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USAID/BANGLADESH PROMOTING PEACE AND JUSTICE (PPJ) ACTIVITY MID-TERM PERFORMANCE EVALUATION

January 6, 2022

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Prepared by
ME&A, Inc.
4350 East-West Highway, Suite 210
Bethesda, MD, 20814 USA

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ACRONYMS

Acronym/Short Form	Description
The Act	Legal Aid Services Act
AD	Arbitrary Detention
ADB	Asian Development Bank
ADR	Alternative Dispute Resolution
BBS	Bangladesh Bureau of Statistics
BCTIP	Bangladesh Countering Trafficking in Persons
BMEL	Bangladesh Monitoring, Evaluation, and Learning
BWJA	Bangladesh Women Judges Association
BRAC	Bangladesh Rural Advancement Committee
CDCS	Country Development Cooperation Strategy
CIP	Court Improvement Plan
COP	Chief of Party
COVID-19	Coronavirus Disease 2019
CPC	Code of Civil Procedure
CSO	Civil Society Organization
DI	Democracy International
DLA	District Legal Aid
DLAC	District Legal Aid Committee
DLAO	District Legal Aid Office
DO	Development Objective
DRG	Democracy, Human Rights, and Governance
EQ	Evaluation Question
ET	Evaluation Team
FGD	Focus Group Discussion
GBV	Gender-Based Violence
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GOB	Government of Bangladesh
ICCE	International Consortium for Court Excellence
ICT	Information and Communications Technology
IFCE	International Framework on Court Excellence
IR	Intermediate Result
JATI	Judicial Administration Training Institute
JFA	Justice for All
JICA	Japan International Cooperation Agency
JUST	Judicial Strengthening
KII	Key Informant Interview
LAC	Legal Aid Committee
LGBTQ	Lesbian, Gay, Bisexual, Transgender, and Queer
M&E	Monitoring and Evaluation
MEL	Monitoring, Evaluation, and Learning
MOLJA	Ministry of Law, Justice, and Parliamentary Affairs
NGO	Non-Governmental Organization
NLASO	National Legal Aid Services Organization
PAR	Promoting Advocacy and Rights
PEA	Political Economy Assessment
PIRS	Performance Indicator Reference Sheets

Acronym/Short Form	Description
PPJ	Promoting Peace and Justice
RGO	Registrar General's Office
ROL	Rule of Law
SCLAC	Supreme Court Legal Aid Committee
SCSCJR	Supreme Court's Special Committee on Judicial Reforms
Sub-IR	Sub-Intermediate Result
TAAP	Transforming Agency, Access, and Power
TIP	Trafficking in Persons
UNDP	United Nations Development Programme
UNO	Upazila Nirbhahi Officer
USAID	United States Agency for International Development
USG	United States Government
VE	Violence Extremism

EXECUTIVE SUMMARY

INTRODUCTION AND METHODOLOGY

The United States Agency for International Development's (USAID) Bangladesh Mission issued a Tasking Request for the USAID/Bangladesh Monitoring, Evaluation, and Learning (BMEL) Activity to conduct a mid-term performance evaluation of the Promoting Peace and Justice (PPJ) Activity implemented by Democracy International (DI). The Activity is being implemented under USAID's Development Objective (DO) 1: Citizen Confidence in Governance Institutions Increased.

The PPJ Activity is a five-year, \$10.1 million program that seeks to improve access to justice, particularly for the poor and vulnerable population in Bangladesh. PPJ's activities were designed to improve the performance of District Legal Aid Committees (DLACs) in 20 districts to better serve the public, strengthen legal aid committee (LAC) members' capacity to utilize legal aid funds, increase citizen demand for legal aid services by increasing public awareness about the service, and enhance the capacity of District Court judges to better serve in their role on the judiciary and serve clients more effectively.

This mid-term performance evaluation answers the following six evaluation questions (EQs):

EQ 1: To what extent is DI on course to meet PPJ's objectives to improve legal aid delivery, based on progress achieved thus far?

EQ 2: How effective has the Activity been in stimulating demand among Bangladeshi citizenry for legal services through the DLACs?

EQ 3: To what extent has DI been able to improve the capacity of judicial personnel with special focus on case management and administration?

EQ 4: To what extent are the Activity objectives relevant to the current judicial and political circumstances in Bangladesh?

EQ 5: To what extent has PPJ achieved progress toward establishing sustainability mechanisms?

EQ 6: To what extent has the PPJ progress been affected by the Coronavirus Disease 2019 (COVID-19) pandemic? *(Given the impact of COVID-19 on overall activity implementation, answers to this question will be provided in responses to all five EQs, and therefore, as agreed in the evaluation work plan, a separate answer to this EQ will not be included as it would be repetitive)*

The period of performance for this mid-term evaluation covers the timeframe from the activity inception in October 2018 to June 2021. Due to COVID-19 restrictions, this evaluation was conducted entirely remotely from June 10 to October 15, 2021.

The evaluation team (ET) used a combination of qualitative and quantitative data collection methodologies to conduct this evaluation, including a desk review, 188 key informant interviews (KIIs) and two mini-surveys with judges and lawyers who participated in PPJ trainings. Remote fieldwork for this evaluation was conducted in 12 districts where PPJ operates (Satkhira, Rajshahi, Jessore, Chattogram, Cumilla, Dhaka, Lalmonirhat, Mymensingh, Narayanganj, Panchagarh, Bogura, and Sherpur) and in two control districts (Bhola and Madaripur).

FINDINGS AND CONCLUSIONS

EQ 1: To what extent is DI on course to meet PPJ's objectives to improve legal aid delivery, based on progress achieved thus far?

PPJ significantly contributed to improving legal aid delivery services in 20 districts, but the COVID-19 pandemic negatively affected PPJ's activities, particularly in 2020, when PPJ was not able to reach the expected target on its Intermediate Result (IR): Improved legal aid service delivery in the formal justice

sector. During 2021, PPJ's performance improved, reaching 93 percent of its expected target on this indicator.¹ This was due to PPJ's ability to adapt to the pandemic by continuing to operate virtually and supporting its local partners on the ground.

PPJ was instrumental in activating LACs in 20 districts at the district, union, and upazila levels. PPJ also was effective in increasing LAC members' knowledge about responsibilities, particularly at the union and upazila levels.

In collaboration with the National Legal Aid Services Organization (NLASO) and Judicial Administration Training Institute (JATI), PPJ offered trainings for lawyers and law students as well as judges. The survey respondents stated they were satisfied with PPJ's trainings. Judges who responded to the survey also said they would have liked more practically oriented training modules, such as case studies, as well as interactive training sessions in which trainees would be engaged in active discussions.

The ET found important differences across districts in terms of legal aid service delivery. In those districts where the District Legal Aid (DLA) officer appeared to be personally committed to the promotion of legal aid services, and panel lawyers, even if only a few of them, were also personally committed to working on legal aid cases, the delivery of legal aid services was more successful in terms of the regularity of committee meetings, support for clients, and client satisfaction with service delivery.

In those districts where DLA officers were less personally committed or, where a permanent DLA officer had not been appointed, LACs met less regularly, particularly at the upazila and union levels, panel lawyers were less motivated to work on legal aid cases, and clients were less satisfied with the services.

In all districts, the PPJ's non-governmental organization (NGO) partner played a critical role in activating and facilitating committees' meetings, motivating panel lawyers, and, most importantly, helping clients seek legal assistance. At the upazila and union levels, the NGO partner essentially replaced the responsibilities of the upazila and union LACs in terms of conducting public awareness campaigns, responding to clients, and referring them to the DLAC to seek legal aid. Yet, despite the excellent performance of PPJ's local NGO partners, upazila and union LACs face structural barriers that discourage legal aid Chairmen from expanding demand for legal aid services.

EQ 2: How effective has the Activity been in stimulating demand among Bangladeshi citizenry for legal services through the DLACs?

While PPJ contributed to increasing citizens' awareness about legal aid services, the level of awareness remains extremely low. According to PPJ's surveys, only about 14 percent of citizens are aware of legal aid services.

Before COVID-19, PPJ conducted numerous courtyard meetings and public hearings where citizens were able to learn about legal aid services. PPJ also distributed leaflets, posted billboards, created radio programs, promoted folk songs with messages about legal aid services, and organized events in schools. After the COVID-19 pandemic, PPJ continued to promote citizen-awareness campaigns, mostly through miking campaigns and sending text messages with information about legal aid services.

Clients interviewed by the ET said they heard about legal aid services mostly in courtyard meetings and from billboards. NGO partners and PPJ's component leads acknowledged radio programs were not as effective in informing the public about legal aid, except in remote areas, because most people do not listen to the radio anymore. On the other hand, legal aid officials, panel lawyers, and PPJ staff considered courtyard meetings and miking to be the most effective means of dissemination.

Given the generalized distrust of the justice system and the extremely low levels of awareness about legal aid services, PPJ's outreach campaigns, although effective, are not sufficiently massive to reach out to a wider public—what many referred to as reaching citizens at “the root level”—to significantly increase

¹ Additional information on PPJ's progress on its indicators was provided after the ET completed its report.

their level of awareness about legal aid.

EQ 3: To what extent has DI been able to improve the capacity of judicial personnel with special focus on case management and administration?

PPJ effectively engaged with key stakeholders in the justice system to advocate for the adoption of the International Framework on Court Excellence (IFCE) standards and processes, but after the onset of the COVID-19 pandemic, that progress came to a sudden stop. The Supreme Court deprioritized donor efforts to promote judicial reforms. As a result, PPJ is not on track to accomplish its expected results for IR 2 as Bangladesh is not likely to become an associate member of the International Consortium for Court Excellence (ICCE).

Before the onset of the COVID-19 pandemic, PPJ was able to implement the IFCE-based self-assessment tool in four district courts and JATI, including the institute's faculty, staff, and course participants. Following up on the results of the self-assessment reports, PPJ developed Court Improvement Plans (CIPs), regarded as an essential step for applying for the ICCE membership. However, after the onset of the COVID-19 pandemic, the Supreme Court put these CIPs on hold. PPJ's ability to continue to engage with Supreme Court stakeholders became more difficult.

The Supreme Court's Special Committee on Judicial Reforms (SCSCJR), PPJ's main champion and point of entry for its work with the Judiciary, became inactive. According to PPJ's reports, internal politics around the expected appointment of a new Chief Justice in early 2022 paralyzed all reform initiatives within the Supreme Court. According to interviews with PPJ staff, the only other reform-oriented stakeholder and potential champion of judicial reform is the Bangladesh Women Judges Association (BWJA). PPJ continued to engage with this group even after the pandemic began. However, given the current political and legal context in Bangladesh, it is uncertain whether and to what extent this group of women judges could be leveraged to promote significant judicial reforms.

Beyond the COVID-19 pandemic and the short-term political dynamics within the Supreme Court, there are deep-rooted structural barriers that limit the ability of donor-funded efforts to promote significant judicial reforms, whether these are broader in scope, such as the adoption of IFCE excellence standards, or narrower, such as the introduction of new legal frameworks to improve court management and administration. As the experience with similar donor-funded rule of law (ROL) projects has demonstrated, the lack of commitment from top Government of Bangladesh (GOB) and Supreme Court officials for reforming the justice system and increasing Bangladeshi citizens' access to justice severely limits the ability of donor-funded projects to effect significant change. In the past, similar donor-funded projects failed to achieve their expected objectives.

Without securing buy-in from the Supreme Court and the Ministry of Law, Justice, and Parliamentary Affairs (MOLJA) during the design phase of this Activity, PPJ faced serious challenges in making any substantive progress for Component 2. As a result, according to staff interviewed, PPJ was left to conduct diplomatic efforts with the Supreme Court and MOLJA without substantial USAID or United States Government (USG) involvement. These efforts were unsuccessful, as MOLJA perceived PPJ as a legal aid project, not a justice-sector program, and refused to meet with PPJ.

EQ 4: To what extent are the Activity objectives relevant to the current judicial and political circumstances in Bangladesh?

The Constitution of the People's Republic of Bangladesh clearly enunciates the principle of equality before the law and equal protection under the law for all its citizens. However, equality before the law and access to justice have remained elusive rights for Bangladeshis. Citizens tend to distrust the justice system, especially the criminal system, and believe it is deeply politicized, bureaucratic, and corrupt. Moreover, Bangladesh's citizens, especially the poor and most vulnerable, prefer to resort to informal or quasi-formal justice systems—Village Courts and Shalish—to resolve their disputes.

Considering these challenges, PPJ's efforts to strengthen LACs, promote greater citizen awareness about the service, and support clients to access the formal justice system are all extremely relevant in stimulating demand for legal aid services. An important finding from this evaluation is despite the many hurdles that still exist today in Bangladesh, clients who have received legal aid are satisfied with the service.

