, and effective authority; 3) improving access to justice and protection of rights; and 4) strengthening civil society constituencies for reform.

This mid-term evaluation addresses two evaluation questions (EQs):

1. To what extent and in what ways is JSSP supporting the professionalization, independence, accessibility, and efficiency of the Haitian justice sector? In addressing this question, the evaluation team assessed the extent to which JSSP has contributed to reducing the number of people in prolonged detention and increasing the number of people who have access to legal assistance (particularly women and other vulnerable populations) and the extent to which judicial decisions are independently made.
2. To what extent and in what ways has JSSP set the stage for sustainable improvement in the judicial system after the activity? In addressing this question, the evaluation team considered sustainability from a legal, financial, and institutional frameworks perspective.

EVALUATION METHODOLOGY

The ET used a qualitative evaluation design, consisting of document review, key informant interviews (KIs), focus group discussions (FGDs), and direct observation (DO) of JSSP interventions. The ET interviewed 95 stakeholders through KIs and FGDs in Port-au-Prince, Cap-Haitien, Fort-Liberté, Saint-Marc, and Washington in January and February 2020.

FINDINGS AND CONCLUSIONS

EVALUATION QUESTION I

JSSP primarily supported the professionalization of the Haitian justice sector through helping Haitian institutions provide training seminars for legal professionals, developing capacity of the High Judicial Council's (CSPJ's) judicial inspection unit (JIU), awarding grants to civil society organizations (CSOs) for judicial sector monitoring, and supporting curriculum development in Haitian legal education institutions. JSSP also integrated the promotion of gender equality in its interventions, to the extent possible.

While JSSP exceeded its training targets, its effect on professionalization has been limited. This is due to certain factors mostly outside JSSP's purview, such as judges, prosecutors and clerks who lack moral and professional standards for their positions. Similarly, for judicial inspection, training increased capacity, but judicial inspection cannot succeed without a budget and staff resources for inspections from CSPJ.

Some shortcomings are due to interventions not being systematic or comprehensive enough, such as isolated one-off trainings. Some initiatives, like civil society monitoring, have not been implemented completely.

The primary contributions of JSSP to the independence of the Haitian justice sector have been capacity building in the CSPJ administration, support for the development of vetting and inspection units, training of civil society to conduct judicial monitoring, draft legislation to increase prosecutors' autonomy, and development of an evaluation process and career plan for judges. The World Economic Forum's Global Competitiveness Report found that judicial independence in Haiti declined between 2015 and 2019. Of 50 key informants asked about independence, 34 said the Haitian justice system has not become more independent.

Judicial decisions are not independently made, and increasing judicial independence is difficult because there is no political will to reform the justice system among politicians. Not only have politicians failed to reduce political control over the judiciary, but they also seek to maintain their power over judges and prosecutors, whose careers are dependent on reappointment by the executive branch. Likewise, there is little appetite on the part of CSPJ members to sanction their peers, which is reflected in a lack of institutional support for vetting and inspections and a lack of sanctions following inspections that do occur. Some of JSSP's initiatives for structural changes to reinforce independence are still in their inception and will require passage of new bills or constitutional reform.

JSSP's primary intervention aimed at making justice more accessible was its support to legal assistance offices (*Bureaux d'Assistance Légale*, or BALs) in four jurisdictions, as well as the passage and implementation of a 2018 law on legal assistance. Legal professionals said the initiative was essential in providing legal assistance to those who could not afford an attorney, particularly to those incarcerated, and that BALs contributed to a reduction in prolonged pretrial detention. JSSP provided legal assistance to almost 4,000 defendants, more than 3,000 of whom were freed, including almost 600 women. The offices also provided legal representation to crime victims, consultations, and mediation services, together serving more than 1,400 poor and vulnerable Haitians. A JSSP official said the activity was successful in its legal assistance work because it was not politically sensitive.

JSSP also supported CSO civic-education efforts, alternative dispute resolution, and training to support victims of gender-based violence. While civic education efforts had a broad reach, it is not evident whether they resulted in citizens utilizing the justice system. There is no firm connection between JSSP programs that address crimes that affect women disproportionately and an increase in women's access to justice. In general, Haitian citizens still lack confidence in the formal justice sector. Of 60 key informants asked if they have faith in the justice system, 50 responded "no."

The primary ways in which JSSP supported greater Haitian justice sector efficiency were supporting development of a new criminal code and supporting implementation of the Case Management Information System (CMIS). JSSP made enactment and implementation of the new criminal code and accompanying criminal procedure code the centerpiece of its Objective 1, "Legal, policy, and regulatory framework improved." Despite JSSP efforts to analyze, revise, and promote the two draft codes, they had not been passed by Parliament as of January 13, 2020, when terms for all deputies and most senators ended, leaving the country without an effective parliament. With the codes having not been passed, JSSP plans to support implementation of the new codes were on hold. Key informants said the codes were not passed due to civil unrest in 2019 and Parliamentary procedure requiring a vote on each

of the 300-plus articles in the draft criminal code alone. While the consultation process that JSSP supported was extensive and deemed useful by parliamentarians, there remains opposition to the new codes from senior judicial and legal personalities, who believe that they were not properly consulted. This could lead to political opposition if it is not addressed.

JSSP's successful work to complete the CMIS system has improved the efficiency of the Haitian justice sector. JSSP provided funding, training, and data entry to CMIS and helped establish a technical task force. JSSP began its CMIS efforts in five jurisdictions and expanded the system to three more in summer 2019. CMIS contributes to the efficiency of Haitian courts by providing a computerized system to track cases, which previously had been documented only in paper record books. It is an essential tool to ensure that judges and prosecutors meet legal deadlines in criminal cases, and it can quickly identify cases of prolonged pretrial detention that should be prioritized for hearings.

The problem of prolonged pretrial detention predates JSSP. Interventions to increase the accessibility and efficiency of the Haitian justice sector were designed to reduce the incidence of prolonged detention. Foremost among these were JSSP supporting legal assistance, which provides legal counsel to defendants in detention, and CMIS, which increased visibility of cases of prolonged detention. JSSP also prepared an action plan to combat prolonged detention, adopted by the Ministry of Justice and Public Security (MJPS) in January 2019.

Thanks to JSSP-funded legal assistance offices, the number of people in prolonged pretrial detention declined across four jurisdictions through the end of fiscal year (FY) 2019, though the “*peyi lòk*” crisis¹ resulted in an increase in arrests and decrease in hearings in the first quarter of FY 2020. CMIS began to positively affect prolonged pretrial detention, and there is significant further potential. A JSSP-supported action plan to decrease prolonged preventive detention was adopted in April 2019 and began contributing to the decrease in prolonged preventive detention, but the crisis interrupted implementation.

The success of interventions like the legal assistance offices and CMIS demonstrates that JSSP is effective at addressing technical problems, and these achievements enabled the activity to support increased accessibility and efficiency of the justice sector. On the other hand, the activity's difficulties in promoting judicial independence show that JSSP is less effective in addressing problems with political causes, where political will on the part of Haitian actors is necessary to effect reform but is outside of JSSP's capacity.

EVALUATION QUESTION 2

JSSP explicitly endeavored to ensure sustainability in the improvements it facilitated in the judicial system. JSSP undertook a “Mutual Accountability and Partnership Strategy” through memoranda of understanding with key partners such as MJSP, CSPJ, and four bar associations. The activity also sought increased Haitian Government ownership of key justice initiatives.

From a legal perspective, JSSP reports document how the activity has set the stage for sustainable improvement in the judicial system by codifying the right to legal assistance, promoting other bills that would advance judicial independence, and working with Haitian institutions on improvements in legal

¹ Translated as “country lockdown,” this was a two month-long protest in September and October 2019 seeking the resignation of President Jovenel Moïse.

education and jurisprudence. Most notable was the enactment of the 2018 law on legal assistance, which provides a legal guarantee to a free attorney for indigent defendants and crime victims and establishes a National Council on Legal Assistance (CNAL).

JSSP's contributions to bills on judicial independence, such as a bill that would set fixed terms for prosecutors who currently serve at will, would contribute to legal sustainability of judicial sector institutions, but enactment of those laws is uncertain. JSSP cooperation with Haitian institutions like bar associations and the Magistrates' School on improving legal education, standards, and jurisprudence through initiatives like a standard law school curriculum and nationwide bar exam has potential to support sustainable improvement in the legal profession; however, those initiatives have not yet been adopted or implemented, according to officials of those institutions and JSSP.

From a financial perspective, JSSP set the stage for sustainable improvement in the judicial sector through its memoranda of understanding (MOU) with the MJPS, which is taking on greater financial responsibility for legal assistance, and by structuring its CMIS initiative to reduce operating costs after JSSP ends. According to JSSP reports, the agreement with MJPS led the ministry to contribute \$103,000 to support BALs after JSSP cut its funding in half in FY 2019. In-kind contributions of office space for BALs have been provided by the government or local bar associations. Despite commitments by senior officials to assume legal assistance costs, key informants reported that the extent of this sustainability is uncertain due to a limited judicial sector budget.

JSSP also helped CNAL and CSPJ develop budget processes. The MOU with CSPJ has not been successful, and it is doubtful CSPJ will fully fund JSSP initiatives after the activity ends next year, particularly judicial inspection and vetting, based on interviews with government officials and outside sources.

From an institutional perspective, the most notable way that JSSP set the stage for sustainable improvement in the judicial sector was supporting the development of CNAL as an institution to manage and fund legal assistance offices, according to JSSP officials and outside key informants. The passage of the law and establishment of CNAL are essential developments for the sustainability of legal assistance. This effort, however, was hampered by the government's failure to fully staff CNAL, key informants said.

JSSP evidenced some success in engaging MJPS and CSPJ technical staff in CMIS and is working to transfer the system to Haitian control, according to JSSP reports, but it is uncertain whether the nascent CMIS National Committee will develop into a body with capacity to manage and maintain CMIS.

The strategic plans that JSSP is developing for MJPS and educational institutions, as well as the evaluation plan for prosecutors, have the potential to institutionalize key reforms, if they are adopted. These include MJPS, Magistrates' School, Federation of Bar Associations of Haiti, and Port-au-Prince Bar Association. Regarding prosecutors' offices, JSSP reports state the activity began a plan for MJPS to institute a prosecutor evaluation process, after meetings with prosecutors and judges' associations.

JSSP also sought to institutionalize key reforms at CSPJ but did not find a willing partner.

RECOMMENDATIONS

JSSP should:

1. Direct its training support through Haitian institutions.
2. Convene an expert panel on judicial oversight.
3. Increase support to monitoring by journalists and CSOs.
4. Support strategic plans and organic laws.
5. Continue support to CNAL and BALs.
6. Train justices of the peace on ADR.
7. Consult broadly on codes during Parliamentary hiatus.
8. Continue support to CMIS.
9. Continue civic education through BALs and CSOs.
10. Support specific CSO activities.
11. Continue its Mutual Accountability Strategy.

INTRODUCTION

The United States Agency for International Development (USAID)/Haiti requested that Social Impact's (SI) Evaluation and Survey Services (ESS) project design and conduct an independent mid-term evaluation of the Haiti Justice Sector Strengthening Program (JSSP) that Chemonics International, Inc., is implementing. The Scope of Work is included as Annex A: Evaluation Scope of Work.

The primary stakeholders for this evaluation include USAID/Haiti, Chemonics, and Haitian government institutions, particularly the Ministry of Justice and Public Safety (MJPS) and High Judicial Council (CSPJ).

BACKGROUND OF LOCAL CONTEXT

Since the fall of the Duvalier dictatorship in Haiti in 1986, the country's transition toward democracy has been slowed by political crises and natural disasters. Likewise, development of an independent, functioning judiciary has been slow and incomplete.² A significant step forward came in 2012, when the CSPJ was created to oversee the country's judiciary, which previously had been under the authority of MJPS. Judges had previously been appointed and removed at will by the MJPS, and establishment of CSPJ and fixed terms for judges were seen as a necessary step toward judicial independence. However, the executive retained the right to appoint judges and to renew their mandates after their terms ended. Previous studies found that the judiciary is under-resourced, and Haitians perceive the formal justice system as costly and inaccessible.³

One outcome is a high rate of prolonged pretrial detention.⁴ The 2016 USAID Democracy, Human Rights, and Governance Assessment, published the same month that JSSP began, found that of the 11,000 people imprisoned, 71 percent were awaiting trial. In Port-au-Prince, 88 percent of the 4,500 prisoners were in pretrial detention.⁵

OVERVIEW OF ACTIVITY

JSSP's goal is to support the Government of Haiti (GOH) and civil society to expand access to quality justice for Haitian citizens. The activity helps support the professionalization, independence, and efficiency of the Haitian justice sector, advancing core justice system strengthening while building the foundations of judicial reform, fostering political support, and addressing relevant justice issues in the short to medium term. To accomplish this, JSSP has four overarching objectives: 1) improving the legal, policy, and regulatory framework; 2) strengthening the judiciary as an independent, credible, and effective authority; 3) improving access to justice and protection of rights; and 4) strengthening civil society constituencies for reform.

² Primary sources for this section include the Statement of Work for the JSSP activity, USAID's [Haiti Rule of Law Assessment](#) (April 2015), and USAID's [Haiti Democracy, Human Rights and Governance \(DRG\) Assessment](#) (October 2016).

³ Statement of Work for the JSSP activity, USAID's [Haiti Rule of Law Assessment](#) (April 2015), and USAID's [Haiti Democracy, Human Rights and Governance \(DRG\) Assessment](#) (October 2016).

⁴ Please see ET's relevant conclusions on pretrial detention under EQ1 (pgs. 30-31) and EQ2 (pgs. 36-37).

⁵ USAID. (2016). [Haiti DRG Assessment 2016](#), p. 10.

Table 1: Summary Information

Activity Name	Justice Sector Strengthening Program (JSSP)
Implementer	Chemonics International, Inc.
Cooperative Agreement/Contract #	AID-521-A-15-00009
Total Estimated Ceiling of the Evaluated Activity (TEC)	\$24,292,328
Life of Activity	September 14, 2016-February 7, 2021
Active Geographic Regions	All geographic regions
Development Objective(s)	Improved legal, policy, and regulatory framework; judiciary strengthened as independent, credible, and effective authority; improved access to justice and protection of rights; civil society constituencies for reform strengthened.
USAID Office	USAID/Haiti Democracy and Governance Office

PROBLEM, DEVELOPMENT HYPOTHESIS, AND THEORY OF CHANGE

USAID/Haiti intended JSSP to contribute to achieving the “Post-Earthquake USG Haiti Strategy toward Renewal and Economic Opportunity,” under Pillar D, Governance and Rule of Law. Pillar D’s specific objectives include Intermediate Result 2, Rule of Law and Human Rights strengthened, with its sub-intermediate results 2.1 “Improve access to and delivery of justice services” and 2.2 “Improve security and strengthen the protection of human rights.” The activity is intended to contribute to the second objective of the 2015 U.S. Government’s (USG) Quadrennial Diplomacy and Development Review by promoting the rule of law, enhancing access to justice, and defending human rights and the inclusion of marginalized and vulnerable groups. USAID/Haiti also designed the activity to contribute to the 2016-2019 USG Integrated Country Strategy for Haiti by supporting the draft objective “Efforts to comprehensively modernize the justice system, the civil service, and local governance are increased, so that public institutions can better perform their legally mandated functions and promote civil freedoms and internationally recognized human rights.”

The activity’s development hypothesis posits that if interventions modernize and improve the enabling environment for justice, the result is strengthened justice sector institutions, expanded pathways to justice services for protection of human rights, and civil society groups that can mobilize constituencies for reform, thereby expanding Haitian citizens’ access to quality justice services. The activity’s theory of change assumes that by engaging activity counterparts in planning and identifying resources and commitments to contribute to the effort and providing phased assistance in stages based on counterpart demonstration of participation, the activity will maximize use of resources and sustain interventions. The activity targets Port-au-Prince, Croix-des-Bouquets, Saint-Marc, Cap-Haitian, and Fort-Liberté.

RESULTS FRAMEWORK

Table 2: JSSP Results Framework

ACTIVITY OBJECTIVE: ACCESS TO QUALITY JUSTICE FOR HAITIAN CITIZENS EXPANDED

Objective 1: Legal, policy, and regulatory framework improved	Objective 2: The independence, credibility, and effective authority of the judiciary strengthened	Objective 3: Access to justice and protection of rights improved	Objective 4: Civil society constituencies for reform strengthened
<p>IR 1.1: Through multi-stakeholder advocacy, new and improved criminal and human rights laws and policies passed</p> <p>IR 1.2: Implementation of new and existing criminal codes improved in target jurisdictions</p>	<p>IR 2.1: Court case administration improved</p> <p>IR 2.2: Human resources effectively developed and managed</p> <p>IR 2.3: Accountability and oversight strengthened</p>	<p>IR 3.1: Informal and formal legal services to key vulnerable populations increased</p> <p>IR 3.2: Adjudication of disputes at the sub-district level increased</p>	<p>IR 4.1: Public awareness of rights and judicial procedures increased</p> <p>IR 4.2: Civil society networks, monitoring, and advocacy capacity increased</p>

Crosscutting issues:

Mutual accountability enforced, gender equality and vulnerable populations supported, anticorruption measures established, donor coordination managed

JSSP’s goal is directly linked with the USG’s foreign assistance objective of promoting just and democratic governance. The results framework demonstrates the logical, causal relationships between the different levels of anticipated results.

EVALUATION PURPOSE AND QUESTIONS

This mid-term performance evaluation’s purpose is to inform USAID/Haiti about possible mid-course corrections and future program orientation of JSSP, the objective of which is to expand access to quality justice for Haitian citizens. The evaluation also provides USAID/Haiti with information that can be used in designing a potential follow-on activity. The evaluation examines how the new processes, mechanisms, and systems JSSP established have contributed to improving the Haitian judicial system from the perspective of all relevant stakeholders, including beneficiaries. The evaluation report’s lessons-learned and recommendations may also guide future USAID/Haiti programming in areas such as rule of law and human rights, judicial reform, monitoring and evaluation, and other aspects pertaining to the professionalization, independence, accessibility, and efficiency of the Haitian justice sector.