Clients also recognized that, despite the enormous problems of corruption perceived to be prevalent in the courts, having the District Legal Aid Office (DLAO) stamp on their files deterred lawyers and other court officials from seeking bribes to process their cases. This is also one of the reasons stakeholders interviewed by the ET at the district level stated the meetings PPJ organized with clients, judges, court personnel, legal aid officers, and panel lawyers were central in learning about the quality-of-service delivery in their district and addressing problems if they emerged.

Similarly, PPJ's efforts to enhance court management and administration, reduce case backlog, and allow the judicial system to operate more effectively are also highly relevant because greater citizen demand for legal aid needs to be supported by improved service delivery. In fact, it is possible to suggest that increased demand for the service without improved service delivery can lead to greater disappointment and distrust in the justice system.

For USAID, the most important question is not only whether PPJ objectives are relevant, but also whether they are feasible in the current judicial and political circumstance in Bangladesh. Objectives can be relevant and yet not be feasible, which largely depends on the political will of top GOB officials to change the status quo by introducing significant judicial reforms.

PPJ objectives with respect to improving legal aid services and increasing citizen awareness are both relevant and feasible. Despite the many challenges legal aid services offered by the state face, PPJ contributed to improving delivery of free legal aid services for poor and vulnerable people. PPJ also contributed to increasing citizens' awareness about the service, as well as their rights and responsibilities when they request legal aid.

In contrast, while Bangladesh's judiciary faces significant challenges in court management and administration, the inability to secure GOB and Supreme Court buy-in, as well as the absence of political commitment from top government officials for reforming the justice system and moving it toward "excellence," renders PPJ's efforts unfeasible, even when, in theory, they remain highly relevant.

In the current political and legal context, the promotion of Alternative Dispute Resolution (ADR) methods, and in particular, mediation, is the only area where PPJ could still find relevant and feasible opportunities to work with the justice system and contribute—albeit indirectly—to the reduction of case backlog, as mediation can reduce the volume of new cases congesting the already backlogged courts.

EQ 5: To what extent has PPJ achieved progress toward establishing sustainability mechanisms?

PPJ designed and implemented several sustainability measures into its activities. From the start of the Activity, PPJ actively engaged with key government counterparts at the Supreme Court, NLASO, and JATI to ensure their buy-in and cooperation with the PPJ's several tasks and objectives. At the district level, PPJ also introduced several sustainability measures to improve legal aid services and strengthen demand for the service, such as working in coordination with NLASO to generate DLACs' improvement plans, helping NLASO standardize monitoring and reporting guidelines for all DLACs, increasing reporting and monitoring between DLAO and lower-level LACs, and designing and implementing training modules for JATI and NLASO to enhance the capacity of legal aid officers and judges. At the district and sub-district levels, PPJ encouraged LAC members, particularly the union parishad (UP) chairmen, to establish a special fund to pay for meeting expenses and awareness campaigns after the completion of the project. Finally, PPJ also worked with NLASO to advocate for greater financial allocations for DLACs; promote incentives to encourage lawyers to work on legal aid cases, such as increasing lawyers' compensation; and establish mechanisms to increase oversight over panel lawyers' performance.

In interviews with the ET, however, panel lawyers and LAC members at the district, upazila, and union levels all expressed concern about the sustainability of their activities once PPJ ends. Issues related to the constant turnover of upazila and union chairmen, inadequate levels of staff at DLAOs and serious work overload, and lack of resources for upazila and union LACs were perceived as the most critical problems for continued operations without any donor support.

In all cases, stakeholders acknowledged how much they depended on the NGO partner for organizing meetings, making upazila and union LAC members aware of their responsibilities, conducting awareness campaigns, and supporting clients. To emphasize their concern about the sustainability of donor-funded initiatives, including PPJ, some interviewees acknowledged that in the past, once a project came to an end, most of their activities stopped.

Regarding public awareness about legal aid, PPJ's surveys indicate citizens' awareness about legal aid increased in those districts where PPJ operates. Yet, it is questionable whether citizen awareness has reached sustainable levels given the extremely low level of public awareness about legal aid services throughout the country.

In all 12 districts where the ET conducted fieldwork, the NGO partner played a key role in activating LACs, convening and facilitating meetings, organizing outreach activities, helping clients with their applications for legal aid services, and, in many cases, physically assisting clients in reaching DLAOs. While the NGO partners should be commended for their work, the overreliance on NGOs undermines the sustainability of PPJ accomplishments. Greater sustainability would require a greater engagement of the GOB in the provision of legal aid, rather than relying on NGOs to fill in the gaps. For example, the GOB could increase the budgetary allocations for DLAOs and staffing levels. Moreover, the GOB could also issue executive orders for all ministries working at the union and upazila levels to mainstream legal aid messages and encourage users to seek legal aid.

Furthermore, despite all PPJ's sustainability measures, many structural challenges beyond USAID and PPJ's manageable interests remain, which make the sustainability of PPJ's achievements—or any other donor-funded activity—unlikely. The first and most significant challenge is the insufficient government budgetary allocations for the justice sector in general and for legal aid in particular. DLAOs are understaffed and overburdened. Other challenges include the lack of incentives of upazila and union legal aid chairmen to refer clients to the district to receive legal aid assistance, and the weakness of judges relative to lawyers for discouraging lengthy trials and promoting mediation solutions.

RECOMMENDATIONS

The following recommendations for USAID and DI are linked to evaluation findings and organized by IR.

Recommendations for USAID

Considering the deep-rooted challenges for the promotion of justice reforms in Bangladesh and the experience of previous ROL projects funded by USAID and other donors, USAID could engage the GOB in the following policy dialogues:

1. USAID could discuss the feasibility of supporting the GOB in its forthcoming E-Justice initiative. While some stakeholders interviewed for this evaluation stated the GOB does not want any international donor support for this effort, this information should be confirmed to assess whether some parts of this initiative could be supported by the USG and under what conditions. For example, the GOB may be interested in the promotion of greater support for ADR solutions, especially mediation.
2. Once the new Chief Justice is appointed, USAID could engage the Supreme Court and MOLJPA to assess opportunities for renewed initiatives to improve court management and administration. Without securing the commitment and buy-in from top GOB agencies, any initiative to improve court management (or any other nationally significant reform) will not be likely to succeed.

3. USAID could engage NLASO, MOLJPA, and the Ministry of Local Government, Rural Development, and Co-Operatives to advocate for increased funding for legal aid services, including financial support for outreach activities and additional staff for DLAOs.
4. Finally, USAID could also engage the GOB in a policy dialogue to discuss reforms to the Legal Aid Services Act (the Act) and its regulations to increase the incentives for upazila and union LACs to improve their services. Some policy initiatives could include elevating the position of the DLA officer from senior assistance judge to a joint district judge; designating the Upazila Nirbhahi Officer (UNO) as chairman of the upazila LAC; and including a representative of the Ministry of Local Government, Rural Development, and Co-Operatives to serve on DLACs. Finally, given that DLA officers are typically overburdened, appointment of a deputy DLA officer (which is already under consideration) and two other assistant DLA officers may also be considered.

Intermediate Result 1.1: Improved Delivery of Legal Aid and Intermediate Result 1.3: Increased Citizens' Awareness About Legal Aid

5. USAID should consider removing from sub-IR 1.1 references to “serving survivors of trafficking in persons (TIP), violent extremism (VE), or arbitrary detention (AD),” as these victims are served by the police and the prosecutors, not by the DLAO. Victims of AD may be considered victims of political violence, but given the increasing restrictive political context in Bangladesh, it is not feasible to expect that victims will seek legal assistance from the DLAO or that the DLAO will become active in defending these cases.
6. As PPJ moves forward, consider reducing the total number of districts where PPJ operates and increasing the coverage of unions and upazilas covered in each district. This would allow PPJ to work longer in each district, thereby promoting greater sustainability of results at the district level and contributing to increasing the demand for legal aid services.
7. USAID should promote greater collaboration with other donors and NGOs, such as the United Nations Development Programme (UNDP), Japan International Cooperation Agency (JICA), Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), and Bangladesh Rural Advancement Committee (BRAC), which are supporting justice initiatives at the district level. Additionally, USAID should also promote greater coordination with other USAID-funded activities such as the Promoting Advocacy and Rights (PAR) and Bangladesh Countering Trafficking in Persons (BCTIP) activities. For example, PPJ could develop specific outreach materials for victims of human trafficking as well as for vulnerable persons living in trafficking-prone areas who are susceptible to being trafficked. At the district level, PPJ could also coordinate with BCTIP in specific cases, for example, where a victim may need assistance to attend a hearing or where victims are pressured by middlemen not to press charges. PPJ could also coordinate with the PAR Activity, which works with victims of gender-based violence (GBV), many of whom may qualify for legal aid services. PPJ could coordinate with PAR to conduct outreach activities in women's shelters and help women protect their rights by, for example, using legal aid to prevent an illegal child marriage or helping a wife seek a divorce from an abusive husband.
8. USAID should also consider supporting a country-wide social auditing project to monitor the coverage and quality of legal aid services offered by the government. This will enable an evaluation of client satisfaction with service delivery, identify strengths and weaknesses of service providers, and assess gender sensitivity in judicial decisions or mediation agreements. The assessment could further contribute to raising awareness about legal aid services and help to build demand for improved service delivery.

Intermediate Result 1.2: Improved Judiciary Case Management Capacity

9. USAID should conduct an inventory of donor-funded ROL programs implemented during the past ten years. The World Bank, UNDP, JICA, and GIZ have all implemented ROL programs in

Bangladesh. Some of these programs have been evaluated and important lessons can be learned from their experience to avoid duplication of efforts and, most importantly, to design relevant, feasible, and sustainable justice projects.

10. Consider the expediency of conducting a Political Economy Assessment (PEA) of Judicial Reform in Bangladesh. These assessments offer an excellent methodological approach for understanding the political dynamics surrounding recalcitrant governance issues. Based on an assessment's findings, PEAs assess the windows of opportunity for promoting significant reforms and identify potential reform champions, such as the SCSCJR and BWJA. Results from such an assessment could inform future ROL activities for USAID in ways that increase their feasibility and sustainability in the near and medium term.
11. For PPJ, consider substantially narrowing down and rescoping IR 1.2, focusing entirely on ADR solutions and, particularly, on mediation. This is a more feasible approach to contribute to the reduction of case backlogs, as mediation can reduce the number of cases entering the courts. As elaborated above, this is an area of opportunity to continue to engage with the justice sector. Importantly, given that mediation is already established in Bangladesh Code of Civil Procedure (CPC) Section 89(A), PPJ does not require the express authorization of the Supreme Court or the Chief Justice to promote mediation alternatives. PPJ could strengthen a group of "panel mediators" ready to work with judges in their district courts. PPJ could work with the District Bar Associations to motivate lawyers to promote mediation.

Recommendations for Democracy International

Intermediate Result 1.1: Improved Delivery of Legal Aid

1. In collaboration with JATI, offer training on legal aid for all judges, not just DLA officers. Given that DLA officers are transferred from district to district, offering the training to all judges would increase the training coverage and contribute to increasing the likelihood that new DLA officers appointed to their positions will already be trained on legal aid services, including mediation solutions. Additionally, judges, some of whom eventually are promoted to the position of District Judge, become ex officio chairpersons of the DLACs and will benefit from such training eventually.
2. Based on respondents' feedback from the mini surveys, consider introducing case studies to increase the practicality of the training modules, include more interactive sessions (where trainees can participate more actively), and offer refresher courses.
3. Continue to work with law schools to advocate for the institutionalization of student internship programs at DLAOs.
4. If feasible, engage the Bangladesh Bar Council to support trainings for lawyers on legal aid services and encourage lawyers to take pro bono cases as well as to become panel lawyers for DLAOs.
5. Continue efforts to motivate legal aid officers to generate special funds to support outreach activities and provide support to clients.
6. Consider conducting a client satisfaction survey to generate robust (rather than anecdotal) evidence of clients' experiences with legal aid services, including information about the cases brought to the legal aid offices, perceptions about the overall fairness of the process, and client's satisfaction or dissatisfaction with the judges' decisions or mediation agreements. Results of this survey could help DI adjust or modify its trainings and technical support for LACs. The survey can also help DI and USAID assess whether legal aid services are gender sensitive and whether they adhere to human rights principles.

Intermediate Result 1.2: Improved Judiciary Case Management Capacity

7. Expand training on mediation practices beyond DLAOs; include lawyers and judges by partnering

with JATI, Bangladesh Bar Council, and universities. Include special training modules on mediation related to intra-family conflicts.

8. Help to establish a “panel of mediators,” including lawyers and retired judges who are fully certified as mediators.
9. In collaboration with NLASO, consider updating the Standard Operating Procedures for Mediation prepared several years ago by UNDP.
10. Promote awareness and informational campaigns among lawyers and judges on provisions in the CPC 89(A), which define who is eligible to mediate a civil case. Contrary to what most people interviewed for this evaluation believe, the DLA officer is not the only officer authorized to mediate a case. This could help motivate lawyers to become trained mediators, as they could benefit from this faster alternative method of resolving disputes.
11. Promote nationwide awareness and information campaigns on the benefits of resolving cases through mediation.
12. Review international best practices on mediation. For example, consider engaging the World Justice Project, which produced a series of educational videos on mediation for judicial officials in Mexico. The videos include examples of actual cases and interviews with mediators and clients who used the service.²

Intermediate Result 1.3: Increased Citizens’ Awareness About Legal Aid

13. Consider conducting a data quality assessment on the indicator related to the number of TIP, VE, and GBV applications received for legal aid services. As discussed in this report, the criteria for classification of these cases are vague. PPJ’s Monitoring, Evaluation, and Learning (MEL) Plan does not specify how the legal aid office will categorize these cases and report on their data, what form it will use, and how PPJ will collect the information.
14. Consider scaling up public awareness campaigns on legal aid services through advertising on TV and social media. Using mass media will significantly increase the volume of people reached and potentially motivated to use the service. Messages intended to promote awareness could include information on where to go if one becomes a victim of human trafficking or GBV.
15. Develop specific messages targeted for vulnerable population such as ethnic minorities, the lesbian, gay, bisexual, transgender, and queer (LGBTQ) community, people with disabilities, human trafficking victims, GBV victims, and people illegally detained in prisons. In terms of GBV, messages could be disseminated in shelters.
16. Engage with other government committees and officials representing different Ministries at the district and upazila levels to disseminate information on legal aid, beyond the LAC (Primary and Mass Education; Health and Family Planning; Youth and Sports Development; Women and Child Development; Social Welfare). The catchment areas these committees or persons have access to represent a large portion of the population of that area and can potentially deliver the message of free legal services provided by the government to a wide audience.
17. Coordinate with other NGOs working with vulnerable people at the district and sub-district levels to disseminate information on legal aid services.

LESSONS LEARNED

- The promotion of political reforms, including judicial reforms, **requires the commitment and buy-in of key government officials**. Political will, a somewhat vague concept often difficult to

² See example here: <https://vimeo.com/606669278>

identify and measure, is central for the successful implementation of governance reforms. For any donor willing to collaborate with the government in the advancement of reform initiatives, securing the buy-in of key government officials is of paramount importance. As demonstrated by previous failed attempts to introduce judicial reforms in Bangladesh, whether they are all encompassing, such as the World Bank multimillion-dollar initiative, or narrower, like the USAID-funded Justice for All (JFA) Activity that focused on improvements in court management and administration, without explicit commitment from key decision-makers at the top levels of government, the likelihood for these initiatives to succeed is marginal at best.

- **Securing government buy-in for the promotion of governance reforms is a diplomatic effort, not an implementation task left for USAID's partners.** A PEA can be helpful to explore the causes of a particularly intransigent development or governance issue. These types of assessments help to understand the political dynamics and the structure of incentives—positive and negative—that need to be mitigated and/or strengthened to increase the chances of success of a particular reform initiative. They also help identify entry points as well as potential champions for the advancement of a reform. These assessments and the consequent diplomatic efforts with relevant stakeholders should be conducted at the planning and design phase of an activity before any tasks are implemented.
- In cases where political will cannot be built through diplomatic efforts, **donors can focus on fostering demand for reform from the bottom up.** That is, strengthening civil society organizations' (CSOs) advocacy capacity, thereby generating greater pressure on their political leaders to increase access and deliver better public services, including justice. Although the civic space has been shrinking in Bangladesh, the country has a widespread network of NGOs at all levels that can be effectively mobilized to push for the improvement of services, including access to justice.
- Given the justice sector's institutional weakness and lack of political independence, its insufficient levels of public funding, and the low prioritization justice receives in the GOB's public agenda, **NGOs will remain critical players for any efforts to increase access to justice, particularly for the poor and vulnerable population.** As the results of this evaluation demonstrate, without NGO partners, LACs are not able to operate effectively. Efforts focused entirely on institutional strengthening, while important, are not likely to be sustainable. On its own, the government is not able to meet the demand for legal aid services: namely, conduct outreach activities, support clients, secure good panel lawyers, and provide sufficient mediators. In the short to medium term, donor-funded efforts to promote greater access to justice will require the active involvement of NGOs.

I. INTRODUCTION

The United States Agency for International Development's (USAID) Bangladesh Mission issued Tasking Request S033 through its Democracy, Human Rights, and Governance (DRG) Office for the USAID Bangladesh Monitoring, Evaluation, and Learning (BMEL) Activity to conduct a Mid-Term Performance Evaluation of the Promoting Peace and Justice (PPJ) Activity implemented by Democracy International (DI). The activity is being implemented under USAID's Development Objective (DO) 1: Citizen Confidence in Governance Institutions Increased.

The PPJ Activity is a five-year, \$10.1 million program that seeks to improve access to justice, particularly for the poor and vulnerable population in Bangladesh. PPJ's activities were designed to improve the performance of District Legal Aid Committees (DLACs) in 20 districts to better serve the public, strengthen legal aid committee (LAC) members' capacity to utilize legal aid funds, increase citizen demand for legal aid services by increasing public awareness about the service, and enhance the capacity of District Court judges to better serve in their role on the judiciary and serve clients more effectively.

The period of performance for this mid-term evaluation covers the timeframe from the activity inception in October 2018 to June 2021. Due to Coronavirus Disease 2019 (COVID-19) pandemic restrictions, this evaluation was conducted entirely remotely. The evaluation team (ET) met virtually every other day to coordinate activities, and all interviews were conducted online or by phone. This evaluation was conducted from June 10 to October 15, 2021.

I.1 POLITICAL AND JUDICIAL BACKGROUND

The Constitution of Bangladesh recognizes a comprehensive list of fundamental rights, including human, political, and civil rights, which are guaranteed to all citizens and enforceable in the courts. In practice, however, many of these rights have been routinely violated without the ability of citizens to seek redress from the judiciary. Despite Bangladesh's impressive track record of economic growth and development over the past decade, most Bangladeshi citizens do not have effective means to protect their rights through the formal justice system.

A combination of pervasively high levels of distrust in the justice institutions among Bangladeshi citizens, continued high rates of poverty and illiteracy,³ persistently low investments in the justice sector,⁴ high levels of corruption,⁵ and pervasive inefficiencies in court management and administration resulting in costly and lengthy trials deter citizens from seeking justice from the formal justice system. Most citizens

³ According to the Bangladesh Bureau of Statistics (BBS) Literacy Report 2020, the literacy rate stood at 74.7 percent. In 2021, 24.4 percent of people of Bangladesh are reported to be illiterate. Poverty rates have decreased in Bangladesh, but according to the Asian Development Bank (ADB), in 2020, 20.5 percent of the population lived below the poverty line. <https://www.adb.org/countries/bangladesh/poverty>.

⁴ The budgetary allocations to the justice system in Bangladesh represent between 0.1 and 0.4 percent of the national budget. The consequences are insufficient courthouses in the country, many of which are in poor conditions and with inadequate equipment and staff. Judges are poorly paid and have unreasonable workloads. With only 1,800 judges, Bangladesh is the Southeast Asian country with the fewest number of judges per capita. <https://www.daily-bangladesh.com/english/1800-judges-for-165-crore-people/53044>. See also Md. Zakir Hossain, "E-Judiciary and an Analysis of Budgetary Allocation for Judiciary." The Daily Sun, November 23. <https://www.daily-sun.com/post/487316/EJudiciary-and-an-Analysis-of-Budgetary-Allocation-for-Judiciary>

⁵ According to Transparency International, citizens perceive the justice sector and law enforcement agencies as the two most corrupt sectors in public administration in Bangladesh. In addition, due to inadequate resources allocated for the justice sector and undue political influence on judicial affairs, the lack of transparency and access to information, and inadequate accountability and disciplinary measures are the main drivers of corruption in the country. See Transparency International. U4. Overview of Corruption within the justice sector and law enforcement agencies in Bangladesh. <https://www.u4.no/publications/overview-of-corruption-within-the-justice-sector-and-law-enforcement-agencies-in-bangladesh>. See also Transparency International, "Subordinate Court System of Bangladesh: Governance Challenges and Ways Forward." 2017. https://www.ti-bangladesh.org/beta3/images/2017/lower_judiciary/Executive_Summary_English_Judiciary_30112017.pdf.

still prefer to resort to informal and quasi-informal justice systems, like the Shalish and Village Courts, to solve their disputes and seek redress.

To expand access to justice, in 2000, Bangladesh introduced the Legal Aid Services Act (the Act), a revolutionary and promising reform guaranteeing free legal services for the poor and vulnerable population. The Act established the creation of the National Legal Aid Services Organization (NLASO) to set up the criteria for eligibility for legal aid, generating awareness about legal aid services, providing training for judges and lawyers, and supervising the implementation of the Act. The Act also instituted LACs at the Supreme Court and at the district, upazila, and union levels. The Act and the relevant rules/regulations delineate the members of such committees at different levels, as well as their duties.

To date, all 64 districts in Bangladesh have established LACs and District Legal Aid Offices (DLAOs), but not all of them have permanent and dedicated District Legal Aid (DLA) officers appointed by the Ministry of Law, Justice, and Parliamentary Affairs (MOLJA). The DLA officer is the ex officio secretary of the DLAC and the person most responsible for the operation of the committee. S/he is the person who has the sole authority, under the law, to give legal advice to clients, and to mediate disputes if Alternative Dispute Resolution (ADR) is possible and agreed to by the parties. At the upazila and union levels, LACs' level of functionality varies from district to district. In most cases, these committees are established but not operational, and their members are not fully aware of their responsibilities.

Twenty (20) years after the passage of the Act, however, only a fraction of poor and vulnerable Bangladeshi citizens seem to be aware of their rights to free legal services, and even fewer seek the formal justice system to resolve their disputes, even when the services are provided free of charge. According to a study on access to justice in Bangladesh funded by the United Nations Development Programme (UNDP) in 2015, 97 percent of respondents of a nationwide survey were unaware of any legal aid office or committee.⁶

Given the insufficient public investment in the justice sector, it is not surprising financial support for legal aid services has remained extremely scant. DLAOs lack adequate levels of staff, infrastructure facilities, equipment, and resources to conduct public awareness campaigns. Upazila and union LACs remain institutionally weak and lack sufficient incentives to fulfill their legal responsibilities. Moreover, with insufficient number of judges in the country to process cases and a mounting backlog of cases, estimated now at 3.8 million, the rights to free legal services have remained elusive for most citizens.

While limited access to justice has been a pervasive challenge for Bangladesh, the increasing authoritarian practices of the current Bangladesh government and the appalling human rights violations committed against critics of the government and the ruling party since 2018,⁷ have placed Bangladesh under intense scrutiny and criticism from the international community and Bangladesh's human rights organizations. In this context, limited access to justice underscores the consequences of a politicized and relatively weak justice system for the protection of rights of Bangladesh's citizens, and ultimately for the preservation of democracy and the rule of law (ROL).

1.2 THE PROMOTING PEACE AND JUSTICE ACTIVITY

The PPJ Activity, which began in October 2018, strives to work with legal aid delivery organizations and committees, judges and judicial staff, panel lawyers, law students, court staff, and vulnerable groups to

⁶ Nannu Mian, et al. "A Critical Analysis of Legal Aid in Bangladesh." International Journal of Social Science Research 2014, Vol. 2, No. 1.