This mid-term evaluation addresses two evaluation questions (EQs):

1. To what extent and in what ways is JSSP supporting the professionalization, independence, accessibility and efficiency of the Haitian justice sector? In addressing this question, the evaluation team assessed the extent to which JSSP has contributed to reducing the number of people in prolonged detention and increasing the number of people who have access to legal assistance (particularly women and other vulnerable populations) and the extent to which judicial decisions are independently made.
2. To what extent and in what ways has JSSP set the stage for sustainable improvement in the judicial system after the activity? In addressing this question, the evaluation team considered sustainability from a legal, financial, and institutional frameworks perspective.

EVALUATION METHODOLOGY

The ET conducted this evaluation from November 12, 2019, to April 13, 2020. The period comprised approximately six weeks for a desk review of JSSP documents and drafting the Inception Report and evaluation methodology, including the development of data collection protocols, and other planning for mobilization (the period included four weeks for USAID review). The evaluation period also accounted for three weeks in Haiti for data collection and analysis, and seven weeks for finalizing data analysis and writing and reviewing the draft and final reports, including USAID's review of the draft and final reports.

DATA COLLECTION

The ET used a qualitative evaluation design, consisting of document review, key informant interviews (KIIs), focus group discussions (FGDs), and direct observation (DO) of JSSP-supported interventions.

The data collection protocols to guide fieldwork are included in Annex B: Data Collection Tools. The purpose of the protocols was to: 1) ensure the ET addresses all key issues during data collection; 2) elicit rich, sometimes unanticipated, information from respondents; 3) help organize information in a form that the ET can efficiently analyze; and 4) ensure both that the ET collects sex-disaggregated data, and that it has information to assess the extent to which JSSP effectively addressed the specific concerns of both male and female stakeholders.

The protocols consist of questions that address and derive from the EQs, as well as from the ET's document review, its initial discussions with USAID, and its evaluation design knowledge.

LITERATURE REVIEW

The ET conducted a review of JSSP documents to better understand the activity design and implementation, extract findings relevant to the EQs, and inform data collection protocol development so that instruments appropriately supplemented or cross-checked information in the background documents. Documents reviewed are listed in Annex C: Information Sources.

KEY INFORMANT INTERVIEWS

The ET conducted KIIs with leaders of key stakeholder groups (sex disaggregated to the extent possible). Findings from KIIs contributed to the ET's responses to all EQs. In some cases, multiple individuals from the same office sat in the interview.

The ET interviewed 82 key stakeholders, conducting in-person interviews in Port-au-Prince, Cap-Haitian, Fort-Liberté, Saint-Marc, and Washington. Because of security concerns, the ET invited key informants from Croix-des-Bouquets to meet at ESS offices in Pétiion-Ville. Some KIIs were interviewed by telephone or Skype, generally those outside of Haiti. Table 3 outlines the ET's KIIs. It was not possible to achieve complete sex parity in the number of men and women included in KIIs, as many stakeholder types are heavily dominated by one sex. However, the ET made concerted efforts to include both sexes in the KII sample as much as possible. The ET structured each KII according to an interview protocol adjusted for different types of respondents (See Annex B for KII protocols). Most interviews lasted one hour. The ET conducted KIIs in Creole, French or English directly with sub-teams consisting of at least one expert and one notetaker.

The ET collected data on the perspectives and experiences of key stakeholders involved in JSSP using a purposeful sampling technique. Considering the time limitation of this evaluation, this approach enabled the team to prioritize interviewees with the most information, balanced by representativeness of the interviewees where population sizes are larger. The ET identified stakeholders involved in activity oversight and implementation, as well as stakeholders that received JSSP services and participated in its institutional capacity building efforts. The ET supplemented purposeful sampling with snowball sampling that enabled the ET to identify additional key informants and fill gaps in its original list of key stakeholders. The main categories of stakeholders the ET interviewed included:

1. USAID JSSP COR and ACOR;
2. U.S. Embassy representatives;
3. Chemonics JSSP personnel and consultants;
4. GOH officials whose offices were recipients of institutional capacity strengthening;
5. Legal professional associations;
6. Other donors and implementers supporting judicial reform (e.g., UNDP, BINUH); and
7. Civil society organizations.

Annex C: Information Sources includes a list of key informants the ET interviewed. Table 3 below sets out the distribution and number of KII and FGD participants.

Table 3: KII and FGD Participants, by Respondent Group and Location

STAKEHOLDER	PAP	CH	FL	CdB	SM	DC/TEL	TOTAL
USAID/U.S. Embassy	4						4
Chemonics	8	1		1	1	6	17
GoH officials	19	3	3	1	5		31
Professional associations	4	2	2		2		10
CSOs	8	3	1		3	1	16
Donors/Implementers	4						4
<i>Total KII participants</i>	<i>47</i>	<i>9</i>	<i>6</i>	<i>2</i>	<i>11</i>	<i>7</i>	<i>82</i>
FGDs (3 in Port-au-Prince with JSSP trainees)	11			2			13
<i>Total KII & FGD participants</i>	<i>58</i>	<i>9</i>	<i>6</i>	<i>4</i>	<i>11</i>	<i>7</i>	<i>95</i>

FOCUS GROUP DISCUSSIONS

The ET organized FGDs with JSSP-trained journalists, lawyers, and court clerks in Port-au-Prince. The objective of these discussions was to gather background information on the effectiveness of JSSP training and participants' views on the Haitian judicial system from their professional perspectives.

DATA ANALYSIS

The Team Leader (TL) oversaw and managed systematic analysis of qualitative data. The ET's data analysis approach utilized data triangulation to crosscheck results, and it applied several analysis methods to provide evidence for the evaluation's findings and conclusions.

METHODS

The ET employed several data analysis methods to identify key findings from the collected data, as well as to draw conclusions and make recommendations for JSSP in the activity's final year. The type of analyses depended on the specific data being assessed (e.g., content analysis for qualitative KII and FGD data). Analysis methods included:

1. **Content Analysis** – Content analysis entailed the ET's intensive review and coding of KII and FGD data to identify and highlight notable examples of JSSP successes (or lack of successes) that contributed to (or inhibited) achievement of its objectives.
2. **Trend Analysis** – Trend analysis enabled the ET to examine different JSSP indicators over time to identify patterns of convergence (or divergence) of outputs and outcomes toward the stated objectives.
3. **Gap Analysis** – The ET examined which aspects of JSSP, if any, fell short of anticipated performance, and the likely factors contributing to these gaps.
4. **Comparative Analysis** – The ET undertook comparisons of JSSP results across stakeholder groups to assess either convergence or divergence in perspectives.
5. **Gender Analysis** – A key component of the ET's social analysis was its capture of gender-based findings and conclusions. The ET worked across all JSSP objectives and initiatives to capture and compare the activity's results as they specifically benefitted (or did not benefit) women or men. Analysis of PMP data and KII/FGD responses revealed few, if any differences among respondents based on their sex.

DATA TRIANGULATION

The ET employed analytical triangulation approaches to develop its findings and conclusions, designing its data collection protocols with the same or similar questions across its 82 KIIs and the three FGDs with 13 respondents. The ET facilitated data triangulation of respondent data across all seven targeted stakeholder groups [and 95 stakeholders and respondents] outlined above. It also compensated by interviewing more people than originally planned, thus producing a richer trove of data from which to draw results.

This, thus, enabled the ET to cross-verify and cross-validate its findings, because each stakeholder group addressed sub-sets of the same EQs, and their testimony validated or refuted that of the other stakeholders and the document review. This approach also enabled the ET to strengthen the potential linkages among and accuracy of its data.

EVALUATION LIMITATIONS

BIASES

The ET is aware of several noteworthy bias risks in data collection and analysis:

1. **Recall Bias:** Recall bias is a common challenge in evaluations. Some JSSP recipients responded to the ET's questions with answers that blended their experiences into a composite memory with support received from other donors. The ET interviewed 95 stakeholders (82 in KIs and 13 in FGDs) during the fieldwork period, enabling it to cross-check responses across the seven stakeholder groups to increase the validity of the evaluation findings. It also probed respondents' answers to ensure accurate recollections.
2. **Response Bias:** Response bias is the risk that key informants may be motivated to provide responses that would be considered socially desirable or influential in obtaining donor support. Some respondents who made positive comments about JSSP support stated that they desired additional support in the future. The ET mitigated this risk by following up questions about the support itself with questions about how beneficiaries used the support and the effect it had on the Haitian judicial system.
3. **Selection Bias:** Selection bias is an inherent risk when implementers help to facilitate contact with activity recipients. There was a risk that JSSP would refer the ET to the most active, responsive, or engaged stakeholders. To mitigate the risk of selection bias, the ET itself identified key informants based on the positions they held or on their knowledge of JSSP. The ET arranged meetings directly without assistance from the implementer.
4. **Gender Bias:** Gender bias is a risk because most individuals have a subconscious sense of socially appropriate roles and behavior for women and men. The ET reviewed gender-sensitive approaches during the inception period by taking and discussing USAID's Gender 101 training, focusing discussion on what possible gender preconceptions might come into play during this evaluation, and reviewing how to minimize these during data collection and analysis.

LIMITATIONS AND MITIGATION STRATEGIES

Security Preparedness: While the security situation in Haiti was calm during the fieldwork period, the ET did not travel to Croix-des-Bouquets because of the potential risk. Instead, KIs and FGD participants from Croix-des-Bouquets were invited to the ESS office in Pétion-Ville for interviews.

End of Parliamentary Term: The term of office for the Chamber of deputies and two-thirds of the Senate ended on January 13, 2020, which left the country without a Parliament. To mitigate the risk of being unable to interview key officials, the ET accelerated the start of fieldwork to January 6, 2020 (three weeks earlier than originally proposed).

Reluctant Interlocutors: Some targeted individuals, particularly high-ranking officials, declined initial interview requests. The ET secured a letter of introduction from USAID (on USAID letterhead) to share with invited interviewees, which facilitated securing those interviews.

Data Triangulation: The ET conducted three focus groups with 13 participants, fewer than the seven focus groups with 25 participants originally planned. The ET mitigated this limitation by conducting key informant interviews with seven of the individuals who could not participate in scheduled FGDs, ultimately interviewing 20 of the original 25 invitees in either the KII or FGD setting. While these participants were included in the evaluation, this mitigation strategy meant that the ET was unable to triangulate data using multiple data collection methods.

FINDINGS AND CONCLUSIONS

EVALUATION QUESTION I

To what extent and in what ways is JSSP supporting the professionalization, independence, accessibility, and efficiency of the Haitian justice sector? In addressing this question, the evaluation team assessed the extent to which JSSP has contributed to reducing the number of people in prolonged detention and increasing the number of people who have access to legal assistance (particularly women and other vulnerable populations) and the extent to which judicial decisions are independently made.

FINDINGS

PROFESSIONALIZATION

The primary ways in which JSSP supported the professionalization of the Haitian justice sector have been through training seminars for legal professionals, developing capacity of CSPJ's judicial inspection unit (JIU), awarding grants to civil society organizations (CSO) for judicial sector monitoring, and supporting curriculum development in Haitian legal education institutions. JSSP has also integrated in its interventions the promotion of gender equality, to the extent possible. These interventions fall under IR 2.2: Human resources effectively developed and managed.

According to JSSP reports, the activity has sought to support professionalization of the Haitian justice sector through:

- Development of judicial inspection methodology and tools and training for CSPJ inspectors;
- Providing CSPJ's vetting commission (CTC) with methodology, standards, and tools;
- Supporting Judicial Inspection Unit (JIU) field missions;
- Providing trainings on forensics and money laundering, and an ethics protocol for 275 lawyers, judges, clerks, and interns.
- Organizing a training on gender equality for 22 participants;
- Training 40 law degree holders to be court clerks;
- In conjunction with the Federation of Bar Associations of Haiti, supporting a study on the state of university-level legal education, to serve as a baseline for improving the system of accreditation, curricula preparation, and monitoring;

- Training civil society organizations so they can monitor the behavior and professional conduct of justice officials and employees;
- Sponsoring a series of financial-crimes trainings, which 63 judges and prosecutors attended;
- Supporting a conference on transnational crimes attended by 320 participants;
- Spearheading the launch of the CSPJ gender policy, drafted by JSSP's Gender and Social Inclusion Advisor;
- Facilitating participation by members of CHAIFEJ, the Haitian Chapter of the International Association of Women Judges (IAWJ), in a July 2019 trafficking in persons (TIP) conference in the Dominican Republic;
- Trainings on gender, gender-based violence, and trafficking in persons for 51 people through bar associations and legal assistance offices; and
- Sponsoring a competition for scholarly works on legal doctrine.

Training

In fiscal year (FY) 2019, JSSP reported that it trained 672 judicial and court personnel (of which 178 were women), exceeding the target of 150 in the Performance Management Plan (PMP).⁶ Ninety-two percent of lawyers who attended trainings on gender and gender-based violence reported the training has improved their job skills, against a target of 60 percent. However, based on a focus group discussion with attorneys and key informant interviews with attorneys and judges, the ET found that recipients of gender training could not give examples of how they used the training in their daily work, stating that they have not yet worked on cases where those trainings were relevant.

JSSP similarly exceeded targets for training in FY 2017 (290 trained vs. 200 targeted) and FY 2018 (501 trained vs. 150 targeted), including training for 40 aspiring clerks. The focus group discussion with clerks trained by JSSP found that the clerks use this training in their daily work, and they reported that they were better qualified than their colleagues who did not receive the training.

In FY 2017, 94 percent of court personnel trained on CMIS reported that the training improved their skills. The ET observed and interviewed CMIS operators (clerks and back office technicians) in Cap-Haitian, Fort-Liberté and Saint-Marc. Based on questions from the interview protocols and direct observation, the ET was able to confirm that the operators were comfortable with CMIS and used the system without difficulty. For example, ET asked operators to show pending cases, closed cases or late cases or to enter new data (from the paper registry) into CMIS. All operators were able to perform the requested operations adeptly.

JSSP continues to support advanced financial crimes trainings for judges and prosecutors assigned to such cases. Further, JSSP provided additional support to the CSPJ vetting unit, and supported two international conferences on corruption. A forum on "Corruption in the Judicial System" took place on May 3, 2019, with JSSP logistical and financial support. Participants consisted of high judicial authorities,

⁶ Throughout the report, PMP data is taken from the JSSP Annual Report for the fiscal year cited.

magistrates and law professionals, and representatives from the Haitian National Police (PNH), Association of Professional Judges (ANAMAH), and other CSOs.

JSSP noted in the Year 2 annual report: “The clerk’s office is the heart of the court. Unfortunately, these offices are dysfunctional in Haiti.” On June 29, 2018, the Magistrates’ School (EMA) held a graduation ceremony for 40 clerk students (34 men/6 women). Students are law degree holders who were selected following a competition. It was the first-ever training for clerks in Haiti. The training consisted of three months of theoretical training at the EMA and a three-month internship.

Most key informants (KIs) said training and exchange programs supported by JSSP have the potential to increase professionalization and trigger positive changes of behavior. However, KIs said that inspection and oversight of judicial actors are also necessary to effect positive change in terms of professionalization. Relatedly, 44 of 86 respondents said a lack of professional standards by judges and prosecutors is one systemic cause of prolonged pretrial detention. Ten of those key informants specifically referenced judges’ “lack of competence and methods.”

“There is no interest among officials to have a functioning judiciary; they want a low-functioning judiciary,” added a JSSP official. “They don’t want to appoint judges and prosecutors with spines.”

All KIs, across the board, praised training provided by JSSP. They all confirmed having gained new knowledge and skills from the training. However, most groups could not cite specific examples of being able to apply the training. The few exceptions to this included: a) the 40 clerks recruited and trained under the auspices of JSSP, who reported how they are better trained than other clerks (although the clerks did not provide examples of this); b) two judges (in Saint-Marc and Port-au-Prince, respectively), who have reported using the knowledge and skills gained from the training on specialized crimes; and c) CSPJ’s judicial inspectors, who explained that they use the skills and knowledge in their inspections supported by JSSP. Regarding the CSPJ inspectors, the team could neither verify nor measure how they are using their skills and knowledge because inspections ceased when the JIU director resigned in December 2018. No replacement has been named, and inspections have not resumed.

Legal Education

JSSP has continued to strengthen legal education institutions by leading a study on the state of the field that identified sector-wide needs, such as an accreditation process for law schools. The accreditation process aims to address the main issues in legal education identified by the study, such as underqualification of professors, inadequate, inconsistent, or antiquated curriculum (courses, methods and materials), non-credible examination, etc. JSSP is also supporting the EMA’s continuing-education program for the country’s prosecutors.

JSSP concluded several curricula development efforts, mainly with the EMA. However, the use of such new curricula has not started, and JSSP officials caution that EMA is a weak institution that lacks a board of directors, despite a provision for a seven-member board in the 2007 law establishing EMA. KIs have found the initiative to be positive and opportune, but practical results cannot be measured as of now.

Inspection, Vetting, and Monitoring

KIs said JSSPs support for JIU’s inspectors training and 17 field missions, as well as the inspection methodology developed by the activity, have improved work habits for those inspectors. However, most KIs also found that CSPJ does not have a strong commitment to act against judges who commit

wrongdoing or unprofessional conduct, even for such cases stemming from findings in JIU inspection reports or denunciations from legal professionals or the general public. For example, KIs linked to CSPJ gave the example of JIU, which has only seven inspectors for the whole country. Likewise, they noted that clerks remain under the authority of MJPS, despite a law providing for their transfer to CSPJ. Thus, neither chief judges nor CSPJ have leverage over them.

“When the system is dysfunctional for this period of time, it’s because someone benefits from that dysfunction,” said an official of another donor. “Why is there no director of the inspection unit? Why is there no sense of urgency?”