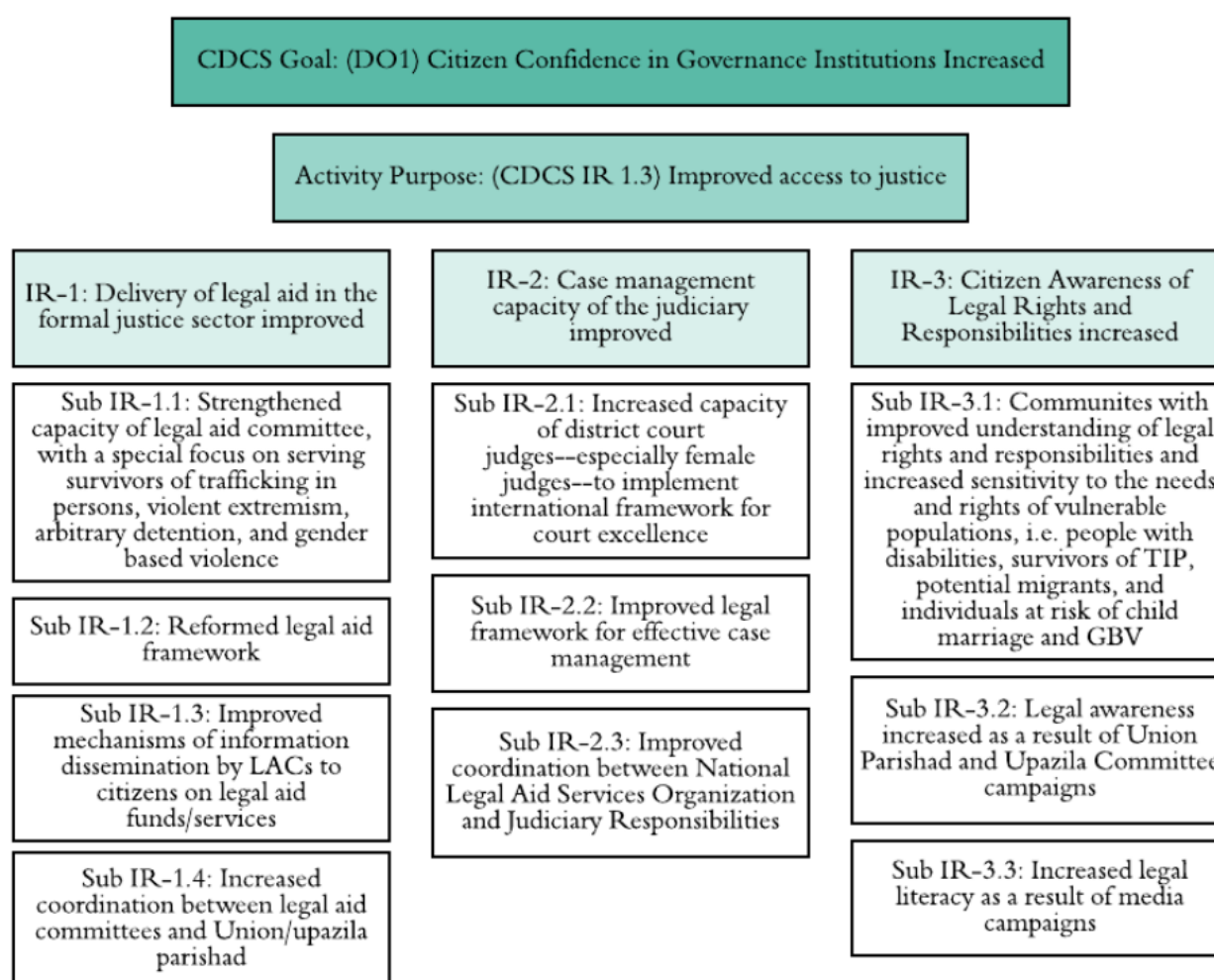
⁷ According to Bangladeshi human rights groups, nearly 600 people have been forcibly disappeared by security forces since the present government took office. Over the past three years, bloggers, journalists, and organizations opposed to the government have met with increased repression by legal and non-legal means, such as arbitrary detentions and, allegedly, torture. Human Rights Watch (2021). "Where No Sun Can Enter." August 16, 2021

<https://www.hrw.org/report/2021/08/16/where-no-sun-can-enter/decade-enforced-disappearances-bangladesh>. Freedom House rated Bangladesh as partly free in its 2019 report. See Freedom House, Freedom in the World Report 2021, Bangladesh. <https://freedomhouse.org/country/bangladesh/freedom-world/2021>

improve access to justice and delivery of legal services in Bangladesh. PPJ works in 20 districts to improve the performance of DLACs to better serve the public. It also works with LACs at the upazila and union levels to strengthen their operations and develop members' capacity to utilize legal aid funds. Finally, PPJ also works with judges of the District Court to better serve in their role on the judiciary, serve clients more effectively, and improve the administration and management of their courts.

The Activity consists of three components to achieve its three main Intermediate Results (IRs)—IR 1: Improve the delivery of legal aid in the formal justice sector; IR 2: Improve case management capacity of the judiciary; and IR 3: Increase citizen awareness of legal rights and responsibilities. As the graphic representation of the Activity's Results Framework illustrates, each IR has a set of sub-IRs that are logically and causally linked to the accomplishment of the expected result. Within the USAID/Bangladesh Country Development Cooperation Strategy (CDCS) framework, the PPJ Activity supports DO 1: Citizen Confidence in Governance Institutions Increased.

Figure 1: PPJ Activity Results Framework



1.3 EVALUATION PURPOSE

The main purposes of this evaluation were to assess the achievement PPJ has obtained to date, evaluate the likely sustainability of PPJ's accomplishments, assess the relevance of PPJ's activities in light of the current political and judicial circumstances in Bangladesh, assess the impact of the COVID-19 pandemic on PPJ's performance overall, and formulate actionable and operational recommendations for USAID and DI for the following two and a half years of implementation.

1.4 EVALUATION QUESTIONS

This mid-term performance evaluation answers the following six evaluation questions (EQs) formulated by USAID/Bangladesh:

EQ 1: To what extent is DI on course to meet PPJ's objectives to improve legal aid delivery, based on progress achieved thus far?

EQ 2: How effective has the Activity been in stimulating demand among Bangladeshi citizenry for legal services through the DLACs?

EQ 3: To what extent has DI been able to improve the capacity of judicial personnel with special focus on case management and administration?

EQ 4: To what extent are the Activity objectives relevant to the current judicial and political circumstances in Bangladesh?

EQ 5: To what extent has PPJ achieved progress toward establishing sustainability mechanisms?

EQ 6: To what extent has the PPJ progress been affected by the COVID-19 pandemic? *(Given the impact of COVID-19 on overall activity implementation, answers to this question will be provided in responses to all five EQs, and therefore, as agreed in the evaluation work plan, a separate answer to this evaluation question will not be included as it would be repetitive.)*

2. METHODOLOGY

The evaluation started with an extensive desk review, including PPJ's quarterly and annual reports, monitoring and evaluation (M&E) plan and M&E reports, reports on the results of baseline and mid-term public opinion surveys, and New Rule's report on the results of the International Framework on Court Excellence's (IFCE) self-assessment results. The ET also reviewed evaluations of similar ROL projects in Bangladesh, particularly the World Bank Project implemented from 2000-2008 and UNDP project implemented from 2012-2016. Other documents reviewed by the ET include journalistic and academic reports on the judicial system in Bangladesh, Legal Aid, and access to justice. Please see bibliography section for a full list of documents reviewed by the team.

Due to the COVID-19 restrictions, the ET was not able to conduct in-person key informant interviews (KIIs) or focus group discussions (FGDs) as originally planned. Fieldwork was conducted in 12 out of the total 20 districts where PPJ operates, as illustrated in Figure 2.

The ET conducted all 188 KIIs online or by telephone (see Table 1). At the district level, most of the interviews were conducted in Bangla by the Bangladeshi members of the team. The research associates transcribed and translated all KIIs, so information could be available for the rest of the ET to review.

In addition to the KIIs, the ET also sent an online mini survey to judges, lawyers, and students who had received training from PPJ. As Table 2 indicates, a total of 46 judges and 35 lawyers and students responded to the mini survey.

Figure 2: Districts Where Fieldwork Was Conducted

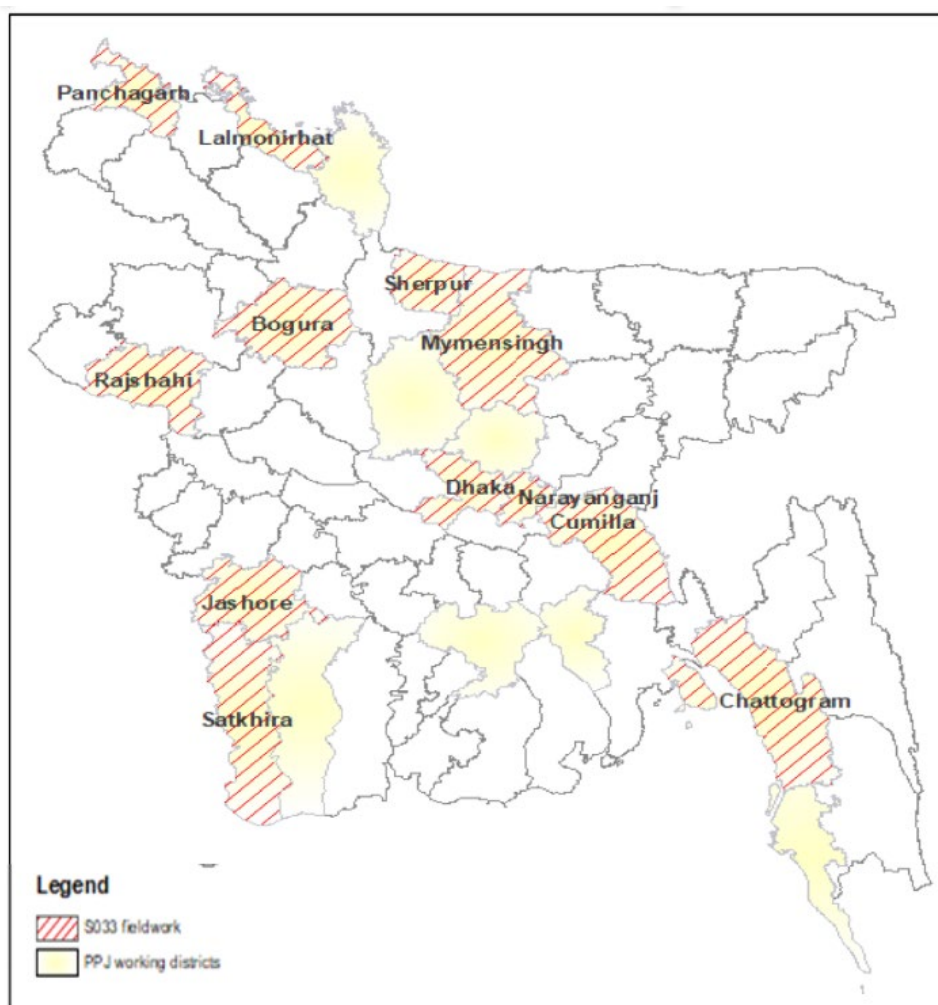


Table 1: Total KIIs Respondents

Site Locations/Districts	Method of Data Collection
	KIIs
Dhaka	15
Rajshahi	13
Sherpur	14
Bogura	13
Satkhira	13
Jashore	13
Narayanganj	13
Chattogram	16
Comilla	14
Panchagarh	14
Lalmonirhat	14
Mymensingh	13
United States	5
Others (Controlled Districts, Bangladesh Scholars; DI Staff)	18
Total	188

Table 2: Total Mini Survey Respondents

Respondent Types	Method of Data Collection
	Mini Surveys
Judges	46
Lawyers/Students	31
Total	77

2.1 EVALUATION LIMITATIONS

The COVID-19 pandemic undoubtedly presented a serious challenge for this evaluation. In response to a spike in infections in March 2021, the Government of Bangladesh (GOB) imposed new social distancing requirements and travel restrictions, making it impossible for the ET to conduct any in-person meetings. The senior international expert and team leader could not travel to Bangladesh. The entire evaluation process had to be conducted virtually, and plans for organizing FGD sessions with PPJ beneficiaries had to be cancelled. To overcome this limitation, the ET conducted more virtual interviews with a wide variety of stakeholders, both in Dhaka and in 12 districts. Additionally, the ET held virtual meetings on a regular basis, allowing the team leader to provide guidance on the overall methodological approach for the evaluation. During fieldwork, the ET met virtually every day to review preliminary findings and discuss next steps.

Another important limitation was the inability of the ET to talk to representatives of the Supreme Court Legal Aid Committee (SCLAC) and with the Supreme Court Special Officer. PPJ engaged these stakeholders effectively during the first year and a half of the Activity. Despite several attempts, these officials declined to be interviewed.

Like any other performance evaluation, this evaluation faced several potential common evaluation limitations. The first is selection bias, which would take place if only individuals with positive opinions about the Activity talk to the ET. To mitigate this limitation, the ET triangulated data collected across the 12 districts. Whenever the ET found inconsistencies, it conducted additional research by calling individuals who had already been interviewed to ask follow-up questions. The ET also talked to a few legal scholars with no relationship to PPJ to assess their overall perspective about legal aid in Bangladesh. Additionally, the team triangulated the results of the mini survey with the results of the qualitative data collected through the in-person KIs to control for consistency and reliability of findings.

A second common limitation is social desirability or “halo” bias, where respondents answer questions to conform with what they believe the interviewer wants to hear or with what is acceptable to their community. The ET mitigated this bias by explaining to all stakeholders the evaluation’s purpose, reiterating the importance of interviewees expressing their true opinions, and promising their identities would not be revealed in the evaluation report.