Monitoring of the justice sector is another intervention through which JSSP has sought to advance professionalization. JSSP has provided training to different CSOs in the five jurisdictions to give them skills and knowledge in court monitoring. JSSP also awarded a grant to another civil society group, “*Combite pour la Paix et le Développement*” (CPD), to develop a justice monitoring program, but CPD could not fulfill the mandate due to the “*peyi lòk*” unrest. Another organization, the Movement of Haitian Women for Education and Development (MOUFHED), was retained for the activity and has just started. KIs with CSOs in Cap-Haitian and Fort-Liberté reported changes in behavior from court officials and employees when they are monitored.

“Our presence prevents judges from deviating from a law.”

— CSO Representative

“A member of the monitoring observation present in a court has a great impact on the functioning of a court,” said one CSO representative, noting that judges followed procedures when monitors were in the courtroom. “Our presence prevents judges from deviating from a law.” Another CSO representative said the local judges met with monitors to identify and move forward with cases of people in prolonged detention.

Likewise, journalists trained by JSSP on investigative reporting have stated they have started using the skills gained to monitor and report on the judiciary and legal issues, such as investigative reports on the working conditions of judges and a local property dispute.

Gender

JSSP reports note that gender training was positively received by beneficiaries, but court officials (judges or prosecutors) could not give specific examples of how they applied the gender-related aspects of JSSP’s professionalization support, such as how the trainings on gender-based violence may have led to changes in how the judiciary handles such cases. In another respect, CSPJ’s gender policy, developed by JSSP’s consultant and adopted by CSPJ, includes recommendations to implement the Constitution’s “at least 30 percent quota” of women in public institutions and promote gender at large in the sector, in which “currently, less than 12 percent of the judiciary are women and few hold key positions.”⁷

INDEPENDENCE

JSSP’s primary contributions to the independence of the Haitian justice sector have been capacity building in the CSPJ, support for the development of vetting and inspection units, training of civil society

⁷ JSSP Year 2 Annual Report, p. 12.

to conduct judicial monitoring, and development of an evaluation process and career plan for judges. These interventions fall under IR 2.2 and IR 2.3: Accountability and oversight strengthened. Many interventions described above in the “Professionalization” sub-section were designed to increase both professionalization and independence. JSSP reports cite the following interventions:

- Support to CSPJ to develop a career and promotion plan for judges, including analysis and recommendations;
- Drafting a bill to give fixed terms and autonomy from political interference to prosecutors;
- Technical and logistical assistance to JIU to conduct inspections and training for seven judicial inspectors;
- Support to CTC to complete a review of the vetting process to make it shorter and less costly;
- Support for 21 visits of the CTC to 59 cities to investigate 160 judges, utilizing the new shorter, less costly vetting process that JSSP supported;
- Management and leadership training for 28 judges and members of CSPJ;
- Drafting a bill to provide more autonomy to prosecutors and establish a Director of Public Prosecution;
- Development of a draft guide for oversight of appellate courts;
- Preparing for MJPS a draft performance evaluation for prosecutors;
- Assisting the ministry in adopting a strategic plan to promote judicial independence; and
- Supporting a workshop on judicial anti-corruption measures in other countries, attended by 142 individuals, that proposed 15 anti-corruption measures relevant to Haiti.

Assessments of Judicial Independence

The World Economic Forum’s Global Competitiveness Report found that judicial independence in Haiti declined between 2015 and 2019. Based on a survey of business leaders, the report found that judicial independence in Haiti declined from a score of 2.7 (on a scale of 1 to 7) in 2015⁸ to 1.8 in 2019. Haiti’s rank fell from 118th in the world in 2015 to 137th (out of 141) in 2019.⁹

Of the 50 relevant key informants, 34 said the Haitian justice system has not become more independent, compared to eight who said there has been some modest improvement in that regard. Fifteen key informants said the main obstacle to the independence of the judiciary is the fact that judges are appointed and renewed by the executive branch. An additional eight said judges and prosecutors usually are not selected based on their competence, but rather for their political affiliations, while four other KIs cited both executive and Parliamentary influences on judges and prosecutors. In that regard, those

⁸ World Economic Forum. (2016). The Global Competitiveness Report, 2015-2016 edition, p. 191.

⁹ World Economic Forum. (2019). The Global Competitiveness Report, 2019 edition, p. 259.

KIs said political pressure on judges will continue as long as they are appointed and renewed by the executive branch.

“A judge who does not obey the whims of the presidency will not be reappointed,” said a judge who serves on the CSPJ board. A CSO official said, “If the judge has a problem with those close to power, his reappointment is automatically difficult.” A senior government official said, “Here, senators have the power to go to prisons and release dangerous prisoners, or by a simple call to a judge. That’s why they’re never going to want to pass laws prohibiting them from interfering.”

Of the eight KIs who said there has been some improvement in judicial independence, the most common responses were that CSPJ “is putting a brake” on the appointment of unqualified, political judges and that improved oversight tended to improve independence.

Other key informants said independence of the judiciary is not an aspect that a program like JSSP can affect. They said independence of the judiciary is enshrined in the Constitution and has more to do with structural changes in organic laws and respect and commitment to the rule of law by political actors. As a key donor put it: “Judicial independence is a question of political will [and] not a problem with JSSP.”

Inspection and Vetting

JSSP met or exceeded PMP targets for judicial inspections in its first two years, but fell short of its target in Year 3, which JSSP reports attributed to the security situation making travel unsafe and the lack of a JIU director after December 2018. The JIU conducted 13 oversight missions in FY 2017 against a target of four; nine inspections in FY 2018 against a target of six, and one inspection in FY 2019 against a target of six. CSPJ reported eight judicial sanctions in FY 2018, meeting the target, and five sanctions in FY2019 against a target of nine.

JSSP fell short of its PMP targets for vetting of new judges. CSPJ vetted 42 judges in FY 2018, and 39 judges in FY 2019, both versus a target of 100. According to the annual report for Year 2, “For the past two years, the CTC has been paralyzed because the [justice ministry] did not appoint its representatives.” According to the quarterly report for Y3Q3, “Several missions were postponed due to regional insecurity.”

Corruption

In general, KIs were almost unanimous that there has been no change in corruption in the Haitian justice sector in the three years JSSP has operated, despite the activity promoting improved vetting and inspection of judges.

“There is a perception that judges sell justice, that the person who is richer will win,” said a CSO director. “A lot of people think you need money to get justice,” said another interviewee. “Corruption rages in the system,” said another respondent, whose comment was echoed by 11 other KIs.

“People said the wealthier person always wins,” said one scholar in an interview. “Justice is based on the ability to pay.” She said that informal justice mechanisms were preferred in outlying areas because local residents mediating cases faced a social stigma if they were corrupt, whereas judges coming from outside faced no sanction for taking bribes.

As a result of a JSSP-sponsored high-level conference on “Corruption in the Judicial System,” Justice Studies Center of the Americas (CEJA), a JSSP partner, summarized proposals for 15 measures against corruption and for the independence of the judiciary, which were presented to the MJPS and CSPJ in April 2019. While these proposals would increase judicial independence, it is not clear to what extent the judiciary will adopt and implement them. They include:

- Constitutional reform of the justice system for the creation of an independent Public Ministry, shifting the responsibility of judge selection to the CSPJ;
- The creation of an International Mission of Cooperation against Corruption in Haiti (MISCOH), consisting of local and international judges and prosecutors (similar to the Mission to Support the Fight against Corruption and Impunity in Honduras); and
- The adoption of protective regulations for employees, informants, complainants, and witnesses, as well as for judges and prosecutors.

Other JSSP anti-corruption initiatives include:

- Support to CSPJ to develop a career and promotion plan for judges, including analysis and recommendations, which the council has not acted upon;
- Assisting the ministry in adopting a strategic plan to promote judicial independence, which remains in development; and
- A bill to provide more autonomy to prosecutors, which is in the drafting phase.

CSPJ Role

According to JSSP reports, CSPJ’s dysfunction and lack of leadership and commitment remain a challenge to achieving the activity’s Objective 2. As a result, reports do not make clear the extent to which JSSP has contributed to the independence of the judicial sector.

A majority of KIs cite different specific issues that lead to CSPJ’s dysfunction and, consequently, limit JSSP’s effectiveness in fostering the independence and professionalization (which they saw as interrelated) of the justice sector. Examples of explanations provided by KIs are: a) problems with the organic law creating CSPJ or CSPJ’s structure (about 15 KIs); b) confusion between the roles of CSPJ and MJSP (five KIs); c) political pressure or interference in CSPJ’s work (15 KIs); and d) Most KIs cite the lack of adequate budget for the justice sector (less than 3 percent of the national budget). Among their comments were:

- “Since its inception in 2012, the CSPJ has not performed as expected.”
- “There is a lack of effective leadership at the top of the institution; in addition, judges are reluctant to sanction their peers.”
- “JIU’s biggest consistent concern is the lack of follow-up from the CSPJ Board following JIU reports, as follow-up is necessary for the JIU to have a greater impact on courts.”
- “CSPJ lacks organization, and members do not delegate technical tasks to the secretariat.”

- “I don’t think the president would want CSPJ to be strong.”
- “The presidency has a grip on justice. ... The problem of CSPJ is not technical; it is political.”

ACCESSIBILITY

JSSP efforts to make the Haitian justice sector more accessible to citizens fall under IR 3.1, Informal and formal legal services to key vulnerable populations increased; IR 3.2, Adjudication of disputes at the sub-district level increased; and, IR 4.1, Public awareness of rights and judicial procedures increased.

JSSP’s primary intervention to make justice more accessible was support to legal assistance offices (Bureaux d’Assistance Légale, or BALs). JSSP has greatly exceeded its PMP targets for provision of legal assistance and client satisfaction, reaching three times the targeted number in FY 2018, and more than three times the targeted number for FY 2019. Overall, JSSP also exceeded PMP targets for civic education and alternative dispute resolution.

According to JSSP reports, the main ways in which the activity supports accessibility to justice are:

- Technical, logistical, and financial support to facilitate drafting, passage, awareness-raising, and implementation of the 2018 law on legal assistance;
- Grants and training to support BALs in four cities; the offices provide free legal representation to indigent defendants and crime victims, free legal consultation, mediation in civil matters, mobile legal services units, and civic education;
- CSO-led civic education on access to justice, such as radio and television spots, social media videos, mock trials, awareness sessions, and public debates;
- Training for 25 individuals to support victims of gender-based violence; and
- A study on conflict resolution in underserved areas, with recommendations for ministry action.

Legal Assistance

Efforts to provide free legal assistance to Haitian citizens predate JSSP. When JSSP began in September 2016, the Haitian government was supporting BALs in five jurisdictions, the United Nations in four jurisdictions, and the previous USAID activity, ProJustice, in five jurisdictions. Among the interventions detailed in JSSP reports are a successful effort to pass a legal assistance law and establish an institutional framework for legal aid, shifting from contracts with individual lawyers to contracts with local bar associations, and expanding the range of services offered by BALs.

JSSP reports show the activity supported BALs in four jurisdictions: Port-au-Prince, Cap-Haitien, Fort-Liberté, and Saint-Marc. Plans to support the BAL in Croix-des-Bouquets were delayed due to a dispute over leadership of the local bar association. In early 2018, JSSP transitioned its support from contracts with individual attorneys to grants with the local bar associations in those jurisdictions to provide free legal assistance to defendants, victims, and people seeking legal consultation.

At the same time, JSSP encouraged the passage of the September 2018 Law on Legal Assistance, which established legal assistance for those unable to afford an attorney as a responsibility of the state. JSSP

staff and a JSSP consultant supported the drafting of the legislation, held five awareness-raising sessions across the country, and worked with Parliamentary committee chairs to encourage its passage, reports state. The law also established the National Committee on Legal Assistance (CNAL) to oversee legal assistance nationwide, providing a structure for managing BALs when established in all 18 court jurisdictions. (For more details on implications for sustainability of legal assistance in Haiti, please see findings and conclusions for Evaluation Question 2).

“The biggest step taken is the law on legal assistance leading to the establishment of the CNAL,” said one human rights attorney.

JSSP-supported legal assistance far exceeded its PMP targets. In FY 2019, the four BALs assisted 1,305 defendants in pretrial detention (1,146 men and 159 women), more than triple the target of 400 defendants. Of those provided representation, 563 were acquitted (482 men, 81 women), 185 were convicted (177 men, eight women), and 557 were freed without trial (486 men, 71 women).

In FY 2018, JSSP-supported BALs provided representation to 2,336 detainees (1,922 men, 414 women), of whom 259 were acquitted (220 men, 39 women), 420 were convicted (395 men, 25 women), and 1,657 were released without trial (1,307 men, 350 women). JSSP and other key informants said the figures were lower in FY 2019 due to civil unrest and judges’ strikes over pay, benefits and working conditions that restricted the number of hearings that could be held. In the five weeks that they operated in FY 2017, the four BALs handled 201 cases (gender not specified), resulting in 23 convictions, 13 acquittals, and 159 detainees released without judgment.

All key informants who were familiar with BALs said they were essential for providing legal assistance to those who could not afford an attorney, particularly to those incarcerated. “Thanks to this, access to justice has increased,” said one judge.

“The BAL has an important impact. They plan the cases that have to go to trial. We have already seen BAL lawyers pleading for litigants,” said a CSO official. A police official said police now call an attorney from the local BAL after they arrest an indigent defendant.

PMP data show that JSSP-supported BALs provided legal assistance to 3,842 defendants in pretrial detention between August 2017 and September 2019. As a result of this assistance, 2,283 detainees were released without trial and 835 were acquitted, for a total of 3,118 individuals, including at least 573 women, freed from detention in a 26-month period thanks to JSSP support for legal assistance.

“BAL helps in reducing the number of people in prolonged pretrial detention,” said a prosecutor. “[The BAL] helped decrease pretrial detention,” said a CSO official. “It is evident that the BAL contributed to a decrease in prolonged pretrial detention,” said a JSSP adviser. “How to improve JSSP? Augment the number of BALs.”

Legal assistance extended beyond providing attorneys for defendants in pretrial detention. Other PMP figures that demonstrate the extent of JSSP support include:

- BAL mobile units in FY 2019 provided legal representation, consultation, and mediation to 471 individuals (384 men, 87 women).

- A total of 2,498 people (1,802 men, 696 women) from low-income or marginalized communities received legal aid in the first nine months of FY 2019, greatly exceeding the target of 750. For FY 2018, 5,180 people (3,269 men, 1,911 women) received such assistance, against a target of 1,500. This figure for FY 2017 is 1,204, compared to a target of 1,200.
- In FY 2018, 68 percent of BAL users reported that they have increased access to quality justice as a result of USAID support, exceeding the target of 40 percent. In FY 2019, 52 percent reported increased access to quality justice, compared to a target of 50 percent.

Among those assisted were 122 victims of gender-based violence, assault and persecution. “Cases of women victims of violence are referred to BAL,” said a women’s rights advocate.

A JSSP official said the activity was successful in its legal assistance work because it was not politically sensitive. “We can make more ground on something like legal assistance because it doesn’t threaten anyone like a corruption case does,” he said.

Alternative Dispute Resolution

JSSP commissioned a 2017 study by a local research firm and Arizona State University that found that 90 percent of citizens resolve disputes outside of the formal justice system in informal, traditional ways.¹⁰ To address issues identified in the study, JSSP supported several interventions, including two workshops with local officials to discuss the study, three town hall meetings with justices of the peace, an itinerant justice of the peace court in a remote village, and training on alternative dispute resolution for those involved in informal dispute resolution.

A scholar who worked on the study said ordinary Haitians’ reliance on informal justice, such as dispute resolution by local officials or religious leaders, was not surprising. She and two Haitian CSO leaders said that ordinary people trusted leaders who live in their communities and did not have to pay for informal justice, whereas they did not trust the formal justice system and believed it favors the wealthy, who can bribe outside judges. “Local notables are considered like judges,” one CSO official said. The other CSO leader added that distance is a problem: “Certain people have to walk for kilometers to go to a court,” he said, echoing comments from KIs interviewed outside of Port-au-Prince. Some KIs highlighted the fact that Justices of Peace still sometimes resort to conciliation and mediation to find an amicable agreement (or “entente,” in French) even in criminal cases like rape, and the community seems to be satisfied with the resolution.

In FY 2018, 167 people (83 men, 84 women) visited dispute resolution centers in remote or marginalized communities, falling short of the PMP target of 200. In FY 2019, 471 people (399 men, 72 women) visited such centers, exceeding the target of 150. JSSP also provided training on mediation for 12 mediators in May 2018, according to an annual report.

JSSP reported isolated successes in increasing the number of cases referred to courts, such as a 150 percent increase in court cases in one village after a town hall meeting and greater communication with Justices of the Peace following town hall meetings.¹¹ In April 2019, JSSP presented the results of its 2017

¹⁰ JSSP Year 2 Annual Report, pp. 21-22.

¹¹ JSSP Year 3 Annual Report, pp. 20-21.

study to the Minister of Justice and other senior figures, along with a set of demands for improving access to justice, but no action by MJPS had been reported by the end of FY 2019.

Confidence in the Justice Sector

The assessment team's interviews found that Haitian citizens still lack confidence in the formal justice sector, three years after the start of JSSP's work. Of 60 key informants who were asked, "Do citizens have faith in the justice system," 50 responded "no." Of those 50, the most common explanations were that citizens perceive a double standard for the wealthy or well-connected (18 respondents) or that there is systemic corruption in the judicial system (12 respondents). "Citizens don't have confidence in the system," a deputy said. "The weakness of the system leaves the field open to corruption."

Among the 10 who did not respond "no," only two (both male police officials) said that citizens have confidence in the formal justice system. Eight respondents said the situation was mixed; the most frequent responses (two each) were that there is trust among those who have used the justice system, but not the population at large, or that the question is too subjective to answer definitively.

Gender

JSSP-supported BALs provided legal representation for victims of gender-based violence, assault, and persecution, reports show. In FY 2019, 122 victims (61 men and 61 women) received such assistance. In FY 2018, 121 victims (52 men and 69 women) were assisted.