3. EVALUATION FINDINGS AND CONCLUSIONS

3.1 EQ 1: TO WHAT EXTENT IS DI ON COURSE TO MEET PPJ’S OBJECTIVES TO IMPROVE LEGAL AID DELIVERY, BASED ON PROGRESS ACHIEVED THUS FAR?

3.1.1 Analysis of Performance Indicators

PPJ significantly contributed to improving legal aid delivery services in 20 districts, but the COVID-19 pandemic negatively affected PPJ’s activities, particularly in 2020, when PPJ was not able to reach the expected target on its IR: Improved legal aid service delivery in the formal justice sector.

During Year I of Activity implementation, PPJ did contribute to increasing the number of people who received legal aid services, but it did not achieve its expected 5 percent increase in total number of cases

of legal aid services approved and reported to NLASO with respect to the baseline (Indicator 1).⁸ According to data reported to NLASO, from October 2018 to September of 2019 DLACs where PPJ operates accounted for close to half a percent (0.49 percent) of the total number of legal aid cases reported to NLASO. Yet, it is difficult to draw significant conclusions from these percentages, as some of PPJ's districts, like Dhaka and Chattogram, are some of the largest districts in the country.⁹ In the following years, 2020 and 2021, the total number of legal aid cases decreased by 5.3 percent across districts. Importantly, however, during 2019-2020, the reduction in the number of legal aid cases decreased more sharply (a 6.7 percent reduction) in PPJ districts, than in non-PPJ districts (a 4.2 percent reduction). During 2021, however, PPJ performance improved, reaching 93 percent of its expected target on its indicator for its IR 1.¹⁰ This was due to PPJ's ability to adapt to the pandemic by continuing to operate virtually and supporting its local partners on the ground.

PPJ was able to meet its targets on the rest of its indicators at the sub-IR level, but these indicators are output-level indicators (see Annex 3) and, consequently, they do not offer a good parameter to assess the achievement of PPJ's expected results. Moreover, one of PPJ's sub-IRs, the reform of the legal aid framework, falls outside PPJ and USAID's manageable interests. Even when PPJ shows progress on this indicator, no substantive reform of the Act has been introduced in Bangladesh, and NLASO directives used to measure this sub-IR are not only imprecise, but inconsequential.¹¹

3.1.2 Findings

Increasing Operation of Legal Aid Committees

After two and a half years of Activity implementation, PPJ was instrumental in activating LACs in 20 districts at the district, union, and upazila levels. Before PPJ began to work in these districts, most LACs, particularly at the union and upazila levels, were not operational and officers working in these committees did not fully know or understand their responsibilities. Across districts, LAC members interviewed by the ET acknowledged the relevant role PPJ played in strengthening legal aid services in their district; promoting greater communication between upazila, union, and DLAOs; and increasing outreach activities to inform the public about legal aid services. In addition to convening and facilitating LAC meetings and promoting greater coordination between district and sub-district LACs, interviewees valued PPJ's organization of separate meetings with panel lawyers, clients, judges, and legal aid officers to coordinate their activities, learn from experience, and identify next steps.

Interviewees mentioned these meetings as one of PPJ's most valuable contributions to their work.

At the sub-district level, PPJ worked in selected upazilas and unions to increase the level of knowledge of LAC members and helped the members activate their committees. According to data provided by PPJ, at the inception of the program, less than 1 percent LAC members interviewed at the upazila and union levels in the 20 districts where PPJ operates could name all of the four key responsibilities as members of such LACs: 1) receive legal aid clients/applications and refer/forward them to the DLAC; 2) conduct

⁸ During 2020, the target of number of cases approved and reported to NLSAO from PPJ districts was 25,635. The actual number of cases achieved was 22,800. For 2021, the target was 23,940. By the end of the fiscal year in September 2021—after the ET completed the field work for this evaluation—the actual number was 22,378, 93 percent of the target.

⁹ During this year, 2018-2019, on average, the 20 PPJ districts processed 2,034 cases per month. Non-PPJ cases, 44 districts processed 2,097 cases per month. Yet, without data on the total number of cases processed before 2018, it is difficult to assess whether PPJ districts performed better than non-PPJ districts. After 2019, the number of cases decreased in all districts, but the decline was sharper in PPJ districts.

¹⁰ Additional information on PPJ's progress on its indicators was provided after the ET completed its report.

¹¹ Although the PPJ Monitoring, Evaluation, and Learning (MEL) plan lists Indicators 2 and 5 as outcome indicators, the number of progress reports submitted by Panel Lawyers to DLAO (Indicator 2) is not necessarily an outcome-level indicator to measure the strength of the LAC. Similarly, the number of reports on referral and awareness initiatives received by DLAO submitted by Upazila Legal Aid Committees (UZLAC) and (Union Parishad Legal Aid Committees (UPLAC)(Indicator 5), is not an outcome indicator, since it does not measure greater coordination between DLAO and UZLAC and UPLAC. More importantly, as we note further in the report, the referrals submitted to the DLAO are largely being submitted by the local NGOs, and not by the UZLAC and UPLAC.

initiatives to build public awareness at the community level; 3) hold bi-monthly meetings; and 4) submit quarterly reports to the DLAC.¹²

Although a similar survey has not yet been conducted by PPJ to assess any progress in terms of increased knowledge of upazila and union LAC members, interviews with upazila and union legal aid officials in 12 districts reveal that, for the most part,¹³ members were aware and had knowledge of their responsibilities. However, they recognized they were not fulfilling all of their responsibilities, particularly holding meetings regularly (allegedly due to COVID-19), conducting public awareness campaigns, and submitting regular reports to the DLAC. In all 12 districts, upazila and union LAC members interviewed recognized they make their referrals to the DLAC verbally, not in writing, even when there is a form they are supposed to use for this purpose. In Narayanganj, for example, one upazila chairman said: “I have heard about the form. But I did not receive it yet and therefore, I could not recommend anyone. We are verbally referring now. But if we receive the form, it would be better for us. Because it is a written document, and we can provide the complete details in the forms.”

“Before PPJ there was no project in Comilla. That is why I noticed the changes this project has brought. The positive thing is that we can reach the Union parishad level and the Upazila parishad very easily because of this project.” DLA Officer/Comilla

“PPJ has worked as a bridge. I was delighted to attend the meetings, because to hear from them directly what problems clients faced while seeking legal aid, for example that they were charged money by unfair means by the court staff and the lawyers, we could not have appreciated that fully. So, I would say that it is one of the positive sides of PPJ. It helped me understand the situation and take proper steps to deal with the problems faced.” DLA Officer/Panchagarh

“I think this project is a massive success. They arrange quarterly meetings through the legal aid offices. Also, they conduct meetings with judges, lawyers, legal aid officials, and clients.” Panel Lawyer/Rajshahi

“After the intervention of PPJ, we can see a massive change now. In the PPJ intervening Upazilas in Bogura, we see a big rise of cases coming to legal aid.” DLA Officer/Bogura

According to the law, legal aid officers are responsible for conducting awareness campaigns at the community level. PPJ’s indicators report the number of legal aid awareness campaigns in each district. Yet,

“The [upazilas] do not conduct meetings of the LAC even though the law directly says they have a specific duty to do so...” DLA Chairman/Jessore
“[Upazila and Union committees] are not very active...they kind of work like a post box. People come to them, and they just put a seal on the application and forward to us.” DLA Officer/Rajshahi

across districts, these campaigns are not organized by the LAC, but rather by PPJ’s partner non-governmental organizations (NGOs). In some districts, district-level committee members and panel lawyers often participate in these campaigns, but at the upazila and union levels, legal committee chairs do not actively engage in most of these awareness campaigns.

Targeting Vulnerable Populations

While it is fair to say PPJ contributed to increasing the capacity of LACs to provide legal aid services to Bangladeshi citizens, there is no evidence that LACs increased their capacity to serve survivors of trafficking in persons (TIP) or victims of political violence, particularly violent extremism (VE) or arbitrary detention (AD), as the sub-IR 1.1 is articulated—see PPJ’s Results Framework (Figure 1).¹⁴ According to ET interviews with DLA officials, panel lawyers, and clients, an overwhelming percentage of cases received and processed by LACs are related to gender-based violence (GBV) and family issues (dower rights, dowry

¹² The survey was conducted in 20 districts, including 40 upazilas and 80 unions. In total, 101 legal aid officers were interviewed. PPJ, “A Study on Functions of UPLAC and UZLAC in Bangladesh,” 2019. PPT presentation.

¹³ In Mymensingh and Jessore, for example, some of the upazila and union legal aid chairmen interviewed by the ET had little knowledge about their responsibilities.

¹⁴ PPJ did not work with labor courts and did not include in its results framework cases related to labor issues. During the brief presentation with USAID on September 23, a question was raised about cases related to labor disputes in labor courts. During fieldwork, no interviewee made any reference to labor disputes, but following on the question raised by USAID, the ET contacted PPJ’s coordinators in three of the districts covered in this evaluation where there are labor courts: Dhaka, Chittagong, and Rajshahi. PPJ’s coordinators all confirmed that none of these districts worked with the Labor Courts Legal Aid Committees.

disputes, divorces). The cases reported by panel lawyers to the DLAO, which serves as the indicator for this sub-IR (Indicator 2), are not disaggregated by type of case.¹⁵

More importantly, in criminal cases, like those relating to TIP and VE, prosecutors, not panel lawyers appointed by the DLAO, are responsible for providing legal assistance to the victims. Most victims of violence or trafficking report their cases to the police and the prosecutor then is responsible for litigating their cases in the courts. Legal aid officers are responsible for civil cases and minor criminal offenses where they engage panel lawyers. In many GBV cases, the legal aid officer can assist the victim to file for a divorce, but if the victim wants to place criminal charges for the violence committed then it is the responsibility of the prosecutor to litigate the case in the courts. As we discuss below, the DLAO often mediates and settles family disputes even in cases when women allege to have been victims of violence. Prosecutors and high-level police officers are members of the DLAC, but PPJ does not work directly with them.

The ET found evidence of coordination between PPJ and the USAID-funded Bangladesh Countering Trafficking in Persons (BCTIP) Activity. However, while PPJ and BCTIP staff members acknowledged they communicated with one another and collaborated in training activities, there is no evidence of more consistent collaborative efforts, such as PPJ referring cases of TIP received by upazila, union, or DLACs to BCTIP; inviting BCTIP staff to participate in outreach activities at the local level; and/or targeting TIP victims in outreach activities. When asked about the lack of closer collaboration between these two activities, BCTIP staff responded, *“Winrock is a grant; Democracy International is a contract. There is a big difference...Also, it is very difficult to collaborate if these two activities do not have results to which they are reporting together.”*

Aside from BCTIP, the ET found no evidence of collaboration with other relevant USAID-funded activities to prevent GBV or child marriages. Notably, no stakeholder interviewed by the ET mentioned the Promoting Advocacy and Rights (PAR) Activity, which, among other objectives, seeks to improve the rights of victims of GBV, including the right to legal assistance.

Enhancing the Capacity of Legal Aid Committee Members

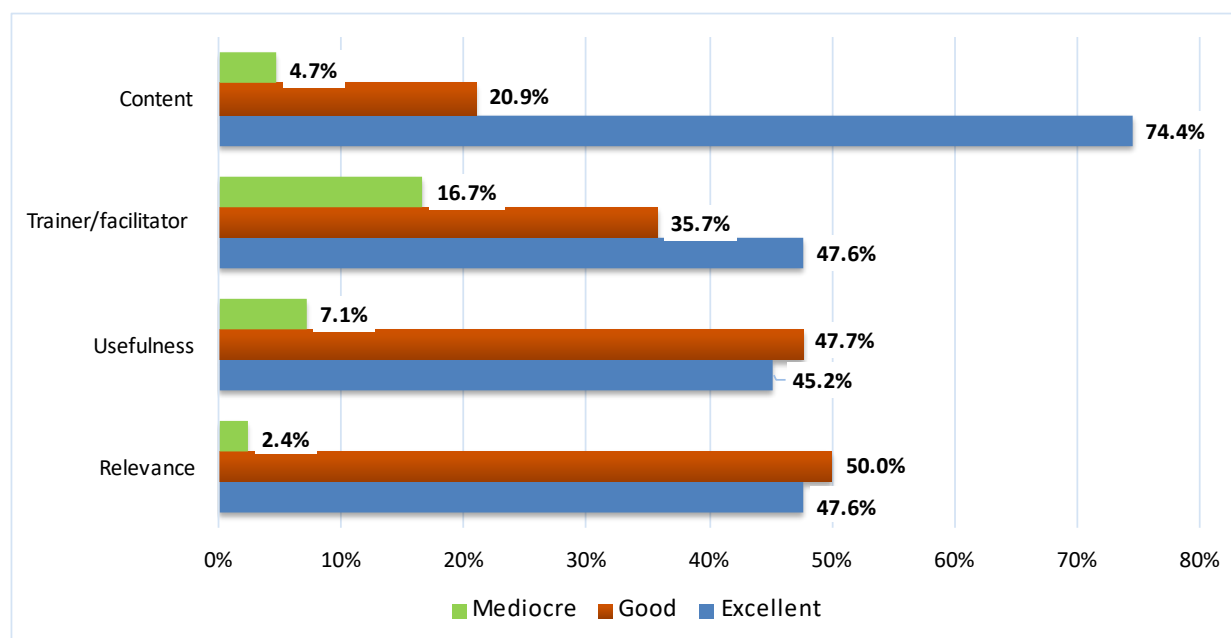
As a central element in building capacity of legal aid officers, PPJ offered several trainings to legal aid officials, judges, lawyers, and law students. With the onset of the COVID-19 pandemic, DI offered trainings virtually. Most of the trainings for legal aid officials were coordinated with the NLASO, while trainings for judges were coordinated with the Judicial Administration Training Institute (JATI) and Bangladesh Women Judges Association (BWJA). PPJ worked with four universities in different districts in Bangladesh, Brittanica University in Cumilla, Jagannath University in Dhaka, Khulna University in Khulna, and Cox’s Bazar International University to sensitize future lawyers about the importance of legal aid, and offered a few internships for students to serve in DLAOs.

Overall, trainees interviewed by the ET and mini survey respondents were satisfied with the quality of PPJ’s trainings. Seventy-four (74) percent of judges who participated in the survey (a total of 46) were extremely satisfied with the content of the trainings. Most judges also stated trainings were useful and highly relevant to their work, and they were satisfied with the quality of the trainers and facilitators. However, six judges said they considered the trainings to be too theoretical and would like to see more practical trainings, with greater participation from trainees and a more case-oriented approach. See Figure 3 for more results.

When asked about the most important challenges of access to justice for vulnerable populations in Bangladesh, 85 percent of respondents said vulnerable people lack knowledge about their legal rights, 67 percent said the judicial system is too bureaucratic, and 46 percent mentioned corruption in the justice system. For a full representation of the survey results, see Annex 6.

¹⁵ As we note below, data for a separate indicator (Indicator 13) related to cases of TIP, VE, or AD are not available in the PPJ Indicator tracking table nor in its quarterly or annual reports.

Figure 3: Mini Survey Results – Judges



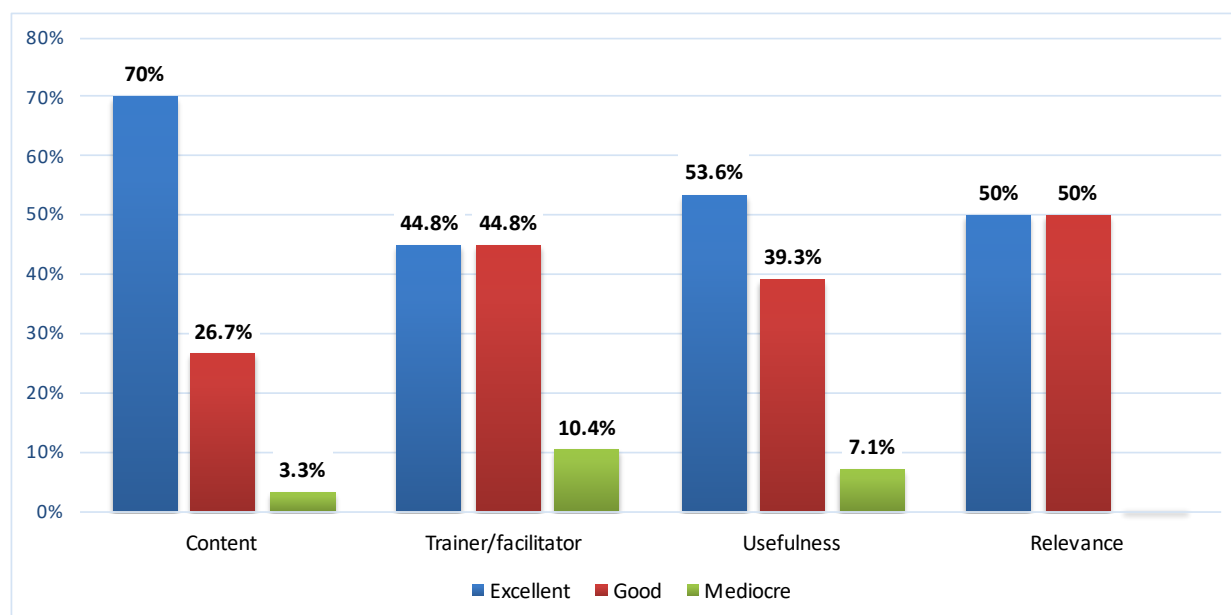
A total of 31 lawyers and law students who received training from PPJ responded to the mini survey. Most trainees, 70 percent, said they believe the content of the training was excellent, but the degree of satisfaction with the quality of the trainers, and the perception about its usefulness and relevance was slightly less satisfactory, with lower percentages of respondents stating they found the training to be excellent. See Figure 4.¹⁶

In response to other questions about their work, 65 percent of trainees said they would be ready to work pro bono always or frequently because of the training, and 62 percent said they have greater appreciation of the barriers preventing access to justice for vulnerable populations. Only 3 percent of respondents said they consult manuals (such as the IFCE and the Transforming Agency, Access, and Power [TAAP] toolkit) frequently. For a full set of the tables representing the results of the survey, see Annex 6.

One of PPJ's trainings—the TAAP workshop—focused on sensitizing legal aid officers and lawyers on improving their response to the needs and specific issues faced by legal aid clients, particularly when dealing with victims of GBV or TIP. Most of the 36 clients interviewed by the ET said legal aid officers were extremely courteous and respectful. In districts where PPJ supported special breast-feeding corners or other seating arrangements for clients, key informants noted this and considered it one of the reasons they were satisfied with the service.

¹⁶ It is important to note the mini survey did not request respondents to identify themselves as students or lawyers. The ET is therefore not able to draw significant conclusions about questions related to the ability of trainees to apply the skills they learned. If these respondents were students and not lawyers, they would not be expected to apply their training skills in their jobs. The mini survey was not meant to be representative, nor can its results be generalized. The mini survey was conducted to triangulate the information obtained through KIIs.

Figure 4: Mini-Survey Results Training Ratings – Lawyers



3.1.3 Conclusions

Despite the COVID-19 pandemic, PPJ worked effectively in 20 districts to enhance the capacity of LACs to provide legal aid services to poor and vulnerable people. Even when PPJ was unable to meet its indicator target in terms of number of legal aid cases processed or received, there is evidence PPJ did achieve its objectives in terms of activating LACs, increasing committee members' knowledge about their responsibilities, improving awareness at the community level, and helping clients seeking legal aid services.

PPJ's overall successful achievement in improving legal aid services, however, was not evenly distributed across the 12 districts analyzed in this evaluation. In five districts, Comilla, Rajshahi, Bogura, Jessore, and Satkhira, the ET found the delivery of legal aid services to be most successful in terms of the regularity of committee meetings, motivation of legal aid officials to fulfill their responsibilities, and satisfaction of clients. In these cases, the personal commitment of the DLA officer, the engagement of panel lawyers, and the work of the NGO partner, particularly at the upazila and union levels, were critical for the more successful performance. The least successful districts included Dhaka, Narayanganj, and Chattogram, where LAC meetings were not held regularly, officers interviewed by the ET expressed lack of interest or knowledge about their responsibilities, panel lawyers complained about the low payments they receive for working in legal aid cases, and clients expressed less satisfaction (in the case of Dhaka, all three clients interviewed by the ET were dissatisfied with the service). Given the size of these districts in terms of population, the potential consequences for legal aid service delivery can be significant.

Across districts, even in the better performing districts, one of the most serious challenges for improving access to legal aid services is the weakness of upazila- and union-level LACs, the first point of contact for a client seeking services. During the first year of the program, before the onset of the COVID-19 pandemic, PPJ successfully engaged with all relevant stakeholders at the district and sub-district levels. But after COVID-19, much of the progress PPJ had achieved at the upazila and union levels was disrupted. While the pandemic undoubtedly affected the ability of committee members to meet, the weakness of upazila and union LACs has deeper roots.

First and foremost, there is a conflicting structure of incentives between legal aid officers and legal aid chairmen at the district (who are appointed by the judiciary) as opposed to the upazila and union legal aid chairpersons (who are elected). Being elected to their posts, upazila and union legal aid chairmen lack

sufficient motivation to refer clients to the district for legal aid services. They prefer to serve their constituents by solving cases presented to them on their own. They therefore resort in the first instance to traditional dispute resolution methods, like Shalish or the quasi-formal Village Courts, which are chaired by the upazila chairman under the law. As one DLA officer said:

“Union chairmen try to solve most of the cases through Shalish; sometimes, even murder cases are also mediated through Shalish. We tell them they have no jurisdiction to do this. But people go to them, and they give us the excuse that the people press them, and that there is nothing they can do.”

In Sherpur, one panel lawyer interviewed said:

“After 50 years of independence, in the last 72 hours, we have seen that one Union Parishad Chairman in our area tried to settle a rape case with 150,000 taka and in the meantime tried to destroy evidence. This is happening in Bangladesh.”

In cases where clients have tried and failed to resolve their cases through the informal justice sector, union and upazila chairs do refer clients to the district, but they are not proactive and do not offer clients much guidance or any assistance with filling out the required forms. Across the 12 districts included in this evaluation, most upazila and union legal aid officers admitted they refer clients to the NGO partner, not to the DLAC, which in turn is responsible for assisting clients in requesting legal aid services. Clients interviewed for the evaluation said the NGO representative was the person who helped them direct their case to the DLAC.

“We send clients to the project manager of AID Comilla. They do the rest of the work.” Union Chairman/Comilla

“We cannot contact the district legal aid office directly. We will contact the NGO officers. We list down the legal aid seekers and send it to the legal aid office through your officers (the NGO Partner.) Upazila Chairman/Lalmonirhat

“In almost 99 percent of cases, we can solve the cases at the Union level. If legal aid is necessary, LightHouse helps. They help people to fill up the forms and send people to the District Legal Aid Office. If poor distressed people come to us for legal aid, we refer them to LightHouse. They later take the necessary steps.” Union Chairman/Bogura

Another related problem is the permanent conflict between the upazila chairman, who also chairs the LAC, and the Upazila Nirbhahi Officer (UNO), the chief executive representative of the government who serves as the secretary of the LAC. With greater power and resources than the upazila chairman, the UNO lacks the motivation to participate in the upazila LAC as a subordinate member. One NGO partner expressed the consequences of this conflict most eloquently:

“The biggest challenge that we faced is the conflict between UNO and the upazila chairman. They have a hidden conflict...If the UNO is not supportive, the committee will not work properly. The UNO is the chairman of 17 committees. So, they do not like to work as a member secretary. One of them told me to write letters to the Ministry so that he is made the chairman. If he is the member secretary of the committee, nothing will happen at the upazila level. To make it more sustainable, UNOs must be made the chairman of LACs. They consider the duties of legal aid services as obligations and do not do it as part of their responsibilities.”

While NGO partners should be recognized for their efforts to activate LACs and reach out to clients at the upazila and union levels, most upazila and union committee members interviewed by the ET stated LACs tend to direct clients to the NGO partner, rather than helping them submit forms and seek legal assistance from the district.

This overreliance on the NGO partner can have adverse effects in terms of the sustainability of PPJ's efforts and can be instrumental in furthering the idea that LAC members do not have to be responsible for their legal obligations because the donor-funded NGOs do the work for them. In the absence of personally committed legal aid officers at the district level, the weakness of the institutional infrastructure for delivery of legal aid continues to pose significant challenges for ensuring greater access to justice for the poor and vulnerable population. To overcome this challenge, legal aid committees at the upazila, union, and especially district levels need to be strengthened with greater financial allocations and personnel.

Moverover, the GOB could also issue executive orders to mainstream legal aid issues across ministries, particularly those with direct interaction with citizens at the local level, such as the Ministries of Primary and Mass Education; Health and Family Planning; Youth and Sports Development; Women and Child Development; and Social Welfare.

In terms of the satisfaction of clients, most of clients expressed satisfaction (26 out of 35) with the services they received, but nine clients said they were less satisfied or totally unsatisfied.¹⁷ Although these findings are by no means representative, the absence of client satisfaction surveys makes it impossible to draw more robust conclusions on the quality of services and the extent to which clients are satisfied with the service in general or consider the process to be fair.