Civic Education

JSSP supports BALs and CSOs to provide civic education about the legal system to Haitian citizens. Reports show BALs provided sessions on rights and duties of citizens, trafficking in persons, gender-based violence, and responsible parenthood. In FY 2019, BALs provided 75 civic education sessions for 1,911 participants (903 men, 1,008 women). In FY 2018, they provided 34 sessions for 1,090 citizens (507 men, 583 women).

In FY 2017, JSSP-supported CSOs undertook two civic education campaigns, meeting the PMP target. In FY 2018, those CSOs carried out seven such campaigns, exceeding the target of two. In FY 2019, there were three such campaigns, versus a target of two.

In FY 2019, JSSP grantee Strategic Research and Analysis Group (GREAS) in Port-au-Prince, Croix-des-Bouquets, and Saint-Marc organized three conference-debates and 35 awareness-raising sessions on human rights education and seven sessions on the need for civic education. The debates reached 89 participants (61 men, 28 women), while the awareness-raising sessions reached 1,022 people (447 men, 575 women), according to JSSP reports. Similarly, JSSP grantee Civil and Human Rights Network (RECIDP) included 60 participants in its sessions in Cap-Haitian and Fort-Liberté, organized mock trials for 99 participants, reached 131,829 viewers for Facebook videos on informal justice, and reached an estimated 433,730 listeners for radio programs on similar topics.

"We have had very positive feedback from those affected by the awareness campaign. They testified that they had a better knowledge of the justice sector," a CSO leader said. A representative of a women's advocacy group said, "Civic education has helped them better understand the justice system."

However, few legal professionals the ET interviewed were familiar with JSSP civic education efforts. A journalist said future civic education should focus on the "popularization" of the legal assistance law,

utilizing both mass media and more low-tech means like bullhorns, as RECIDP did in Cap-Haitian and Fort-Liberté in December 2018 and June 2019.

EFFICIENCY

The primary ways in which JSSP encouraged greater Haitian justice sector efficiency have been support to the development of a new criminal code and support for implementation in eight jurisdictions of the Case Management Information System (CMIS). These interventions fall under IR 1.1, Through multi-stakeholder advocacy, new and improved penal and human rights laws and policies are passed, and IR 2.1, Court case administration improved. JSSP reports cite the following interventions:

- Support to the judiciary committees of both houses of Parliament in drafting, holding public hearings, reviewing, modifying, and reporting out of committee the criminal code and code of criminal procedure, which are awaiting votes in Parliament;
- Support of expert discussion and analysis on the above bills and civil society advocacy; and
- Support for expansion, utilization, and promotion of CMIS in eight jurisdictions, such as training prosecutors and judges and providing data entry specialists.

Criminal and Procedural Codes

JSSP made enactment and implementation of the new criminal code and accompanying criminal procedure code the centerpiece of its Objective 1, “Legal, policy and regulatory framework improved.” The criminal code currently in use in Haiti was enacted in 1835, and a draft revised code had been submitted to the President in 2015, before the start of JSSP. Legal professionals said in interviews that that the draft criminal code contains provisions that would make justice in Haiti more efficient in several ways, by:

- Incorporating various freestanding criminal laws into a unified code, such as the recent law on gender-based violence;
- Incorporating international commitments into domestic legislation;
- Redefining some crimes as misdemeanors, allowing for a faster judicial process by eliminating the need for a judicial investigation;
- Adding new crimes, such as cybercrime; and
- Making the criminal code more gender-inclusive by removing gender-specific language for some crimes, such as sexual assault.

The draft criminal and criminal procedure codes were presented to Parliament in April 2017, at which time JSSP provided two consultants to the Justice and Security Commissions of both the Chamber of deputies and the Senate to revise the bills, JSSP quarterly and annual reports state. JSSP also provided logistical support for five public hearings on the bills around the country in July and August 2017. JSSP partners provided analysis of the bills; for example, the International Association of Women Judges (IAWJ) reviewed sections on gender-based violence and made recommendations on how to have language from the 2014 law on trafficking in persons incorporated into the code. The Port-au-Prince Bar

Association and Professional Association of Judges (APM) also made recommendations with JSSP support.

In FY 2018 and FY 2019, JSSP met or exceeded its PMP targets for organizing public information sessions and advocacy initiatives on those two bills:

- Two public sessions in FY 2019 and four sessions in FY 2018, versus targets of two in each year.
- Twelve civil society advocacy initiatives in FY 2019 and three such activities in FY 2018, greatly exceeding the FY 2019 target of one and the FY 2018 target of two.

In FY 2019, JSSP also worked with the relevant committees to revise the bills and obtain expert feedback and buy-in. These included a Senate committee workshop for 303 participants in October 2018, a Chamber of deputies committee workshop for 32 participants in December 2018, and four internal committee working meetings with a JSSP consultant, according to reports.

“The experts are there to shine a light on the obscure points, the legal jargon,” said one deputy. “They analyze the articles to see the aspects that are not adapted to the Haitian reality.” A senator said, “There wasn’t money for the committee to do this work. I don’t think we could do it without JSSP.”

Despite JSSP efforts to analyze, revise, and promote the two draft codes, Parliament had not passed them as of January 13, 2020, when terms for all deputies and most senators ended, leaving the country without an effective Parliament. JSSP and donor representatives told the ET that it was possible that the codes could be adopted by Presidential decree in the absence of a Parliament, then ratified by Parliament once a new legislature was elected. (As of April 2020, Parliamentary elections had not been scheduled.) With the codes having not been passed, JSSP plans to support implementation of the new codes were on hold. “The magistrates’ school is waiting for these codes to train magistrates,” a judge said.

Key informants inside and outside of Parliament cited two key reasons for the failure to enact the codes. First, civil unrest during 2019 interfered with Parliament’s operations, blocking completion of the Chamber committee’s work. Second, Parliamentary procedure requires a vote on each article of a bill, and there are more than 300 articles in the draft criminal code alone, making final approval a lengthy process. The committee in the Chamber was not able to report the bills out of committee due to the “frequent political turbulence,” a parliamentarian said. The Senate bill has been reported out of committee but was not brought to plenary by the “bureau” (leadership) of the Senate, a senator said.

Several senior jurists the ET interviewed criticized both the exclusiveness of the review process and the content of the bills, a contention that was disputed by government officials involved in the process. Critics said the Parliamentary committees, with JSSP support, should have consulted more widely, particularly with current judges and prosecutors.

“We have never been invited to meetings on the codes,” said a justice on Haiti’s highest court. “The codes were not submitted to us at the Court of Cassation.” A chief judge added, “Our recommendations were not taken into account by the experts. These codes need to be revised.” A representative of another donor noted, “There is some pushback from lawyers, who claim they were not consulted.”

Most critics of the bills' content said they were based on foreign legislation that did not reflect the Haitian situation. "In the codes, there are a lot of imported things that have nothing to do with Haitian reality," said a JSSP consultant. "This code is not adapted to the reality of our country," said another consultant. "We reprised the French model."

A senior government official countered, "We met with all actors, and all these actors gave their opinions on the codes." A government human rights attorney added, "We read these codes. Our recommendations were taken into account. The codes respond to international standards."

Case Management Information System

When it began in late 2016, USAID tasked JSSP with implementing the CMIS that had been piloted by the earlier ProJustice activity. A technical consultant who worked on both activities said the system was "partially implemented" under ProJustice, and JSSP intervention was necessary to make the system operational. One major step was to simplify the software so the system would be accessible to judges and prosecutors, he said. The system is set up to flag instances where deadlines have not been met, enabling judges and prosecutors to identify and prioritize cases of prolonged pretrial detention that previously might have been lost in the system. "If they go beyond a deadline, it shows up in red," the consultant said.

"Chemonics changed the approach to target integration between the prosecutors and the courts," a technical consultant said. "What made the system desirable were the dashboards ... [which] allowed them to view where they are on a case on one screen, with different tabs and different filtering."

In its first three years of operation, JSSP provided funding, training, and data entry to the system and helped establish a technical task force on CMIS, JSSP annual reports state. JSSP began its CMIS efforts in five jurisdictions (Port-au-Prince, Croix-des-Bouquets, Saint-Marc, Cap-Haitian, and Fort Liberté), and as of September 2019 had expanded the system to three more (Hinche, Mirebalais, and Grande-Rivière-du-Nord). This expansion in Summer 2019 enabled JSSP to meet its FY 2019 target of eight courts having CMIS, though training in the three latest jurisdictions was still underway as of the end of the fiscal year.

CMIS contributes to the efficiency of Haitian courts by providing a computerized system to track cases, which previously had been documented in paper record books that often went unused, according to a JSSP consultant. JSSP staff and consultants said an obstacle to making the system operational was the poor state of the manual records and the need to transfer that information to the electronic system. To accomplish this, in September 2019, JSSP hired eight data entry specialists to enter 4,793 cases into the system, bringing the total to 21,689 cases at the end of FY 2019, according to the annual report.

In terms of the effects of CMIS on court productivity, one JSSP indicator measures the "percent decrease in case processing time as a result of USG assistance." JSSP reported under this indicator that case processing time actually increased in FY 2019, but "mainly because criminal cases tried in FY19 are often selected based on the long time spent in pretrial detention"; i.e., because the longest-pending cases finally came to trial, which skewed the average upward. Additionally, JSSP could not collect data in two cities because of unrest.

Future plans call for expansion to three more jurisdictions and to the national police, prison system, and justice ministry units on money laundering and corruption. "If CMIS had been implemented in all jurisdictions, it would have been very beneficial for the system because one of the problems ... [is]

management of files, and this would make it possible to fill the gaps in terms of judicial statistics,” said a JSSP legal consultant.

A police official endorsed JSSP’s expansion plans, saying, “It would be good to connect justice with the police in terms of real-time information exchange, especially for police records. ... The lack of information at the system level favors the increase in cases of pretrial detention.”

Perceptions of CMIS have been favorable overall. “CMIS is revolutionary!” declared a senior government official. A representative of another donor said, “It’s a success, it has to be noted. I saw in Saint-Marc that they are very happy with the system.”

Judges, prosecutors and clerks from the initial five jurisdictions whom the evaluation team interviewed also said they like the system, which they said enables them to work faster. However, some of those interviewed said access to the system is limited to a few users in each courthouse, so other staff must submit requests to those users and wait to be given the results. JSSP officials said this was a deliberate decision to limit operating costs and facilitate sustainability.

PROLONGED PRETRIAL DETENTION

JSSP interventions to increase the accessibility and efficiency of the Haitian justice sector were designed to reduce the incidence of prolonged pretrial detention in Haiti, according to activity documents. Foremost among the initiatives discussed above were JSSP support to legal assistance, which provides legal counsel to defendants in detention, and CMIS, which increased visibility of cases of prolonged detention through features like flagging missed deadlines. Another JSSP intervention to specifically reduce the number of people in prolonged detention was preparation of an action plan to combat prolonged pretrial detention; this was adopted by MJPS in January 2019.

The problem of prolonged pretrial detention predates JSSP. A 2016 USAID assessment found that there were 11,000 people imprisoned in Haiti, 71 percent of whom were awaiting trial. In Port-au-Prince alone, 4,500 people were imprisoned, 88 percent of whom were awaiting trial.¹²

Non-compliance with procedural deadlines was cited by 29 key informants as the ultimate cause of prolonged pretrial detention, which they attributed to slow procedures, irresponsibility of judicial sector actors, and a lack of follow-up. Ten KIs cited judicial negligence, nine KIs cited a lack of political will, seven each cited a lack of judicial inspections and a lack of sanctions for negligent judges, and five each cited incompetence of judges and a shortage of investigating judges.

Another cause of prolonged detention cited by key informants is a 1995 decree that sets the start time of judicial hearings and limits the time that can be devoted to hearings. Interviewees said this decree is a major handicap in the fight against prolonged pretrial detention because more hearings are necessary to evaluate as many files as possible. JSSP officials said they are working with MJPS to change this decree.

Action Plan

In January 2019, the MJPS adopted the action plan to reduce prolonged pretrial detention. The plan was prepared by a JSSP consultant, who presented it to the ministry. Through this plan, MJPS intends to

¹² USAID/Haiti. (2016). Haiti Democracy, Human Rights and Governance (DRG) Assessment: Final Report.

program a set of activities that combine punctual and structural actions, notably an arrangement of techniques and innovative methods over the short and medium term (over two six-month cycles), specifically in Port-au-Prince. The plan features three main axes:

1. Inventory of physical files, prioritized by procedural status: The inventory analyzes the data available on persons detained mainly in metropolitan areas, at the level of the public prosecutor's office and the investigation offices. The purpose is to analyze and categorize people in detention in the various prisons in the metropolitan areas.
2. Increase in hearings: To overcome the problem of lack of hearings, an increase was made using the offices of certain investigating judges and the House of Lawyers of the Port-au-Prince Bar Association, because the court of first instance of Port-au-Prince has only eight hearing rooms. To encourage judges to work, a quarterly table of examining magistrates commonly called the "*carnet des juges*" has been established. This table also makes it possible to measure the performance of each investigating judge.
3. In the plan, there was an objective to reduce the number of people in preventive detention for more than two years. The aim of this measure was to reduce the number of people in pre-trial detention in metropolitan prisons to less than 60 percent in two years' time.

According to JSSP provided statistics, the number of people in pretrial detention in the five jurisdictions where JSSP primarily operated dropped from 5,556 in December 2018 to 5,063 in September 2019, a drop of nine percent. The figure rose to 5,549 in December 2019, which key informants from JSSP and the judicial system attributed to the "*peyi lòk*" unrest, which resulted in an increase in arrests and often prevented courts from operating. For example, the number of hearings in the five jurisdictions fell from 122 in July-September 2019 to three in October-December 2019.

In Port-au-Prince, the number of detainees fell from 3,703 in December 2018 to 3,140 in September 2019, a drop of 15 percent, according to statistics provided by JSSP. The Port-au-Prince prosecutor during this period attributed this decrease to a quota system for prosecutors that he implemented. He added that JSSP contributed to these results. "JSSP contributed in its own way to the decrease in prolonged pretrial detention in the jurisdiction of Port-au-Prince, from December 2018 to September 2019," said the former prosecutor, who left office in September 2019.

Key informants said legal assistance was JSSP's most important contribution to reducing prolonged detention. Of 54 respondents who said JSSP had contributed to a reduction in detention, 22 cited the BALs as the reason for this reduction, without elaboration. In addition, another five respondents said decreases in detainees were due to increased oversight from BAL lawyers, and two each cited increased follow-up from BALs and an increased number of defense attorneys. In contrast, nine individuals said CMIS had contributed to a reduction in detention. Only one person cited JSSP's efforts to support hearings in judges' chambers as having contributed to a reduction in detention.

Other JSSP Interventions

Reports detail other JSSP interventions to reduce prolonged pretrial detention, including establishment of an ad hoc group of legal professionals in Croix-des-Bouquets that identified detainees and cases that had not come to trial; a review of cases in Port-au-Prince that identified 150 that were ready for trial; and technical and logistical support for 232 trials in four jurisdictions. The latter intervention built on an

initiative to hold trials in judges' chambers in addition to courtrooms, to increase the number of hearings held while respecting the hearing hours set in the 1995 decree.

Conclusions

The success of interventions like the legal assistance offices and CMIS demonstrates that JSSP is effective at addressing technical problems, and these achievements enabled the activity to support increased accessibility and efficiency of the justice sector. On the other hand, the activity's difficulties in promoting judicial independence show that JSSP is less effective in addressing problems with political causes, where political will on the part of Haitian actors is necessary to effect reform, but is outside of JSSP's capacity.

PROFESSIONALIZATION

JSSP has supported the professionalization of the justice sector through training, development of legal education, and support to inspection and vetting. While JSSP has exceeded the targets in most intervention areas, the effect on professionalization of the justice sector has remained very limited. This is due to certain factors mostly outside JSSP's reach. Others are due to the logic of the interventions not being systematic or comprehensive enough to produce the effect. Some initiatives, like justice sector monitoring by civil society groups, are not yet implemented or have just started.

Based on the findings, the evaluation team concludes:

- Many justice sector actors (judges, prosecutors, and clerks) lack inherent moral and professional standards for their positions.
- Training and exchange programs demonstrated their ability to build professional attitudes.
- Some one-off trainings are not systematic, making their effect limited.
- Educational reforms embedded in institutions (law schools, bar associations, EMA) and/or written into professional standards (e.g., continuing legal education standards) can provide better long-term results.
- Inspection training was helpful, but it cannot succeed without a commitment from CSPJ, which does not act on inspection reports and has not appointed a JIU director, nor without budget and staff resources, which are not forthcoming.

Independence

Judicial independence has not increased during the three years of JSSP, and judicial decisions are not independently made. Increasing judicial independence is difficult because it requires political will, which is outside JSSP's capacity. Some of JSSP's initiatives for structural changes to reinforce independence are still in their inception and will require passage of new bills and even constitutional reform.

Not only have politicians failed to act to reduce political control over the judiciary, they actually seek to maintain their power over judges or prosecutors, whose careers are dependent on reappointment by the executive branch. Politicians do not want to relinquish this power, which helps insulate them from accountability. Likewise, there is little appetite by CSPJ members to sanction their peers, which is reflected in a lack of institutional support for vetting and inspections and a lack of sanctions following

those inspections that do occur. Because prosecutors serve at will, their employment is even more precarious, and they can be dismissed if they resist political pressure.

Accessibility

Support to legal assistance was the most significant contribution that JSSP made to supporting greater accessibility to the justice sector in Haiti, and JSSP support increased accessibility to the justice system for thousands of defendants in the jurisdictions where the BALs operate.

In addition to revitalizing legal assistance offices, JSSP support was instrumental in supporting the passage of the legal assistance law, which established CNAL, and the expansion of services offered by BALs. The expansion of BAL services is responsible for hundreds of additional poor and vulnerable Haitians gaining access to legal assistance and the justice system.

Other JSSP interventions to increase access to justice had fewer tangible effects. While CSO civic education efforts reached large numbers of people through social media and radio, it is not evident whether they resulted in citizens utilizing the justice system. The same is true of civic education provided by BALs. There is no firm connection between JSSP programs that address crimes that affect women disproportionately, like gender-based violence and trafficking in persons, and an increase in women's access to justice or legal assistance.

Despite JSSP's efforts in terms of alternative dispute resolution through BALs, it has not been able to reverse cultural influences, in addition to the lack of confidence in the justice sector and geographic inaccessibility, that make citizens prefer popular or informal justice mechanisms. In another respect, use of conciliation and mediation even in criminal cases remains prevalent in justice of the peace courts.

Efficiency

JSSP's successful work to complete the CMIS system has improved the efficiency of the Haitian justice sector in the initial five jurisdictions, and CMIS is likely to have the same effect in six more jurisdictions before the activity ends in February 2021. CMIS is an essential tool to ensure that judges and prosecutors meet legal deadlines in criminal cases, and it can quickly identify cases of prolonged pretrial detention that should be prioritized for hearings.

JSSP efforts to support modernization of the criminal code and code of criminal procedure were essential to revitalizing that initiative, but those efforts have not yet come to fruition, due to political instability and a cumbersome legislative procedure. If passed, the modernized codes would make the Haitian justice sector more efficient by unifying various criminal laws and by reducing the number of crimes requiring judicial investigation. While the consultation process that JSSP supported was extensive and deemed useful by parliamentarians, there remains opposition to the new codes from senior judicial and legal personalities, who believe that they were not properly consulted. This could lead to political opposition if it is not addressed.

Prolonged Pretrial Detention

Thanks to JSSP-funded legal assistance offices, the number of people in prolonged pretrial detention was reduced across four jurisdictions through the end of FY 2019, though the "peyi lòk" crisis resulted in an increase in arrests and decrease in hearings in the first quarter of FY 2020. CMIS is starting to have a positive effect on prolonged pretrial detention and has significant potential. The action plan, which is the

plan to decrease prolonged preventive detention supported by the JSSP, started to contribute to the decrease in prolonged preventive detention, but “peyi lòk” unrest interrupted it.

The 1995 decree on the organization of the judiciary poses a serious problem regarding the number of judges’ working hours. The rule of law is a political problem in which the Haitian state must become more involved. Without the political will of the Haitian government for the effective operation of the JIU of CSPJ, there will be no visible progress in justice in general and prolonged pretrial detention in particular. Without judicial discipline and monitoring the work of the magistrates, there only small steps will be taken and little real progress.

EVALUATION QUESTION 2

To what extent and in what ways has JSSP set the stage for sustainable improvement in the judicial system after the activity? In addressing this question, the evaluation team considered sustainability from a legal, financial, and institutional frameworks perspective.

FINDINGS

JSSP explicitly endeavored to make the improvements it facilitated in the judicial system sustainable. JSSP undertook a “Mutual Accountability and Partnership Strategy” through memoranda of understanding (MOUs) with key partners like MJSP, CSPJ, and bar associations in Cap-Haitian, Fort-Liberté, Saint-Marc, and Croix-des-Bouquets. JSSP sought increased ownership by the Haitian Government of key justice initiatives, and JSSP is developing an assessment of such progress. The original plan called for USAID to sign the MOUs with Haitian institutions; however, in FY 2019, USAID agreed to have JSSP prepare and sign MOUs. The activity concluded MOUs with CSPJ and MJPS, according to the Year 3 annual report.

LEGAL SUSTAINABILITY

The primary ways in which JSSP has set the stage for sustainable improvement in the judicial system from a legal perspective have been the development of a new criminal code, improvements in legal education, and support to legal assistance programs. These interventions fall under IR 1.1 and IR 3.1. JSSP reports cite the following interventions:

- Adoption of the 2018 Law on Legal Assistance, which codifies legal assistance as the responsibility of the state for indigent defendants and victims of crime, and to provide free consultations and mediation;
- Support for the new criminal code and code of criminal procedure, which are awaiting votes in Parliament;
- Support for other draft legislation, including bills on the autonomy of prosecutors, judicial organization, and the Ministry of Justice;
- Launch of a study on the state of legal education in Haiti;
- Advocacy for a national bar exam and an accreditation process for law schools; and
- Launch of a competition to aid in the development of “legal doctrine” in Haiti.

The right to legal assistance is contained in the Haitian Constitution, and 2018 legislation enshrines this right into law and provides for its implementation. JSSP support for drafting and passage of the law included a consultant who led a working committee on legal assistance, which coordinated support from international donors, implementers, and Haiti's Office for the Protection of the Citizen (OPC). JSSP provided technical, logistical and financial support, including bill drafting and harmonization of the Chamber and Senate versions of the bill, from August 2017 through passage in September 2018.

"The state will take charge of legal assistance. That mission is entrusted to it," said one deputy. "The new law on legal assistance has institutionalized the system of legal assistance," said a government attorney. A CSO official said, "It's the government that has the first responsibility to implement the law on legal assistance."

JSSP sought to ensure legal sustainability of criminal justice reforms by supporting passage of the new criminal and criminal procedure codes; however, Parliament failed to pass those bills before its term ended in January 2020. While JSSP has set the stage for adoption of the legislation, as discussed above, the ultimate effect of this incomplete JSSP intervention remains to be seen. JSSP also intended to provide training on the new codes but put that work on hold while awaiting passage.

JSSP consultants said they have worked to ensure the legal sustainability of prosecutorial independence by drafting a bill that would create a Director of Public Prosecution and establish terms of office for prosecutors, who currently serve at will. This bill is still in the discussion stage, as is a draft for a prosecutor evaluation process. JSSP is also supporting efforts to revise the 1995 law on judicial organization and the organic law governing the MJPS.

In addition to codifying improvements to the judicial system, JSSP has sought to promote the sustainability of legal education. Beyond providing training sessions for justice sector professionals, the activity has developed training through Haitian institutions. These efforts include training for court clerks and prosecutors through EMA, collaborating with the Port-au-Prince Bar Association to study legal education and to establish curricula and an accreditation process for law schools, and encouraging development of legal doctrine. These initiatives have not yet been adopted by those institutions, though EMA and bar association leaders said they support curriculum reform and establishment of a bar examination for new lawyers.

FINANCIAL SUSTAINABILITY

The primary ways in which JSSP has set the stage for sustainable improvement in the judicial system from a financial perspective have been shared financial support for implementation of CMIS, capacity building in CSPJ, and shared financial support for legal assistance programs. These interventions fall under IR 2.1, 2.2, 2.3, and 3.1. JSSP reports cite the following interventions:

- Reduction of JSSP support to BALs to compel increased Haitian government support;
- Transfer of CMIS Internet costs to the Ministry of Justice and CSPJ;
- Developing an implementation budget for CNAL;
- Engaging the Minister of Justice to seek government funds for implementation of the strategic plan;

- Assisting CSPJ with its budget process;
- Transitioning JSSP legal assistance funding from individual services contracts to grants to local bar associations.

JSSP officials said the centerpiece of JSSP’s financial sustainability strategy is the Mutual Accountability Strategy, designed to encourage the Haitian government to take responsibility for providing resources to the justice sector. In 2019, JSSP signed a MOU with both MJPS and CSPJ, under which their leaders agreed to assume more responsibility for JSSP-funded initiatives. “In the last year, I’ve seen JSSP increase its interest in coordination and sustainability,” said a donor representative.

The agreement with MJPS led the ministry to contribute 10 million gourdes (\$103,000) to support BALs after JSSP cut its funding in half in FY 2019, according to the annual report. In-kind contributions of office space for BALs have been provided by the government or local bar associations, four of which have signed MOUs with JSSP under the Mutual Accountability Strategy. JSSP continued to provide technical support for the four offices, but reduced funding for staff to “push the State toward greater ownership of legal assistance,” according to the annual report. Another donor representative said the ministry has assumed responsibility for three BALs, and the Minister of Justice said the ministry plans to fund BALs in seven jurisdictions. “That’s something that could lead to sustainability,” said a USAID official.

To support sustainable financing for legal assistance, a JSSP consultant worked with the new CNAL to develop a budget process, as well as rules of procedure that define eligibility for legal assistance, reports show. The removal of the government in March 2019 has hindered this process, as new appointments to CNAL and a new budget are not being considered.

“The one ray of hope is CNAL,” said another donor representative. “A budget can be allocated to that. It’s one of the positive points, but there is not enough money for all 18 jurisdictions.” However, a CSO official was skeptical: “The state does not have a budget to take over JSSP’s work in legal assistance.”

A commitment to assume financial responsibility for JSSP-funded interventions was not forthcoming from CSPJ, according to JSSP reports, which cited CSPJ’s “waning commitment to fulfill its mandate of overseeing, disciplining, and managing the judiciary.” As a result of this lack of commitment, JSSP scaled back its support to CSPJ in FY 2019, though JSSP did help CSPJ develop a budget process. This lack of CSPJ commitment threatens the financial sustainability of other JSSP initiatives, like its support to the JIU and CTC to conduct judicial inspections and vetting, key informants said.

CSPJ officials said they cannot sustain funding for judicial inspections, which will continue to require outside funding after JSSP ends. “It’s a matter of funds. The movement of inspectors on the national territory requires financial means,” said a senior CSPJ official. “JSSP is important in this sense,” one CSPJ director said. Senior CSPJ officials emphasized to the evaluation team the importance of continued JSSP financial support for CSPJ to function. Additionally, a plurality of KIs said CSPJ lacks resources to conduct inspections that could improve professionalization of the justice sector.

JSSP also took steps to set the stage for financial sustainability of CMIS. In May 2019, JSSP moved into what reports call the “ownership and expansion phase” of its CMIS initiative, increasing its reliance on local staff from the information technology units of MJSP and CSPJ to undertake some work, such as

cabling. A JSSP consultant said that costs for the project were front-loaded to reduce the operating costs of the system. “The system is going to be cost-effective,” the consultant said. “The system can be maintained with ease.” Among the ongoing costs will be Internet access, equipment, training, server hosting, and development. JSSP consultants have proposed cost-minimizing steps like using inexpensive laptops as user terminals and affiliation with a university for software development. However, no estimate is yet available for operating costs, and no government budget line has been dedicated to CMIS funding.

Key informants were skeptical that the Haitian government would be able to sustain CMIS and the legal assistance offices after JSSP ends. Of those interviewees who responded, 28 said that the government would be able to sustain the initiatives, compared to 38 who said it would not. Fifteen respondents offered more nuanced views, leaving open the possibility that the state could provide funding but no assurance that it would do so.

Among the 38 respondents who said the state would not operate the systems on its own, the most frequent response (17 people) was some variation of “The state does not have the means to support these activities.” Among the 28 who said the state would take charge of the initiatives, 19 spoke about sustainability of BALs and nine addressed CMIS. The most frequent responses among those who said either system was sustainable were six people who indicated, “The State will take charge of legal assistance since it is its mission,” and five who expressed the belief that “The new law on legal assistance has institutionalized the system of legal assistance.”

The lack of funding for the justice sector in the national budget is an overarching problem for financial sustainability, key informants said. The percentage of the national budget devoted to the justice sector has remained flat over the last several years at less than 1 percent, they said. The Minister of Justice has pledged to meet the ministry’s commitment to fund legal assistance, saying, “We cannot count on international donors indefinitely.” However, other key informants say the government lacks sources of revenue to meet the commitment.

“The state wasn’t capable of funding the budget,” a JSSP consultant said. A judge who serves on CSPJ said, “There is a problem of [the] operating budget at the level of the courts. The justice system does not have a sufficient budget.” A journalist said, “The CSPJ operational budget is very weak. It is up to the state to put a budget at the disposal of the CSPJ for its proper functioning, but this is still not the case.”

Key informants also said donor assistance is drying up, so funding for new initiatives is uncertain unless the government redirects funding to the justice sector and finds new sources of revenue. UN officials said that the UNDP is leading a \$2.5 million project in cooperation with other UN agencies, and the Bureau on International Narcotics and Law Enforcement (INL) at the Department of State is planning a project to support prosecutors’ offices by embedding advisers in the chief prosecutor’s office to provide training, seminars and guidance on how to prepare cases for trial, with a focus on Port-au-Prince, with the intent of developing best practices that can be applied elsewhere, such as the quota system that proved successful in Port-au-Prince in 2019. INL also intends to work with prisons in its project, for which the funding level is not yet determined. In a related field, the Organization of American States has mobilized \$3 million for an anti-corruption program that is envisioned to total \$14 million. UN and State Department officials said they are coordinating their efforts with JSSP and that they intend to cooperate with the activity, for example, by funding additional BALs or supporting passage of the new law on

prosecutors. However, they did not indicate any plans to take over JSSP interventions after the activity ends next year.

“There are very few actors left in the judicial sector,” said another donor. “If JSSP were to go today, it would be a disaster.” A JSSP official said, “I’ve never seen so few donors assisting in the sector as now.”

INSTITUTIONAL SUSTAINABILITY

The primary ways in which JSSP has set the stage for sustainable improvement in the judicial system from an institutional perspective have been support to legal assistance programs, capacity building in the High Judicial Council, and support for curriculum development in Haitian legal education institutions. These interventions fall under IR 2.1, 2.2, 2.3, and 3.1. JSSP reports cite the following interventions:

- Formal launch of the CMIS “expansion and ownership” phase to transfer implementation responsibilities to the CSPJ and MJPS;
- Support to development of CNAL to assume management of BALs;
- Signature of executive orders mandating courts and prosecutors’ offices (“parquets”) to use CMIS for improved court case management;
- Assisting the Ministry of Justice to adopt a strategic action plan;
- Support for strategic planning for EMA, Federation of Bar Associations (FBH), and Port-au-Prince Bar Association (PAPBA); and
- Assessment of the structure and operations of prosecutors’ offices.

JSSP sought to contribute to sustainability of legal assistance in Haiti through its support for the institutional development of CNAL. JSSP drafted the rules of procedure for CNAL and provided training on leadership and management to the staff of the new body, which provides an institutional framework for managing and funding legal aid offices. The extent of JSSP support was restricted, however, by a freeze on appointments to the new body as a result of the government falling in March 2019.

To build institutional sustainability for CMIS, JSSP worked with mid-level technical professionals to establish a technical task force for CMIS expansion and implementation, relying on staff of the MJPS and CSPJ to complete technical tasks like cabling, JSSP annual reports show. In FY 2020, JSSP plans to form a team of technical staff from JSSP, MJPS, and CSPJ called UCODES, which is to assume responsibility for CMIS technical operations. In FY 2020, JSSP plans to transfer the server for CMIS from the United States first to JSSP offices, then to MJPS by the end of the activity in February 2021. JSSP worked to encourage use of CMIS by court personnel, advocating for executive orders mandating its use and organizing visits by MJPS and CSPJ officials to new jurisdictions to encourage CMIS utilization.

JSSP has worked to form a CMIS National Committee, with representatives from MJPS and CSPJ, and plans to transfer the system to that committee by February 2021. However, a JSSP report states the committee “has met a few times but is expected to become much more involved now that CMIS has some visible success stories and is receiving a higher level of institutional awareness and support.”

Some key informants expressed concern about the sustainability of CMIS in a country like Haiti that sees regular outages of electricity and Internet service. JSSP consultants who worked on CMIS said that this should not be a problem for the reliability of the system. They said that the system does not work in real time, so users can input data whenever it is online without risk of losing data, and the low number of court cases in Haiti means that inputting data will take only a couple of hours a day.

In another initiative to promote institutional sustainability of reforms, JSSP worked with several Haitian legal institutions to draft strategic plans. These include MJPS, EMA, FBH, and PAPBA. With regard to prosecutors' offices, JSSP began a plan for MJPS to institute a prosecutor evaluation process, after meetings with prosecutors and judges' associations. Further consultations and drafting were anticipated in FY 2020, according to reports.

JSSP also sought to institutionalize key reforms at CSPJ but did not find a willing partner, according to JSSP reports. In addition to financial and logistical support for judicial inspections and vetting by JSSP units like JIU and CTC, JSSP provided institutional support like simplified vetting methodology, inspection procedures, ethics codes, drafting of reference documents, and development of a career plan for judges. "However, in line with the USAID mutual accountability strategy, JSSP scaled back support in comparison to previous years, due to the CSPJ's waning commitment to fulfill its mandate," according to the JSSP FY 2019 annual report.

Another failed JSSP attempt at institutional reform was the creation of an interagency judicial sector coordination group called the National Committee for the Advancement of Justice (CONAJ). Launched in November 2017, CONAJ ceased activities in July 2018 after the government resigned.

CONCLUSIONS

From a legal perspective, JSSP has set the stage for sustainable improvement in the judicial system by codifying the right to legal assistance, promoting other bills that would advance judicial independence, and working with Haitian institutions on improvements in legal education and jurisprudence. Most notable was the enactment of the law on legal assistance, which provides a legal guarantee of the right of indigent defendants and crime victims to a free attorney. JSSP's contributions to bills on judicial independence would contribute to legal sustainability of judicial sector institutions, but enactment of those laws is uncertain. JSSP cooperation with Haitian institutions on improving legal education, standards, and jurisprudence has potential to support sustainable improvement in the legal profession, but those initiatives have not yet been adopted or implemented by the Haitian bodies.

From a financial perspective, JSSP set the stage for sustainable improvement in the judicial sector through its MOU with the MJPS, which is taking on greater financial responsibility for legal assistance, and by structuring its CMIS initiative to reduce operating costs after JSSP ends. Despite some political willingness to assume costs, the extent of this sustainability is uncertain due to a limited judicial sector budget. The MOU with CSPJ has not been successful, and it is doubtful CSPJ will fully fund JSSP initiatives after the activity ends next year, particularly judicial inspection and vetting.