The ET's limited field work revealed at least some grounds for concern in terms of the cases related to GBV resolved through mediation. In some of these cases, clients alleged having suffered from physical or psychological violence but agreed to mediation because they saw no other choice. For example, in one case in Dhaka, a women interviewed for this evaluation said: *"I showed the marks of the beatings I have been receiving. I made a video of my injuries and had a medical certificate. I explained that my husband's family tortures me for dowry constantly and that they want to drive me away. I narrated all this to them."*

Ideally, such cases should be regarded as a criminal case rather than simple hurt. The law on domestic violence is unclear as to the extent of the violence which would give rise to civil remedies rather than criminal penalties. Social security services provided by the government should be increased and DLA officers should have power to access these services.¹⁸

In practice, however, in all types of GBV cases, women have few options, and legal aid officers are constricted by social and cultural norms, where returning an abused wife to her husband may be preferable to seeking a divorce that will leave the woman financially compromised and without any means to sustain herself and/or receive any support from her family.

3.2 EQ 2: HOW EFFECTIVE HAS THE ACTIVITY BEEN IN STIMULATING DEMAND AMONG BANGLADESHI CITIZENRY FOR LEGAL SERVICES THROUGH THE DISTRICT LEGAL AID COMMITTEES?

3.2.1 Analysis of Performance Indicators

To measure citizens' level of awareness about legal aid in Bangladesh, PPJ designed and implemented a public opinion survey where citizens were asked several questions on citizens' rights, legal aid services, readiness to use formal justice services, and the types of disputes they faced. The survey was implemented in ten PPJ districts and two non-PPJ districts (control districts) in 2019, at the inception of the program (baseline) and again in early 2021 (mid-line).

Results of survey data show citizens' awareness about legal rights increased 20 percent, going from 39 percent at baseline, to 58 percent at mid-line. The increase was higher in PPJ districts. Similarly, survey results show citizens' awareness about legal aid services increased 4 percent with respect to the baseline (from 10 percent at baseline to 14 percent at mid-line). The increase is slightly higher in treatment districts, but no data are available to assess the statistical significance of this difference and draw more robust conclusions about PPJ's overall impact in stimulating demand.¹⁹

¹⁷ Reasons include not having received services because the courts were closed, not being able to talk to anyone at the DLAC because no one was at the office, requests for illegal payments from lawyers, and dissatisfaction with the judge's decision.

¹⁸ Although most offenses under the Women and Child Repression Act, 2000 are non-compoundable (i.e., there can be no mediation), last year one sub-section was made compoundable. Moreover, under the Domestic Violence (Prevention and Protection) Act, 2010, Section 29, all offenses are compoundable.

¹⁹ Data show awareness of legal rights in treatment districts increased by 5 percent, while it increased by 1 percent in control districts.

PPJ surpassed its target of a 5 percent increase in citizens' awareness levels. However, the indicator PPJ selected to track and measure its performance on IR 1.3 is the percentage of citizens who are aware of their legal rights, rather than awareness about legal aid, which is more closely related to the result.

On closer analysis, the survey demonstrates that while a comparably large percentage of citizens are aware of their rights as a citizen, only 14 percent of citizens are aware of the availability of legal aid services. Twenty (20) years after the passage of the Act, this is an extremely low percentage. Moreover, the survey also shows that 95 percent of respondents in both treatment and control districts prefer to seek informal dispute resolution services rather than using the formal justice system. The GOB has indeed made little effort to disseminate information on legal aid.

PPJ achieved its targets on indicators at the sub-IR level. However, these indicators mostly measure outputs, such as the number of awareness sessions conducted and informational materials disseminated. These indicators, therefore, do not offer sufficient information to assess PPJ's progress in stimulating demand for legal aid. One indicator measures the number of TIP, VE, and GBV applications received, an indicator that could be more significant for assessing the stimulation of demand for legal aid among the vulnerable population. Yet, given that DLACs do not disaggregate this information in their reports submitted to the NLASO, the reliability of the data collected by PPJ is questionable.²⁰

"I have seen [PPJ's] work. But I think they need to increase their public relations. I think they have not been able to reach everyone at the root level...People actually do not know government legal aid services are free of cost...That is why I am saying that Democracy Watch should work more to raise awareness."
Upazila Chairman/Sherpur

"I think if the work of PPJ is run district wide... and if the legal aid clinic can be run with panel lawyers at the root level periodically...it can be made effective. I think we should take the service to people's doorsteps..." Panel Lawyer/Shatkhiria

3.2.2 Findings

PPJ organized extensive outreach campaigns in all 20 districts where it operates to promote citizens' awareness about their right to legal aid, inform citizens how to access these services, assure them the service is free of cost, and encourage greater use of the formal justice system to solve disputes and seek redress to their grievances. These campaigns included courtyard meetings (with an average attendance of 30 to 35 before COVID-19 per PPJ staff),²¹ public hearings (where DLA officers and judges were invited), public announcements (miking), billboards with information about legal aid, publication of leaflets, production of radio programs, and some cultural events, like folk songs, with information about legal aid. After COVID-19, PPJ continued to disseminate information about legal aid mostly through miking events and text message blasts.

Interviewed clients said they heard about legal aid services in courtyard meetings and from billboards. Many also said they heard about legal aid services from relatives or people they know who had received legal aid. NGO partners and PPJ's component leads acknowledged the lack of effectiveness of radio programs, except in remote areas, because most people do not listen to the radio anymore. Legal aid officials, panel lawyers, and PPJ staff considered courtyard meetings and miking to be the most effective means of dissemination.

While these outreach mechanisms are effective, they are also limited in terms of the number of people they can reach. This may explain why legal aid officers—interviewed at both the upazila and district levels—and panel lawyers stated public awareness campaigns need to go “to the root level” to engage

²⁰ PPJ's MEL Plan does not specify how the legal aid office will categorize their cases and report on this data, what form it will use, and how PPJ will collect the information. According to PPJ performance indicator data, from October 2019 to September 2020, PPJ's 20 districts reported a total of 3,640 cases of GBV—29 percent of the total number of women who received legal aid in these districts. Judging from the KIs and existing survey data on the prevalence of gender violence in Bangladesh, this percentage appears to be low. A closer analysis of the quality of data reported for this indicator would be warranted.

²¹ After COVID-19, courtyard meetings were still organized, but attendance was reduced to 15 to 20 people because of the restrictions.

more people in the villages. Moreover, PPJ activities do not cover the entirety of the district but focus on only on the selected upazilas and unions, which further limits the coverage of PPJ's awareness campaigns. For example, in Comilla, Bogura, and Mymensingh, PPJ covers less than 40 percent of all unions. In only two out of 12 districts—Panchagarh and Sherpur—does PPJ cover 100 percent of unions.

Outreach messages produced by PPJ did not differentiate between different types of victims, namely victims of human trafficking, victims of VE, or victims of political violence. Similarly, the messages did not promote legal rights and responsibilities in general, but only access to legal aid services. A PPJ staff official said, “We do not reach out to specific vulnerable people in the awareness campaigns. We talk about who are vulnerable people in general, but we are not going to shelters or to other groups to target them specifically.”

“I went to Ms. Salma (NGO partner). They came to our village to conduct a courtyard meeting. My mother heard about legal aid service from the courtyard meeting... When I was in trouble, Ms. Salma came to help me. I followed her instructions. Then I received redress free of cost.”
Client/Bogura

“I came to know about legal aid from Habib sir, who is a representative of YPSA. I was introduced to him by our chairman. I have also heard about legal aid from the nearby courtyard meeting.” Client/Chattogram

More importantly, PPJ staff acknowledged in interviews with the ET that for victims of human trafficking and VE, there is little legal aid offices can do since these victims are already working with prosecutors.

3.2.3 Conclusions

Of the three IRs, the promotion of citizens' awareness about legal aid is where PPJ has been most successful. The partnership with well-entrenched NGO partners known in their communities, even when many of these partners had never worked on legal aid projects or any other justice-related activity, was critical for the success of PPJ's ability to organize public outreach campaigns, which continued even after the onset of the COVID-19 pandemic.

In the context of the generalized distrust of the justice system and the extremely low levels of awareness about legal aid services, PPJ's outreach campaigns are not large enough to reach the wider public and help to significantly increase awareness about legal aid.

It is important to note, however, that increasing the level of citizens' awareness about legal aid is not sufficient to stimulate demand for legal aid services, as articulated in EQ 2. Citizens may be aware of the service and not demand it because they may not be able to pay for the costs of transportation to go to the district, may not be able to leave their homes or jobs, or may not be able to produce or obtain the documents they need to present before the LAC. It is also possible that citizens who are aware of legal aid services and qualify for the service may still prefer to resolve their disputes through informal justice mechanisms given the high level of distrust on formal justice institutions.

Finally, although IR 1.3 is articulated as “increased citizens' awareness of legal rights and responsibilities,” PPJ's outreach messages focused on awareness about legal aid services, not legal rights in general (such as freedom of movement, freedom of religion, freedom of speech, etc.). While PPJ's mid-line survey shows increased citizen awareness about legal rights compared to baseline, given the content of PPJ's messages, it is not likely these increases can be attributable to PPJ's outreach messages.

3.3 EQ 3: TO WHAT EXTENT HAS DI BEEN ABLE TO IMPROVE THE CAPACITY OF JUDICIAL PERSONNEL WITH SPECIAL FOCUS ON CASE MANAGEMENT AND ADMINISTRATION?

3.3.1 Analysis of Performance Indicators

As of October 2021, PPJ is not on track to accomplish its expected results for IR 2, as Bangladesh is not likely to become an associate member of the International Consortium for Court Excellence (ICCE). This is the indicator (#6) PPJ has identified to measure achievements on this result. PPJ effectively engaged with

key stakeholders in the justice system to advocate for the adoption of the IFCE standards and processes, but, after the onset of the COVID-19 pandemic, that progress came to a sudden stop.

During 2019, PPJ successfully engaged with the Chief Justice of Bangladesh, the Special Committee for Judicial Reform of Supreme Court of Bangladesh (SCSCJR), the Supreme Court Registrar General's Office (RGO), the Special Officer of Bangladesh Supreme Court, District and Sessions Court judges, JATI, and BWJA. PPJ implemented the IFCE-based self-assessment tool in four district courts and JATI, including the institute's faculty and staff and course participants. Following up on the results of the self-assessment reports, PPJ developed Court Improvement Plans (CIPs), regarded as an essential step for applying for the ICCE membership. However, with the onset of the COVID-19 pandemic, the Supreme Court put these CIPs on hold. PPJ's ability to continue to engage with Supreme Court stakeholders became more difficult. The SCSCJR, PPJ's main champion and point of entry in its work with the judiciary, became inactive. According to PPJ's reports, internal politics around the expected appointment of a new Chief Justice in early 2022 paralyzed all reform initiatives within the Supreme Court. However, the implementation of substantive reforms within the judiciary, and more specifically, the introduction of new legal frameworks to improve court management and administration, lacked sufficient buy-in from top GOB officials and the Supreme Court from the very beginning.

PPJ identified five additional indicators at the sub-IR level to measure its results. Of these, three are output-level indicators (numbers of judges trained, number of courts assisted) and, therefore, while the targets were achieved, they are not good measures to assess PPJ's ability to improve the capacity of judicial personnel to enhance court management and administration. The other two indicators, the number of directives issued by the judiciary to reflect international best practices as defined by IFCE (Indicator #10) and the number of coordination meetings between the Chief Justice's office, NLASO, Supreme Court LACs, and MOLJPA—Indicator 11—fall outside USAID's and PPJ's manageable interests and are therefore not likely to be accomplished.²²

No donor has succeeded thus far in promoting judicial reforms or establishing coordinating mechanisms between the Ministry of Law and the judiciary. In one of its justice programs, UNDP worked with the MOLJPA and Supreme Court to establish a national committee to enhance coordination between criminal courts, law enforcement, and corrections.²³ In interviews, PPJ staff confirmed Supreme Court justices “*had never heard of this committee*,” and, while it may have been created on paper, it was not functional in practice.

3.3.2 Findings

PPJ had a slow start in the implementation of activities under this component. The inability of DI to continue to work with the National Center for State Courts, which implemented the Justice for All (JFA) Activity in Bangladesh from 2012 until 2018 and was supposed to continue to work as PPJ's sub-contractor, created some delays until a new organization, New Rule, came onboard at the end of Year 1.

Despite these delays, PPJ did succeed in engaging effectively with key stakeholders in the Supreme Court and JATI to “*sell the IFCE idea to the judiciary*,” as DI's staff reported when interviewed by the ET. PPJ also worked with JATI and BWJA offering trainings for all judges—not just DLAOs and DLACs, which had been receiving training under Component 1.