From an institutional perspective, the most notable way that JSSP set the stage for sustainable improvement in the judicial sector was its support to develop CNAL as an institution to manage and fund legal assistance offices. The passage of the law and establishment of CNAL are essential developments for the sustainability of legal assistance. This effort, however, was hampered by the

government's failure to fully staff CNAL. JSSP has had some success in engaging MJPS and CSPJ technical staff in CMIS and is working to transfer the system to Haitian control, but it is uncertain whether the CMIS National Committee will develop into a body with capacity to manage and maintain CMIS. The strategic plans that JSSP is developing for MJPS and educational institutions, as well as the evaluation plan for prosecutors, have the potential to institutionalize key reforms if they are adopted.

RECOMMENDATIONS

1. Direct JSSP training support through Haitian institutions

The JSSP training initiatives with the greatest prospect for sustainability are those that seek to build the capacity of Haitian training institutions, like the Magistrates' School and bar associations. Increasing the professionalization of the justice sector in the long term can also be accomplished by developing a standardized curriculum for law schools and a bar examination for graduates. In its final year, JSSP should focus its training interventions on supporting institutions and improving legal education.

2. Convene an expert panel on judicial oversight

CSPJ's members come from the judiciary, and because a lack of professionalism and ethical standards are widespread in the judiciary, CSPJ is tainted as well. The most effective way to address CSPJ's issues is through a systematic clean-up of the judiciary before the restructuring of CSPJ. In order to facilitate this clean-up and restructuring, JSSP should set up a panel of independent experts and personalities (both Haitian and international) to develop a rigorous checklist and process for a systematic vetting of all judges, prosecutors, and clerks in the Haitian justice system. Those documents (checklist and process) should serve as a basis for the vetting of current judges, prosecutors, and clerks and for the recruitment of future judges, prosecutors, and clerks, as well as for systematic periodic review of their performance and good standing. Those would be essential elements of legal and institutional sustainability to be included in new laws on CSPJ, prosecutors, and the judiciary, to ensure independence, professionalization, and effectiveness.

3. Increase support to monitoring by journalists and CSOs

While vetting of new judges and inspections of sitting judges are important tools to ensure that judges are qualified and carry out their duties, CSPJ has demonstrated no initiative to undertake such inspections with its own resources or to take disciplinary action against underperforming judges. Therefore, independent judicial monitoring by journalists and civil society is essential for oversight of the judicial process, and JSSP should increase its training and support for such efforts.

4. Support strategic plans and organic laws

Reform of the MJSP, CSPJ, and the judicial process could be facilitated by amending the organic laws that define their organization and competences and by developing strategic plans for institutional development. JSSP should continue its ongoing support for legislative and administrative efforts to make the judicial sector more professional, independent, and effective.

5. Continue support to CNAL and BALS

JSSP support to legal assistance offices and to passage of the law on legal assistance are among its greatest contributions to increasing access to justice and to the sustainability of this initiative after the activity ends. In its final year, JSSP should continue its support to make CNAL an effective, sustainable manager of the legal assistance system, particularly by encouraging adoption of the draft internal rules and draft budget, and by providing management training to CNAL appointees once a new government is in place and they are appointed. JSSP should also continue training for legal aid attorneys.

6. Train justices of the peace on alternative dispute resolution

Geography remains an impediment to greater access to justice, and justice of the peace courts have the potential to reach farther afield than the 18 courts of first instance. JSSP should implement its plans for expert training and should work with the Magistrates' School to offer training to justices of the peace in alternative dispute resolution (ADR), which could enable the formal justice system to reach Haitians in outlying areas. Additionally, JSSP should convene a panel of experts (Haitian and international) to develop draft guidelines and/or a draft bill on ADR (mediation and conciliation) for justices of the peace and BALS, with clear guidance on the types of cases, such as rape, where amicable agreement ("entente") should not be proposed to litigants.

7. Consult broadly on codes during Parliamentary hiatus

While JSSP revitalized the effort to rewrite the criminal and criminal procedure codes and supported consultation and advocacy efforts, senior judges and other legal professionals have stated that they were not consulted adequately during JSSP's extensive review process. JSSP should use the period between the end of Parliamentary terms in January 2020 and the elections for a new Parliament to consult more broadly with senior legal figures and obtain their advice and buy-in on the new codes.

8. Continue support to CMIS

The completion of CMIS and its implementation in some jurisdictions are significant, sustainable contributions to improving the efficiency of the Haitian justice sector. JSSP should continue its support for CMIS, focusing on the expansion to additional jurisdictions and to agencies like the national police. JSSP should work with MJPS and CSPJ to develop an institution that can manage and fund CMIS after the activity ends next year.

9. Continue civic education through BALS and CSOs

An important aspect of making the justice sector more accessible to citizens is increasing awareness of how it operates, and JSSP should continue its support to civil society for civic education campaigns. The use of legal assistance offices to undertake civic education is an innovative way to leverage these offices and should continue. In addition, JSSP should explore the possibility of creating a courtroom drama for national radio or television, as was done by USAID/Kyrgyzstan several years ago. While most citizens do not observe trials in person, a courtroom drama has the potential of drawing a large audience that would learn about the operation of the legal system in an entertaining manner.

10. Support specific CSO activities

Haiti has several civil society organizations with the organizational and programming capacity to carry out civic education and monitoring campaigns. JSSP should focus its support to CSOs on civic education and monitoring programming, rather than on their institutional development or advocacy.

II. Continue its Mutual Accountability Strategy

While the Mutual Accountability Strategy has not been completely successful, as evidenced by the lack of commitment by CSPJ, its realization with the MJPS has led to the ministry assuming responsibility for the legal assistance offices. As JSSP cooperates with educational institutions to develop curricula and other training initiatives, it should seek memoranda of understanding with those entities.

ANNEXES

ANNEX A: EVALUATION SCOPE OF WORK

*Mid-Term Evaluation
Justice Sector Strengthening Program / JSSP*

PURPOSE OF THE EVALUATION

The purpose of this mid-term performance evaluation is to inform USAID/Haiti about possible mid-course corrections and future program orientation of the “Justice Sector Strengthening” Program (JSSP), whose objective is to expand access to quality justice for Haitian citizens. The evaluation will examine how new processes, mechanisms and systems established by JSSP have contributed to improve the Haitian judicial system from the perspective of all relevant stakeholders, including beneficiaries. Lessons learned, and recommendations provided through the evaluation report will also guide future programming in areas such as Rule of Law and Human Rights, judicial reform, monitoring and evaluation, and other aspects pertaining to the professionalization, independence, and efficiency of the Haitian justice sector.

SUMMARY INFORMATION

Strategy/Project/Activity Name	Justice Sector Strengthening Program / JSSP
Implementer	Chemonics International Inc.
Cooperative Agreement/Contract #	AID-521-A-15-00009
Total Estimated Ceiling of the Evaluated Project/Activity (TEC)	\$24,292,328
Life of Strategy, Project, or Activity	9/14/2016– 2/7/2021
Active Geographic Regions	All geographic regions
Development Objective(s) (DOs)	Improved legal, policy, and regulatory framework; Judiciary strengthened as independent, credible, and effective authority; Improved access to justice and protection of rights; Civil society constituencies for reform strengthened.
USAID Office	USAID/Haiti Democracy and Governance Office

BACKGROUND

USAID’s Justice Sector Strengthening Program’s (JSSP) goal is to support the Government of Haiti (GOH) and civil society to expand access to quality justice for Haitian citizens. The project will help support the professionalization, independence, and efficiency of the Haitian justice sector, advancing core justice system strengthening while building the foundations of judicial reform, fostering political support, and addressing relevant justice issues in the short to medium term. To accomplish this, JSSP has four overarching objectives: (1) improving the legal, policy, and regulatory framework, (2) strengthening the judiciary as an independent, credible, and effective authority, (3) improving access to justice and protection of rights, and (4) strengthening civil society constituencies for reform.

DESCRIPTION OF THE PROBLEM, DEVELOPMENT HYPOTHESIS, AND THEORY OF CHANGE

JSSP will contribute to the achievement of the “Post-Earthquake USG Haiti Strategy toward Renewal and Economic Opportunity,” under Pillar D, Governance and Rule of Law. Pillar D’s specific objectives include Intermediate Result 2, Rule of Law and Human Rights strengthened, with its sub-intermediate results 2.1 “Improve access to and delivery of justice services,” as well as 2.2 “Improve security and strengthen the protection of human rights.” The project contributes to the second objective of the 2015 U.S. government’s (USG) Quadrennial Diplomacy and Development Review by promoting the rule of law, enhancing access to justice, and defending human rights and the inclusion of marginalized and vulnerable groups. It also contributes to the 2016-2019 USG Integrated Country Strategy for Haiti by supporting the draft objective “Efforts to comprehensively modernize the justice system, the civil service, and local governance are increased, so that public institutions can better perform their legally mandated functions and promote civil freedoms and internationally recognized human rights.”

The project’s development hypothesis is that if the enabling environment for justice is modernized and improved, justice sector institutions are strengthened, pathways to justice services for protection of human rights are expanded, and civil society groups can mobilize constituencies for reform, then Haitian citizens will be more able to access quality justice services. The project’s theory of change is that by engaging project counterparts in planning and having them identify the resources and commitments they will bring to the effort and providing phased assistance in stages based on counterpart demonstration of participation, project resources will be maximized and interventions sustained.

Summary Strategy/Project/Activity/Intervention to be Evaluated

The project is targeting the following jurisdictions: Port-au-Prince, Croix-des-Bouquets, Saint- Marc, Cap-Haitien, and Fort-Liberte.

The project’s logic is demonstrated through its results framework. The project goal is directly linked with the USG’s foreign assistance objective of governing justly and democratically. The results framework demonstrates the logical, causal relationships between the different levels of anticipated results.

First, the JSSP Program intended to improve legal, policy and regulatory framework. In FY 2017, with substantial JSSP support at various levels, the draft penal code and draft penal procedure code were completed and sent to Parliament. In FY 2018, JSSP has provided assistance to parliamentarians in the Senate, and to the Chamber of deputies, to analyze the codes. In FY 2019, JSSP will keep supporting the Parliamentary process towards the codes’ final adoption. JSSP will also continue assisting various stakeholders in their efforts to advocate for code passage. If for any reason adoption lingers or is hampered, JSSP will support stakeholders in developing strategies and activities to swiftly pass the codes. Moreover, in December 2018, the Ministry of Justice, with support from JSSP, completed a draft law to provide more autonomy to prosecutors, including irrevocable mandates, which will allow them to investigate sensitive cases with increased autonomy. Haitian prosecutors currently lack mandates, and, therefore, the executive branch can remove them from office at any time

Second, the JSSP activity intended to strengthen the independence, credibility, and effective authority of the judiciary strengthened: In FY 2018 JSSP continued to provide significant assistance to operationalize the CMIS in the five target jurisdictions (St. Marc, Port-au-Prince, Cap-Haitien, Fort-Liberté, and Croix-des-Bouquets) and managed to move the CMIS from the “data entry phase” to the “users’ phase.” As recommended by the international case management expert who conducted a follow-up CMIS

assessment in FY 2018, JSSP will focus in FY 2019 on expanding the system to three other Courts of first instance, and provide access to the police (DCPJ) and to the eight central prisons where the CMIS is implemented. On-going implementation in JSSP's five target jurisdictions shows that successful implementation and sustainability will require greater commitment from the MJPS and CSPJ.

Third, the JSSP activity intended to improve access to justice and protection of rights. Legislation on legal assistance had been vigorously supported by JSSP throughout FY 2017 and FY 2018 both in its various drafting stages and rounds of Parliamentary passage in the Senate and Chamber of deputies. The Law, adopted by Parliament on September 10, 2018, now provides indigent persons in conflict with the law and victims of crime, persons seeking advice and mediation services and proximity justice through mobile legal units, with a lawyer free of charge. In FY 2019, JSSP will spearhead robust implementation of the Law in conjunction with other implementing partners, including MINUJUSTH. JSSP's Legal Assistance Offices (BAL) in target jurisdictions will continue to function as pilots/incubators of the nationwide system, albeit with limited financial but full technical support – thereby counting on the GOH's incrementally increasing involvement and final ownership. In FY 2019 JSSP will maintain its efforts to combat pretrial detention and prison overcrowding, through initiatives such as special intensive hearings.

Lastly, the JSSP activity intended to strengthen Civil society constituencies for reform. JSSP is strengthening the capacity of civil society to effectively lobby for critical sector reforms, and to play a greater role in fostering judicial accountability. In FY 2017, JSSP conducted a mapping of CSOs in its target jurisdictions, evaluated their advocacy and monitoring capacities, and trained them to perform court monitoring. JSSP provided one grant in FY 2018 to a CSO *Combite pour la Paix et le Developpement* (CPD) to monitor progress in the justice system's functioning, to report on findings, advocate for improved functionality of the system, and ensure appropriate representation of their constituents. In FY 2018, JSSP provided an intensive training on advocacy campaigns and provided two grants to two CSOs, GREAS and RECIDP, to conduct a civic education campaign in the five target jurisdictions. As a result of these campaigns, citizens will be better positioned to demand quality justice delivery and will have greater facility to navigate through the court system. Additionally, they will be informed about the novelties of the new penal and penal procedure codes and their consequences for the everyday life of citizens.

Summary of the Project/Activity Monitoring, Evaluation, and Learning (MEL) Plan

Effective monitoring, evaluation, and learning (MEL) requires that project results and indicators be set early and tracked and analyzed consistently to determine whether goals are being met and, if not, to provide sufficient information to understand why not and correct the course of action. JSSP has developed a MEL system not to simply collect data, but to also accurately assess the impact of JSSP and its goal. The JSSP team will continue to use data collected to determine whether the project is meeting its performance requirements, inform decision-making, and improve management and implementation. The MEL plan describes JSSP's methodology for monitoring and evaluation and will be used to plan and manage the collection of performance data and measure the success of the project in expanding Haitian citizens' access to quality justice services. The performance indicator tracking table (PITT) includes performance indicators, targets, data sources and collection methods, frequency of data collection, and disaggregation. The MEL plan results are used to regularly update and collaborate with relevant stakeholders, including USAID, to analyze change and learn from our data and adapt future activities to ensure achievement of results.

The following documents will be available to the evaluators:

- JSSP's MEL Plan and Indicators
- Database training attendance lists
- Event attendance sheets, trip reports and support logs
- M&E Database

EVALUATION QUESTIONS

1. To what extent and in what ways is JSSP supporting the professionalization, independence, and efficiency of the Haitian justice sector? In addressing this question, the evaluation team will assess the extent to which JSSP has contributed to reducing the number of people in prolonged detention and increasing the number of people who have access to legal assistance and to what extent judicial decisions are independently made.
2. To what extent and in what ways has JSSP set the stage for sustainable improvement in the judicial system after the project? In addressing this question, the Evaluation Team should consider sustainability from a legal, financial and institutional frameworks perspective.

EVALUATION DESIGN AND METHODOLOGY

It is expected that the evaluation team proposes an overall research design to address the evaluation questions and a plan for collecting and analyzing data. Nevertheless, the evaluation design should be based on a combination of qualitative techniques to address the evaluation questions. Interviews, focus group interviews, in-depth review of projects reports and documents are among the techniques that the evaluation team should consider when addressing the evaluation questions.

DELIVERABLES AND REPORTING REQUIREMENTS

1. **Evaluation Work plan:** Upon receipt of this Activity Request, Social Impact (SI) shall submit within two weeks a draft work plan to the Contracting Officer's Representative (COR). The work plan will include: (1) the anticipated schedule and logistical arrangements; (2) a list of the members of the evaluation team, delineated by roles and responsibilities with their level of effort; (3) the identification of other required personnel and relevant local subcontractors, their LOE, roles and responsibilities and qualifications; and (4) the deliverable schedule.
2. **Inception Report:** The evaluation team will have two weeks to review the project documents and produce an inception report or background report that addresses what the evaluation team has learned based on program documents provided to them. The inception report should inform the design of the evaluation. Therefore, during this phase period, USAID/Haiti should consider the possibility of revising evaluation questions based on evaluation team input. Any revisions to the questions in the SOW should be documented in writing in the evaluation report.
3. **Evaluation Design:** Within four weeks of approval of the work plan, SI must submit to Contracting Officer's Representative (COR) an evaluation design (which will become an annex to the Evaluation report). The evaluation design will include: (1) a detailed evaluation design matrix that links the Evaluation Questions in the SOW to data sources, methods, and the data analysis plan; (2) draft questionnaires and other data collection instruments or their main features; (3) the list of potential interviewees and sites to be visited; (4) known limitations to the evaluation design; and (5) a dissemination plan. USAID/Haiti will take up to ten business days to review and consolidate comments through the COR. Once the evaluation team receives the consolidated comments on the initial evaluation design and work plan, they are expected to return with a revised evaluation design and work plan within 5 business days.

4. ***In-briefing:*** Prior undertaking field work, the evaluation team will have an in-briefing with the USAID/Governance Team and the Evaluation and Survey Services (ESS) COR to discuss the team's understanding of the assignment, initial assumptions, evaluation questions, methodology, and work plan, and to clarify any questions or logistic needs.
5. ***Evaluation Briefing/Presentation:*** The evaluation team is expected to hold a final presentation in person to discuss the summary of findings and recommendations to USAID within 20 business days after the conclusion of fieldwork.
6. ***Draft Evaluation Report:*** The draft evaluation report should be consistent with the guidance provided in Section IX: **Final Report Format**. The report will address each of the questions identified in the SOW and any other issues the team considers having a bearing on the objectives of the evaluation. Any such issues can be included in the report only after consultation with USAID. The submission date for the draft evaluation report will be determined in the evaluation work plan. Once the initial draft evaluation report is submitted, USAID/Haiti will have ten working business days in which to review and comment on the initial draft, after which point the ESS COR will submit the consolidated comments to the evaluation team. The evaluation team will then be asked to submit revised final draft report 5 business days hence, and again USAID/Haiti will review and send comments on this final draft report within 5 business days of its submission.
7. ***Final Evaluation Report:*** The evaluation team will be asked to take no more than 15 business days to respond/incorporate the final comments from the Governance Office. The evaluation team leader will then submit the final report to the COR. All project data and records (FGD and KII summary reports) shall be submitted in full and should be in electronic form in easily readable format, organized, and documented for use by those not fully familiar with the intervention or evaluation, and owned by USAID.

EVALUATION TEAM COMPOSITION

The Evaluation Team shall be comprised of two Key Personnel positions: (i) a Team Leader, and ii) a specialist in judicial strengthening. The TL is ultimately responsible for the overall management of the evaluation team, coordinating the implementation of the evaluation, assigning evaluation responsibilities and tasks, and authoring the final evaluation report in conformity with this Statement of Work. The TL must be an experienced evaluation expert, with a documented track record of ten years of experience in the field of evaluation. S/he should have a strong background in the governance and capacity building field. S/he should be fluent in French and English. S/he should have at least a Master's Degree in Economics, Statistics, Political Science, or Public Administration.

The Specialist in judicial strengthening should be very familiar with the judicial sector in Haiti. S/he must possess excellent writing and interpersonal skills and must be familiar with USAID programs, objectives, and reporting requirements. S/he should have experience in designing and implementing FGDs. Fluency in French is required. English and Haitian Creole are highly desirable, as is significant prior work experience in Haiti. A Bachelor's degree in Political Science, Public Administration, or a related field is required to ensure that all areas of technical expertise required for the evaluation are effectively covered.

All team members will be required to provide a signed statement attesting to a lack of conflict of interest or describing any existing conflict of interest. The evaluation team shall demonstrate familiarity with USAID's evaluation policies and guidance included in the USAID Automated Directive System (ADS) in Chapter 200.

EVALUATION SCHEDULE

TIMING (ANTICIPATED WEEKS OR DURATION)	SCHEDULED ACTIVITIES
6 Weeks	Preparation of the work plan, inception report and evaluation design
3 Weeks	USAID review of the work plan, inception report and evaluation design
1 Week	Submission of the revised evaluation design, inception report and work plan; in-briefing
3 Weeks	Data collection
2 Weeks	Data analysis and Evaluation Briefing
2 Weeks	Draft Report writing
2 Weeks	USAID review of Draft Report
2 Weeks	Incorporate USAID comments and prepare Final Report

FINAL REPORT FORMAT

The evaluation final report should include an abstract; executive summary; background of the local context and the strategies/projects/activities being evaluated; the evaluation purpose and main evaluation questions; the methodology or methodologies; the limitations to the evaluation; findings, conclusions, and recommendations. For more detail, see “How-To Note: Preparing Evaluation Reports” and **ADS 201mah, USAID Evaluation Report Requirements**. An optional evaluation report [template is available in the Evaluation Toolkit](#).

The executive summary should be 2–5 pages in length and summarize the purpose, background of the project being evaluated, main evaluation questions, methods, findings, conclusions, and recommendations and lessons learned (if applicable).

The evaluation methodology shall be explained in the report in detail. Limitations to the evaluation shall be disclosed in the report, with particular attention to the limitations associated with the evaluation methodology (e.g., selection bias, recall bias, unobservable differences between comparator groups, etc.)

The annexes to the report shall include:

- The Evaluation SOW;
- Any statements of difference regarding significant unresolved differences of opinion by funders, implementers, and/or members of the evaluation team;
- All data collection and analysis tools used in conducting the evaluation, such as questionnaires, checklists, and discussion guides;
- All sources of information, properly identified and listed; and
- Signed disclosure of conflict of interest forms for all evaluation team members, either attesting to a lack of conflicts of interest or describing existing conflicts of.
- Any “statements of difference” regarding significant unresolved differences of opinion by funders, implementers, and/or members of the evaluation team.
- Summary information about evaluation team members, including qualifications, experience, and role on the team.

In accordance with ADS 201, the contractor will make the final evaluation reports publicly available through the Development Experience Clearinghouse within three months of the evaluation's conclusion.

CRITERIA TO ENSURE THE QUALITY OF THE EVALUATION REPORT

Per **ADS 201 maa, Criteria to Ensure the Quality of the Evaluation Report**, draft and final evaluation reports will be evaluated against the following criteria to ensure the quality of the evaluation report.¹³

- Evaluation reports should represent a thoughtful, well-researched, and well-organized effort to objectively evaluate the strategy, project, or activity.
- Evaluation reports should be readily understood and should identify key points clearly, distinctly, and succinctly.
- The Executive Summary of an evaluation report should present a concise and accurate statement of the most critical elements of the report.
- Evaluation reports should adequately address all evaluation questions included in the SOW, or the evaluation questions subsequently revised and documented in consultation and agreement with USAID.
- Evaluation methodology should be explained in detail and sources of information properly identified.
- Limitations to the evaluation should be adequately disclosed in the report, with particular attention to the limitations associated with the evaluation methodology (selection bias, recall bias, unobservable differences between comparator groups, etc.).
- Evaluation findings should be presented as analyzed facts, evidence, and data and not based on anecdotes, hearsay, or simply the compilation of people's opinions.
- Findings and conclusions should be specific, concise, and supported by strong quantitative or qualitative evidence.
- If evaluation findings assess person-level outcomes or impact, they should also be separately assessed for both males and females.

If recommendations are included, they should be supported by a specific set of findings and should be action-oriented, practical, and specific.

¹³ See **ADS 201 mah, USAID Evaluation Report Requirements** and the Evaluation Report Review Checklist from the Evaluation Toolkit for additional guidance.

ANNEX B: DATA COLLECTION TOOLS

Informed Consent Agreement - KII

Purpose: Thank you for taking the time to meet with us today. My name is [NAME]. I am a researcher from an organization called Social Impact, a company that is based in the United States. Our team is in Haiti to conduct a study about the work of a USAID/Haiti activity known as the Justice Sector Strengthening Program or JSSP for short. Implemented since 2016 by Chemonics International Inc., JSSP provides support to the justice sector in Haiti. You have been asked to participate today so that we can learn more about the support your institution received from JSSP/your involvement in the implementation of the JSSP program/your experiences as a technical advisor. We are speaking with about 50 individuals who participated in the program either as implementers or recipients of program services. We would like your honest impressions, opinions, and thoughts about various issues related to this activity's implementation and outcomes. We are independent consultants who have no affiliation with those who implemented JSSP nor do we represent the GOH.

Procedures: If you agree to participate, we ask you to discuss your experience and opinion of the activities and services implemented under the JSSP program. The interview will take about 1 hour of your time. Although we will publish our findings in a public report, all of your answers will be kept confidential. Nothing you tell us will be attributed to any individual person. Rather the report will include only a composite of all of the answers received by all of the individuals we interview. Although we may use quotes, none of the individuals interviewed will be named in the report.

Risks/Benefits: There are no significant risks to your participation in this study. You will not receive any direct benefit or compensation for participating in this study. Although this study will not benefit you personally, we hope that our results will help improve potential future institutional capacity building programs for government institutions in Haiti.

Voluntary Participation: Participation in this interview is completely voluntary. You do not have to agree to be in this study. You are free to end the interview at any time or to decline to answer any question that you do not wish to answer. If you decline to participate in the interview, no one will be informed of this.

Do you have any questions at this time? [Interviewer should answer any questions]

Permission to Proceed

I understand the purpose of the interview as outlined above and understand that I can withdraw from the interview at any time and for any reason. I agree to participate in the interview (Evaluator records).

Yes No

Initials of evaluator to indicate receipt of verbal consent: _____

Date _____

Informed Consent Agreement - FGD

Purpose: Thank you for taking the time to meet with us today. My name is [NAME]. I am a researcher from an organization called Social Impact, a company that is based in the United States. Our team is in Haiti to conduct a study about the work of a USAID/Haiti activity known as the Justice Sector Strengthening Program or JSSP for short. Implemented since 2016 by Chemonics International Inc., JSSP provides support to the justice sector in Haiti. You have been invited to participate in this discussion because you participated in at least one JSSP training event. We would like your opinions and thoughts about JSSP or interventions that you attended. We are independent consultants who have no affiliation with JSSP or the GOH.

Procedures: If you agree to participate, we ask you to discuss your experience and opinion of the activities and services implemented under the JSSP program. The FGD will take up to 2 hours of your time. Although we will publish our findings in a public report, all of your answers will be kept confidential. Nothing you tell us will be attributed to any individual person. Although we may use quotes, none of the individuals interviewed will be named in the report. However, as this is a group setting, to preserve confidentiality, we ask you not to share anything we discuss here today with anyone outside of this group.

Ground Rules: While the ground rules will vary depending on the FGD, they will generally include:

- Everyone is encouraged to share their ideas, and the FGD is stronger if everyone participates.
- There are no wrong answers, and everyone's perspective is equally valued.
- The ideas shared during the FGD should not be shared outside the FGD with non-participants to respect participants' privacy.
- Disagreements about ideas can be valuable and productive, but personal attacks will not be tolerated.

After establishing these ground rules, the moderator should ask if there are any questions or concerns participants have, and these issues should be addressed as a group before moving on.

Risks/Benefits: There are no significant risks to your participation in this study. You will not receive any direct benefit or compensation for participating in this study. Although this study will not benefit you personally, we hope that our results will help improve potential future institutional capacity building programs for government institutions in Haiti.

Voluntary Participation: Participation in this interview is completely voluntary. You do not have to agree to be in this study. You are free to leave the FGD at any time or to decline to answer any question that you do not wish to answer. If you decline to participate, no one will be informed of this. Do you have any questions at this time? [Interviewer should answer any questions]

Permission to Proceed

I understand the purpose of the interview as outlined above and understand that I can withdraw from the interview at any time and for any reason. I agree to participate in the interview (Evaluator records).
Yes No Initials of evaluator to indicate receipt of verbal consent: _____

Date _____

Questions for USAID

1. Please describe your experience with the Haiti Justice Sector Strengthening Program.
2. To what extent has JSSP contributed to the professionalization, independence, accessibility, and efficiency of the Haitian justice sector?
3. To what extent has JSSP contributed to reducing the number of people in prolonged detention, and is this progress sustainable without JSSP support?
4. To what extent has JSSP contributed to increasing the number of people who have access to legal assistance, and will the Legal Assistance Offices continue to operate after JSSP ends?
5. What are the main ways in which JSSP contributed to judicial decisions being made independently, and have these interventions been successful?
6. Why haven't the revised criminal code and code on criminal procedure been adopted?
7. Why hasn't the CSPJ performed as expected, despite JSSP assistance?
8. To what extent has JSSP set the stage for sustainable improvement in the judicial system after the activity ends?
9. What are the sources of funding or strategies have you identified that the GOH can leverage to sustain the changes sought by the activity?
10. What is your view on the adequacy of the budget for the activity?
11. How could JSSP improve its programming in its final two years?
12. How do you view the "appellate mechanism," and the "interlocutory motion and judgment," and their effect on the effectiveness (fair and "speedy trial") of the justice system?
13. Do citizens have faith in the judicial system?

Questions for Chemonics

1. Please describe your experience with the Haiti Justice Sector Strengthening Program.
2. To what extent has JSSP contributed to the professionalization, independence, accessibility, and efficiency of the Haitian justice sector?
3. To what extent has JSSP contributed to reducing the number of people in prolonged detention, and is this progress sustainable without JSSP support?
4. To what extent has JSSP contributed to increasing the number of people who have access to legal assistance, and will the Legal Assistance Offices continue to operate after JSSP ends?
5. What are the main ways in which JSSP contributed to judicial decisions being made independently, and have these interventions been successful?
6. Why haven't the revised criminal code and code on criminal procedure been adopted?
7. Why hasn't the CSPJ performed as expected, despite JSSP assistance?
8. To what extent has JSSP set the stage for sustainable improvement in the judicial system after the activity ends?
9. What are the sources of funding or strategies have you identified that the GOH can leverage to sustain the changes sought by the activity?
10. What is your view on the adequacy of the budget for the activity?
11. How could JSSP improve its programming in its final two years?
12. How do you view the "appellate mechanism," and the "interlocutory motion and judgment," and their effect on the effectiveness (fair and "speedy trial") of the justice system?
13. Do citizens have faith in the judicial system?
14. Has CMIS been implemented effectively?
15. How have you seen the activity affect the professional conduct of court officials, judges, and clerks, in terms of respect for work hours, respecting legal deadline, attitude in court, etc.?

Questions for Haitian Government Officials

1. Please describe your experience with the Haiti Justice Sector Strengthening Program.
2. To what extent has JSSP contributed to the professionalization, independence, accessibility, and efficiency of the Haitian justice sector?
3. Is JSSP responsive to the needs of your institution?
4. To what extent has JSSP contributed to reducing the number of people in prolonged detention, and is this progress sustainable without JSSP support?
5. Will the Legal Assistance Offices continue to operate after JSSP ends, and will the Haitian Government fund them?
6. Has the judiciary become more independent and less corrupt since 2016? If so, did JSSP contribute to this improvement?
7. Why haven't the revised criminal code and code on criminal procedure been adopted?
8. Was JSSP assistance – drafting, consultations, analysis, advocacy – useful in developing the revised criminal code and code on criminal procedure?
9. Was JSSP assistance relevant to the needs of CSPJ and the judicial sector?
10. What are the sources of funding or strategies have you identified that the GOH can leverage to sustain the changes sought by the activity?
11. How could JSSP improve its programming in its final two years?
12. How do you view the “appellate mechanism,” and the “interlocutory motion and judgment,” and their effect on the effectiveness (fair and “speedy trial”) of the justice system?
13. Do citizens have faith in the judicial system?

Questions for Court Officials

1. Please describe your experience with the Haiti Justice Sector Strengthening Program.
2. (For training participants): Did you gain new knowledge or skills from JSSP training, and if so, how do you use that knowledge or skills in your work?
3. Is JSSP responsive to the specific needs of your institution?
4. To what extent has JSSP contributed to reducing the number of people in prolonged detention, and is this progress sustainable without JSSP support?
5. Has the judiciary become more independent and less corrupt since 2016? If so, did JSSP contribute to this improvement?
6. Was JSSP assistance relevant to the needs of the judicial sector as a whole?
7. How could JSSP improve its programming in its final two years?
8. What are the main factors affecting the performance of CSPJ?
9. (For interviews in court offices) Could you demonstrate for us how you use CMIS?
10. (For those who have used CMIS) How has using CMIS impacted your work?
11. What are the strengths and weaknesses of CMIS and how it has been implemented?
12. What are the main factors affecting the performance of CSPJ? How do you view the overall structure of judiciary, especially “appellate mechanism,” “interlocutory motion & judgment,” etc. and the effect on the effectiveness (fair and “speedy trial”) of the justice system as well as citizen faith in the system?
13. How have you seen the program affect the professional conduct of court officials, judges, and personnel (clerks), in terms of respect for work hours, respecting legal deadline, attitude in court, etc.?

Questions for Legal Professionals

1. Please describe your experience with the Haiti Justice Sector Strengthening Program.
2. (For training participants): Did you gain new knowledge or skills from JSSP training, and if so, how do you use that knowledge or skills in your work?
3. To what extent has JSSP contributed to reducing the number of people in prolonged detention, and is this progress sustainable without JSSP support?
4. Has the judiciary become more independent and less corrupt since 2016? If so, did JSSP contribute to this improvement?
5. Was JSSP assistance relevant to the needs of the judicial sector?
6. Is JSSP's support to the Magistrates' School and bar associations relevant to the needs of legal education in Haiti?
7. Will these institutions adopt and sustain improvements in curricula after JSSP ends?
8. How could JSSP improve its programming in its final two years?
9. What are, in your views, the explanations for the low volume of caseload in justice of the peace courts?
10. What are the strengths and weaknesses of CMIS and how it has been implemented?
11. What are the main factors affecting the performance of CSPJ?
12. How do you view the "appellate mechanism," and the "interlocutory motion and judgment," and their effect on the effectiveness (fair and "speedy trial") of the justice system?
13. Do citizens have faith in the judicial system?
14. What are the sources of funding or strategies that the GOH can leverage to sustain the changes sought by the activity?
15. How have you seen the program affect the professional conduct of court officials, judges, and personnel (clerks), in terms of respect for work hours, respecting legal deadline, attitude in court, etc.?

Questions for Other Donors/Implementers

1. Could you please describe the support to the Haitian justice sector that your organization is funding or implementing?
2. What are your views on the effectiveness of the Haiti Justice Sector Strengthening Program?
3. How does your program cooperate with JSSP?
4. Was JSSP assistance relevant to the needs of the judicial sector?
5. Can you offer any insight on whether JSSP contributed to the professionalization, independence, accessibility, and efficiency of the Haitian justice sector?
6. Has the judiciary become more independent and less corrupt since 2016? If so, did JSSP contribute to this improvement?
7. Why haven't the revised criminal code and code on criminal procedure been adopted?
8. What are the main factors affecting the performance of CSPJ?
9. To what extent has JSSP set the stage for sustainable improvement in the judicial system after the activity ends?
10. How can the GOH leverage funding to sustain the changes sought by the activity?
11. What are the greatest needs of the judicial sector in Haiti today?
12. How do you view the "appellate mechanism," and the "interlocutory motion and judgment," and their effect on the effectiveness (fair and "speedy trial") of the justice system?
13. Do citizens have faith in the judicial system?

Questions for CSOs

1. Please describe your experience with the Haiti Justice Sector Strengthening Program.
2. (For training participants): Did you gain new knowledge or skills from JSSP training, and if so, how do you use that knowledge or skills in your work?
3. Why haven't the revised criminal code and code on criminal procedure been adopted, despite the civil society advocacy campaign?
4. How does monitoring increase the independence and efficiency of the judicial system?
5. Has the judiciary become more independent and less corrupt since 2016? If so, did JSSP contribute to this improvement?
6. To what extent has JSSP contributed to reducing the number of people in prolonged detention, and is this progress sustainable without JSSP support?
7. How could JSSP improve its programming in its final two years?
8. What are, in your views, the explanations for the low volume of caseload in justice of the peace courts?
9. How do you view the "appellate mechanism," and the "interlocutory motion and judgment," and their effect on the effectiveness (fair and "speedy trial") of the justice system?
10. Do citizens have faith in the judicial system?
11. What are the sources of funding or strategies that the GOH can leverage to sustain the changes sought by the program?
12. How have you seen the program affect the professional conduct of court officials, judges, and personnel (clerks), in terms of respect for work hours, respecting legal deadline, attitude in court, etc.?
13. What are the main factors affecting the performance of CSPJ?

ANNEX C: INFORMATION SOURCES

Annual Reports, JSSP Background Documents

USAID/Haiti. JSSP Program Year 1 Annual Progress Report. USAID, 2018.

USAID/Haiti. JSSP Program Year 2 Annual Progress Report. USAID, 2019.

USAID/Haiti. JSSP Program Year 3 Annual Progress Report. USAID, 2020.

Quarterly Reports, JSSP Background Documents

USAID/Haiti. JSSP Program Year 3, Quarter 1 Quarterly Progress Report. USAID, October-December 2018.

USAID/Haiti. JSSP Program Year 3, Quarter 2 Quarterly Progress Report. USAID, January-March 2019.

USAID/Haiti. JSSP Program Year 3, Quarter 3 Quarterly Progress Report. USAID, April-June 2019.

Annual Work Plans, JSSP Background Documents

USAID/Haiti. Draft Annual Workplan for the JSSP Program. USAID, 2016.

USAID/Haiti. Draft Annual Workplan for the JSSP Program. USAID, 2017.

USAID/Haiti. Draft Annual Workplan for the JSSP Program. USAID, 2018.

USAID/Haiti. Draft Annual Workplan for the JSSP Program. USAID, 2019.

Monitoring & Evaluation Plans, JSSP Background Documents

USAID/Haiti. JSSP Activity Monitoring & Evaluation Plan (AMEP). USAID, 2018.

Program Description & Modifications, JSSP Background Documents

USAID/Haiti. AID-521-A-15-00009 Section C - Statement of Work. USAID, n.d.

USAID/Haiti. AID-521-C-13-00001 Modification of Contract. USAID, n.d.

Other Publications

Réseau National de Défense des Droits Humains (RNDDH). [Fonctionnement de l'appareil judiciaire Haitien au cours de l'année 2018-2019](#). RNDDH, Port-au-Prince, 15 October 2019.

USAID/Haiti and United Nations Peacekeeping. [Assessment of Legal Aid in Haiti: Lessons Learned](#). USAID, July 2017.

USAID/Haiti. Improving Justice Service Delivery and Sector Reform in Haiti (ProJustice): Final Report. USAID, n.d.

USAID/Haiti. Impact Evaluation of USAID/Haiti ProJustice Program Pretrial Detention Component. USAID, April 2017.

USAID/Haiti. [Haiti Rule of Law Assessment](#). USAID, April 2015.

USAID/Haiti. Haiti Democracy, Human Rights and Governance (DRG) Assessment. USAID, October 2016.

USAID/Haiti. Democracy, Human Rights and Governance Fact Sheet. USAID, March 2017.

World Economic Forum. [The Global Competitiveness Report](#). 2015-2016 and 2019 editions.

Table 4: Persons Interviewed

ORGANIZATION	NAME	TITLE
Port-au-Prince Key Informants		
USAID	Georges Jasmé Revolus	JSSP COR
	Gabriel Joseph	JSSP ACOR
U.S. Embassy	David Mosby	INL Representative
	Jullion Cooper	Political Counselor
Chemonics/JSSP	Phillippe Lamarche	Chief of Party
	Jacques Miguel Sanon	Deputy Chief of Party
	Peguy Desrosiers Mondesir	Senior Program Advisor
	Rene Magloire	JSSP Sr. Advisor to MOJ
	Leon St-Louis	JSSP consultant to SJSC
Chambre Judiciary Committee	Eddy Labossiere	Budget consultant to CSPJ
	Patrick Pierre-Louis	Legal code expert analyst
	Clauvy Robas	Chairman
Senate Judiciary Committee	Daniel Letang	Vice Chairman
	Jean Renel Senatus	Chairman
High Judicial Council (CSPJ)	Rene Sylvestre	President
	Noe Massillon Pierre Louis	Member
	Richener Noel	CTC Director
Magistrates School (EMA)	Kesner Michel Thermezi	Director
PAP Bar Association (PAPBA) and Federation of Haiti Bar Associations (FBH)	Stanley Gaston	President
MOUFHED	Jessie Ewald Benoit	Director
National Committee on Legal Assistance (CNAL)	Judy Bazile	Director
PAP Legal Assistance Office (BAL)	Vital Junior Dessources	Coordinator
GREAS	Wilfort Pasquet	Director
Ministry of Justice and Public Security (MJPS)	Jean Roody Aly	Minister
	Levelt Milord	Director of Judicial Affairs

	Genel Pierre	(lead on detention issue)
National Police (PNH)	Rameau Normil	Chief
National Association of Magistrates (ANAMAH)	Jean Wilner Morin	President
National Association of Professional Magistrates (APM)	Jean-Claude Martel	Vice President
Association of Women Judges (CHAIFEJ)	Norah Amilcar Jean François	President
United Nations (BINUH)	Alice Viviane Mauske	Judicial Affairs Officer/ROL
United Nations (UNDP)	Adeline Carrier	
PAP Courts	Bernard Saint-Vil	Chief Judge
PAP Prosecutor's Office	Paul Eronce Villard	Chief Prosecutor
Nat'l Human Rights Defense Network (RNDDH)	Marie Rosy Auguste Ducena	Program Advisor
Office of Citizen Protection	Amos Auguste	
Combite pour la paix et le developpement (CPD)	Fritznel Pierre	Executive director
Fondation Serovie	Reginald Dupont	Executive director
Cap-Haitien Key Informants		
Chemonics JSSP	Smith Turenne	Regional Coordinator
RECIDP	Eddy Emmanuel Romeus	Director
Prosecutor's Office	Richemont Florival	Chief Prosecutor
Courts	Linx Jean	Chief Judge
Legal Assistance Office (BAL)	David Joliné	Coordinator
Bar Association	Harold Chery	President
	Davilmar Debreus	Former President
Police	Jean Bazelaire Bornelus	Chief
CSOs in JSSP network	Association des Femmes Soleil Leve (AFASDA)	POC: Elvire Eugene President
	Reseau Nord pour la Defense des Droits Humains (RENDH)	POC: Kernius Osius Coordinator
Fort-Liberte Key Informants		
Prosecutor's Office	Herode Bien-Aime	Chief Prosecutor
Courts	Wilfrid Brutus (interim)	Chief Judge
Legal Assistance Office (BAL)	Méus Daniel	Coordinator
Bar Association	Jocelyn Dorsaint	President

Police	Jacques Antoine Etienne	Chief
CSOs in JSSP network (2)	Reseau Frontalier Jeannot Succes (RFJS)	POC: Chostaine Petion, Coordinator
	Reseau Nord-Est de defense des droits humains (RENEDH)	POC: Pierre Eddy, Coordinator
Croix-des-Bouquets Key Informants		
Chemonics JSSP	Rony Lenord	Regional Coordinator
Prosecutor's Office	Maxime Augustin	Chief Prosecutor
Washington/Telephone Key Informants		
Chemonics HQ	Amanda Burke	Project Director
Chemonics HQ	Bret Quinn	Program Manager
Chemonics consultants	Kazimierz Lobaza	JSSP CMIS developer
	Armand Riberolles	JSSP consultant
	Bob Wily	JSSP Case management expert
International Association of Women Judges (IAWJ)	Jane Charles-Voltaire	Senior Program Officer
Arizona State University (ASU)	Alexandra Brewis Slade	SHESC Director

Table 5: Focus Group Discussants

CATEGORY	NAME	TITLE
Journalists trained by JSSP	Gardy Saint Louis	Radio Ibo
	Rubens Francis	Radio Melodie FM
	Nancy Constant	Radio Tele Pacific
Court clerks	Alexandra Noel	Clerk not yet appointed
	John Vivaldi Louis	Clerk appointed to the Court of Cassation
	Sylvie Angella Gustaves	Clerk not yet appointed
	Pompee Juanito Diego	Clerk not yet appointed
	Louisa Jacques	Clerk appointed to the Court of First Instance of Croix-des-Bouquets
Lawyers trained by JSSP	Vital Junior Dessources	BAL coordinator, Port-au-Prince
	Marie-Yvonne Bazile	BAL supervisor, Port-au-Prince
	Aniel Francois	BAL legal assistant, Port-au-Prince
	Mélior Joseph	BAL legal assistant, Port-au-Prince


Jean Esverne Leger BAL attorney, Croix-des-Bouquets

ANNEX D: DISCLOSURES OF CONFLICT OF INTEREST

Disclosure of Conflict of Interest for USAID Evaluation Team Members

Name	John Lis
Title	Team Leader
Organization	Social Impact
Evaluation Position?	<input checked="" type="checkbox"/> Team Leader <input type="checkbox"/> Team member
Evaluation Award Number (contract or other instrument)	100078-C-19-0471
USAID Project(s) Evaluated (Include project name(s), implementer name(s) and award number(s), if applicable)	Justice Sector Strengthening Program / JSSP Chemonics International Inc AID-521-A-15-00009
I have real or potential conflicts of interest to disclose.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes answered above, I disclose the following facts: <i>Real or potential conflicts of interest may include, but are not limited to:</i> <ol style="list-style-type: none"> 1. Close family member who is an employee of the USAID operating unit managing the project(s) being evaluated or the implementing organization(s) whose project(s) are being evaluated. 2. Financial interest that is direct, or is significant though indirect, in the implementing organization(s) whose projects are being evaluated or in the outcome of the evaluation. 3. Current or previous direct or significant though indirect experience with the project(s) being evaluated, including involvement in the project design or previous iterations of the project. 4. Current or previous work experience or seeking employment with the USAID operating unit managing the evaluation or the implementing organization(s) whose project(s) are being evaluated. 5. Current or previous work experience with an organization that may be seen as an industry competitor with the implementing organization(s) whose project(s) are being evaluated. 6. Preconceived ideas toward individuals, groups, organizations, or objectives of the particular projects and organizations being evaluated that could bias the evaluation. 	<p>I worked as a consultant for the Urban Institute, a Chemonics International Inc. subcontractor, for 15 days in 2013 in Indonesia.</p> <p>I unsuccessfully applied for a full-time position at Chemonics International Inc. in 2015.</p>


I certify (1) that I have completed this disclosure form fully and to the best of my ability and (2) that I will update this disclosure form promptly if relevant circumstances change. If I gain access to proprietary information of other companies, then I agree to protect their information from unauthorized use or disclosure for as long as it remains proprietary and refrain from using the information for any purpose other than that for which it was furnished.

Signature	
Date	November 5, 2019

Disclosure of Conflict of Interest for USAID Evaluation Team Members

Name	Pelex Flereme
Title	
Organization	
Evaluation Position?	<input type="checkbox"/> Team Leader <input checked="" type="checkbox"/> Team member
Evaluation Award Number (contract or other instrument)	
USAID Project(s) Evaluated (Include project name(s), implementer name(s) and award number(s), if applicable)	
I have real or potential conflicts of interest to disclose.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes answered above, I disclose the following facts: <i>Real or potential conflicts of interest may include, but are not limited to:</i> <ol style="list-style-type: none"> 1. Close family member who is an employee of the USAID operating unit managing the project(s) being evaluated or the implementing organization(s) whose project(s) are being evaluated. 2. Financial interest that is direct, or is significant though indirect, in the implementing organization(s) whose projects are being evaluated or in the outcome of the evaluation. 3. Current or previous direct or significant though indirect experience with the project(s) being evaluated, including involvement in the project design or previous iterations of the project. 4. Current or previous work experience or seeking employment with the USAID operating unit managing the evaluation or the implementing organization(s) whose project(s) are being evaluated. 5. Current or previous work experience with an organization that may be seen as an industry competitor with the implementing organization(s) whose project(s) are being evaluated. 6. Preconceived ideas toward individuals, groups, organizations, or objectives of the particular projects and organizations being evaluated that could bias the evaluation. 	


I certify (1) that I have completed this disclosure form fully and to the best of my ability and (2) that I will update this disclosure form promptly if relevant circumstances change. If I gain access to proprietary information of other companies, then I agree to protect their information from unauthorized use or disclosure for as long as it remains proprietary and refrain from using the information for any purpose other than that for which it was furnished.

Signature	Pelex Flereme 
Date	12 /13/2019

Disclosure of Conflict of Interest for USAID Evaluation Team Members

Name	Noel Jonathas, Jr.
Title	Assistant Team Leader
Organization	Social Impact (Independent Consultant)
Evaluation Position?	<input type="checkbox"/> Team Leader <input checked="" type="checkbox"/> Team member
Evaluation Award Number (contract or other instrument)	
USAID Project(s) Evaluated (Include project name(s), implementer name(s) and award number(s), if applicable)	Justice Sector Strengthening" Program (JSSP), Project code: 100078.000.0002.0020.0000.NOUS, evaluated by Social Impact
I have real or potential conflicts of interest to disclose.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes answered above, I disclose the following facts: <i>Real or potential conflicts of interest may include, but are not limited to:</i> 1. Close family member who is an employee of the USAID operating unit managing the project(s) being evaluated or the implementing organization(s) whose project(s) are being evaluated. 2. Financial interest that is direct, or is significant though indirect, in the implementing organization(s) whose projects are being evaluated or in the outcome of the evaluation. 3. Current or previous direct or significant though indirect experience with the project(s) being evaluated, including involvement in the project design or previous iterations of the project. 4. Current or previous work experience or seeking employment with the USAID operating unit managing the evaluation or the implementing organization(s) whose project(s) are being evaluated. 5. Current or previous work experience with an organization that may be seen as an industry competitor with the implementing organization(s) whose project(s) are being evaluated. 6. Preconceived ideas toward individuals, groups, organizations, or objectives of the particular projects and organizations being evaluated that could bias the evaluation.	

I certify (1) that I have completed this disclosure form fully and to the best of my ability and (2) that I will update this disclosure form promptly if relevant circumstances change. If I gain access to proprietary information of other companies, then I agree to protect their information from unauthorized use or disclosure for as long as it remains proprietary and refrain from using the information for any purpose other than that for which it was furnished.

Signature	
Date	11/20/2019

ANNEX E: EVALUATION TEAM MEMBERS

The three-person ET provided a complementary mix of evaluation and sectoral specialists. Team Leader John Lis has more than 14 years of democracy and governance experience and a strong background in legislative strengthening. The Assistant Team Leader (ATL), Noel Jonathas, is a lawyer with management consulting experience, and Sector Specialist Pelex Fereme has experience with the Haitian National Police and international rule of law projects. Their responsibilities for this evaluation are detailed below.

NAME/POSITION	RESPONSIBILITIES
EVALUATION TEAM	
John Lis, Team Leader	Lead the evaluation, including desk review, data collection and analysis, and report writing. Manage the team, including delegating responsibilities, training and guiding team members, monitoring progress, and providing feedback on inputs. Serve as the primary liaison with USAID/Haiti’s Democracy and Governance Office, facilitate briefings, and lead presentations.
Noel Jonathas, Assistant Team Leader Pelex Fereme, Sector Specialist	Leverage sectoral and contextual expertise in the design of the evaluation and data collection instruments. Participate in desk review, data collection, and analysis. Lead a sub-team during fieldwork. Contribute to the production of high-quality deliverables.

ANNEX F. EVALUATION MATRIX

EQ	DATA COLLECTION METHOD	DATA SOURCES	SAMPLE QUESTIONS	ANALYSIS PLAN
<p>EQ1: To what extent and in what ways is JSSP supporting the professionalization, independence, accessibility and efficiency of the Haitian justice sector?</p>	<p>Document Review</p> <p>KIIs</p> <p>FGD</p>	<ul style="list-style-type: none"> • USAID COR and ACOR • U.S. Embassy personnel • Chemonics staff • GOH officials • Training recipients • Legal professional associations • Other donors and implementers • Civil society organizations • JSSP reports and PMP data • Outside documents 	<ul style="list-style-type: none"> • To what extent has JSSP contributed to the professionalization, independence, accessibility and efficiency of the Haitian justice sector? • To what extent has JSSP contributed to reducing the number of people in prolonged detention, and is this progress sustainable without JSSP support? • To what extent has JSSP contributed to increasing the number of people who have access to legal assistance, and will the Legal Assistance Offices continue to operate after JSSP ends? • What are the main ways in which JSSP contributed to judicial decisions being made independently, and have these interventions been successful? 	<ul style="list-style-type: none"> • Content analysis • Trend analysis • Gap analysis • Comparative analysis • Gender analysis

<p>EQ2: To what extent and in what ways has JSSP set the stage for sustainable improvement in the judicial system after the project?</p>	<p>Document Review</p> <p>KIIs</p> <p>FGDs</p> <p>Direct Observation</p>	<ul style="list-style-type: none"> • USAID COR and ACOR • U.S. Embassy personnel • Chemonics staff • GOH officials • Training recipients • Legal professional associations • Other donors and implementers • Civil society organizations • JSSP reports and PMP data • Outside documents 	<ul style="list-style-type: none"> • Why haven't the revised criminal code and code on criminal procedure been adopted? • Why hasn't the CSPJ performed as expected, despite JSSP assistance? • To what extent has JSSP set the stage for sustainable improvement in the judicial system after the project ends? • What are the sources of funding or strategies have you identified that the GOH can leverage to sustain the changes sought by the program? • Will the Legal Assistance Offices continue to operate after JSSP ends, and will the Haitian government fund them? • (For interviews in court offices) Could you demonstrate for us how you use CMIS? 	<ul style="list-style-type: none"> • Content analysis • Trend analysis • Gap analysis • Comparative analysis • Gender analysis
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