After presenting an overview of the ICCE and exposing the IFCE principles and the IFCE-based self-assessment tool to a wide audience within the judiciary (Supreme Court leadership, subordinate court judges, judicial administration officials, and JATI), PPJ came to an agreement with the Supreme Court Registrar and JATI to pilot the self-assessment tool in four district courts with JATI's faculty, staff, and

²² In PPJ's Performance Indicator Reference Sheet (PIRS), Indicator 11 also counts the meetings between DLAO, judges, magistrates, panel lawyers, and court staff against this indicator. Yet, these meetings are part of Component 1 and should be included as IR 1 indicators.

²³ Stephen Golub and Shahnaz Huda, “Evaluation of the Bangladesh Judicial Strengthening Project (JUST),” UNDP, February 2015.

students. As PPJ reports, the results of these self-assessments helped to generate evidence on the strengths and weakness of the courts along the seven areas of court excellence.²⁴ They also helped to identify areas for improvement and define concrete and practical evidence-based recommendations in “their journey towards court excellence.”²⁵ One of the IFCE principles relates to court management and administration, one of the areas where Bangladesh courts are notoriously deficient, as the increasing number of backlog of cases demonstrates.

Once the results of these assessments were processed; PPJ also engaged a wide variety of stakeholders within the judiciary to present and discuss these results and, more importantly, to obtain feedback as PPJ prepared to draft the corresponding CIPs. PPJ also worked with the SCSCJR to identify initiatives the Supreme Court could pursue to improve court management and administration.

At the beginning of 2020, with the onset of the COVID-19 pandemic, the death of many senior lawyers due to COVID-19, and the closing of courts in the country, all of the progress PPJ had seemingly achieved suddenly came to a halt. The CIPs were never implemented and, except for the BWJA, all trainings for judges came to a stop, as the MOLJA did not approve JATI’s in-person trainings or any further virtual trainings.²⁶

As one PPJ staff interviewed reported, “with the onset of COVID-19, the courts were no longer interested in innovation; they were in a survival mode.” Although PPJ was able to maintain its communication with key stakeholders in the Supreme Court, most notably the SCSCJR Chairman, the Supreme Court deprioritized all reform initiatives.²⁷ The only area where the Supreme Court saw an opportunity for further collaboration with PPJ was in strengthening the use of ADR methods in civil courts to reduce the number of incoming of cases and contribute, in that way, to the reduction of the case backlog.²⁸ In 2021, however, according to PPJ and confirmed in a KII, the Supreme Court Chief Justice issued a new directive precluding anyone in the judiciary to work with foreign donors or international NGOs, except in cases where the MOLJA issued express authorization. The GOB was also allegedly going to implement a broad E-Justice initiative without any participation from foreign donors. PPJ tried to talk to the GOB’s Minister of Law, Justice, and Parliamentary Affairs, but was not successful.²⁹ The GOB regards PPJ as a legal aid services activity, not a broader justice-sector initiative; it has therefore designated the NLASO, not the MOLJA, as PPJ’s main government counterpart.

As a result, PPJ was less successful in the implementation of other tasks included in its work plan for this component, such as convening Supreme Court officials and officials at the MOLJA to advocate for reforming the legal framework, most particularly, case management policies. Other donors, such as UNDP and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) have been promoting greater sectoral coordination between the Supreme Court and the Ministry of Law, but their efforts have thus far failed to gain traction, allegedly largely because the MOLJA and the Bar Association have no incentive to “modify the status quo of working separately.”³⁰

Similarly, PPJ was tasked with the development of performance indicators to assess judges’ legal performance. The implementation of objective and evidence-based standards evaluating judges’ performance could become a powerful tool to promote greater integrity and independence within the

²⁴ IFCE defines seven areas of court excellence: court leadership and management; court planning; managing court resources and workload; court proceedings and processes; users’ feedback; affordable court services; and public trust and confidence. PPJ’s “Report on the IFCE-Based Self-Assessment Survey of the Bangladesh Judiciary.” January 2020. Prepared by New Rule.

²⁵ IFCE-Self assessment tool report. *Op. cit.* p. 5.

²⁶ PPJ’s Quarter 2 Year 3 quarterly report, p. 5.

²⁷ PPJ’s Year 2 Annual report and Quarter 1 Year 3 quarterly report.

²⁸ Interview with a Supreme Court Justice.

²⁹ Personal interview with PPJ’s former Chief of Party (COP) and with a Supreme Court Justice.

³⁰ PPJ’s Year 2 Annual report, p. 27.

courts. Yet, according to PPJ's documents, since the Supreme Court had not appointed a research officer, PPJ had not able to make any progress on this task.³¹

According to interviews with PPJ staff, the only other reform-oriented stakeholder and potential champion of judicial reform is the BWJA, which includes among its members high-ranking judges, such as appellate and district judges, as well as the joint secretary for the MOLPJA. PPJ continued to engage with this group even after the pandemic. These senior lawyers could serve as champions of reform within the system and mentor the next generation of women judges to advocate for greater access to justice and improved judicial service delivery.

3.3.3 Conclusions

While the COVID-19 pandemic has had a particularly devastating impact on PPJ's Component 2, there are deeper and more structural reasons behind PPJ's inability to promote judicial reform in Bangladesh. This is particularly true with regards to the adoption of IFCE-based standards and processes to qualify for admission at the ICCE.

The effort to promote the adoption of IFCE standards within Bangladesh's judiciary had been attempted before. The USAID JFA Activity, the predecessor to PPJ, worked with the Supreme Court to advocate for the implementation of IFCE-based principles. JFA sponsored a visit to Singapore, where Supreme Court justices and other high-level government officials attended the Asia-Pacific Judicial Reform Forum. JFA also organized two court excellence workshops for subordinate court judges after that visit, and engaged the Supreme Court RGO and other stakeholders to develop court policies to improve court administration and case management. JFA worked with JATI to develop training modules focused on court excellence and produced a "Court Excellence Bench Book" with practical guidance for judges based on international best practices on how to address the court backlog and case processing delays.

Despite these efforts, according to JFA's final performance evaluation, the Activity was not successful in attracting the judiciary's interest or commitment on the adoption of IFCE principles, nor was it effective in reducing the volume of the case backlog.³² Furthermore, the Supreme Court never approved the bench book and, therefore, it was not widely disseminated. JATI's training modules on court management and administration were discontinued, and the Supreme Court never adopted the policy guidelines on judicial case management.

Other international donors, most notably UNDP and the World Bank, implemented similar efforts in Bangladesh to promote judiciary reforms, improve court management and administration, and reduce case backlogs. All these projects have failed in achieving their expected results. For example, an evaluation of the UNDP Judicial Strengthening (JUST) Project (2012-2016) concluded UNDP was successful in establishing case management systems and case management committees at the Supreme Court and several pilot districts. However, the Supreme Court has not devoted the budgetary resources or staff necessary to make these committees operational. Similarly, UNDP was not successful in reaching targets for case backlog reduction in the courts. A combination of institutional resistance to UNDP's technical inputs and high staff turnover within line ministries posed significant barriers and challenges for UNDP's overall impact and effectiveness.³³

³¹ Ibidem, p. 26.

³² Social Impact, JFA Final Performance Evaluation, CITE, pp. 22-26.

³³ Richard H. Langan II, Salahuddin Aminuzzaman, Shahnaz Huda, and Md. Waheed Alam. "Independent Mid-Term Outcome Evaluation Report." UNDP/Bangladesh. JUST Program, 2012-2016. Country Program Development Outcome 2. "Justice and human rights institutions are strengthened to better serve and protect the rights of all citizens, including women and vulnerable groups."

An evaluation of an earlier ROL program funded by the World Bank in Bangladesh (2002-2008), which included improvements in court management and administration and backlog reduction programs, also found the results to be unsatisfactory.³⁴ Aside from capacity constraints in the leading institutions (Supreme Court, MOLJPA, lower courts, and JATI), one of the most significant risks identified for the accomplishment of the project's objectives was *"the resistance to the proposed reform changes by judges and other legal professionals."*³⁵

"The implementation of the project key reforms (court administration and case management reforms) revealed that the success of the reforms requires the strong commitment and ownership of capable leaders on both levels – the central level as well as the medium and lower levels...This project concentrated on the courts' business operations believing that such efforts would eventually spur structural changes...The lesson we can take from the project is that judicial independence drives judicial philosophy, structure, and decision and has to be taken into the consideration in each project reforming judiciary." The World Bank. Implementation Completion and Results Report. 2010. Bangladesh. Legal and Judicial Capacity Building Project, p. 24

Although PPJ hired staff who worked for the predecessor JFA Activity, there is no evidence that either USAID or PPJ drew substantive lessons from previous experiences regarding the feasibility and sustainability of such efforts. None of the stakeholders interviewed for this evaluation mentioned any of the previous non-USAID donor-funded projects designed to improve court management and administration. Moreover, JATI officials had no knowledge of any training modules on court excellence, judges had never heard about the bench book on court excellence, and no one interviewed within the judiciary knew anything about the court management committees. When asked about prior attempts to introduce IFCE principles in the judiciary, New Rule staff interviewed said, *"no one we worked with had ever heard of the IFCE. Whatever training JATI offered judges, it did not stick."*

A judicial official interviewed for this evaluation gave a more candid response when asked why so many previous attempts to improve court management and administration have failed: *"The reality is that no one really cares about the problem of case backlog, but access to justice remains a good slogan...Justice may be important, but the government needs first to address problems of poverty, food insecurity, and education."*

Without securing buy-in from the Supreme Court and MOLJPA during the design phase of this Activity, PPJ faced serious challenges to making any substantive progress for this component. As a result, according to PPJ staff interviewed, PPJ was left to conduct diplomatic efforts with the Supreme Court and MOLJPA without substantial USAID or United States Government (USG) involvement.

Legal scholars interviewed for this evaluation expressed frustration with donors for *"reinventing the wheel"* and starting from scratch every time they design a new intervention.³⁶ Key informants also acknowledged the root of the problem is the lack of GOB commitment for judicial reform and improvements in court management and administration. Judging from its budgetary allocations, the judiciary has remained one of the lowest priorities for the GOB. During the past ten years, the budget for the judiciary has not increased; the judiciary receives one of the lowest budgetary allocations in the country. As Dr. Shahdeen Malik said in an interview with the ET:

"The budgetary allocation for the MOLJPA is approximately 0.3 to 0.4 percent of the national budget. If we compare MOLJPA's allocation with the other sectors, you see that the funding level is extraordinarily low. Even the Ministry of Fisheries and Livestock received a higher allocation. The very fact that there are only 1,800 judges for approximately 170 million people demonstrate the importance, or lack of, given to the judiciary."

³⁴ World Bank Independent Evaluation Group, Implementation and Completion Report. Legal and Judicial Capacity Building Project. Bangladesh. September 2010. See <https://documents1.worldbank.org/curated/en/223531468007223731/pdf/ICR120001Public0Disclosed0July0121.pdf>.

³⁵ *Ibid.*

³⁶ Interview with a prominent legal scholar.

Aside from their low numbers, judges are poorly paid, have inadequate information and communications technology (ICT) equipment, and face unreasonable workloads.³⁷ These are the main drivers of corruption in the judiciary, which according to Transparency International, citizens believe to be widespread and systemic within Bangladesh's justice sector.³⁸

The weakness of the judiciary in Bangladesh also stems from its lack of independence from the executive branch, which leaves it vulnerable to political manipulation. Although the Constitution of Bangladesh establishes the separation of powers between different organs of government, in practice there is continuous political interference on the appointment and promotion of judges and prosecutors as well as on the judiciary's decision-making processes.³⁹ There are also accusations of allegedly rampant government interference with lower court proceedings on political grounds and their use as a political weapon through undue favor in promotions and transfers, adjournment of hearings, release of accused persons, and withdrawal of cases on political grounds.⁴⁰

The Supreme Court will not advocate for greater budgetary allocations or promote the implementation of reforms to increase court excellence and improve service delivery if these reforms are not fully endorsed by the government and the ruling party. As detailed below in Section 3.4, in the context of Bangladesh's current political and legal landscape, this is unlikely.

3.4 EQ 4: TO WHAT EXTENT ARE THE ACTIVITY OBJECTIVES RELEVANT TO THE CURRENT JUDICIAL AND POLITICAL CIRCUMSTANCES IN BANGLADESH?

3.4.1 Findings

The Constitution of the People's Republic of Bangladesh clearly enunciates the principle of equality before law and equal protection of law for all its citizens.⁴¹ Article 31 also reiterates it is the inalienable right of every citizen to be treated in accordance with law, and only in accordance with the law. However, equality before the law and access to justice have remained elusive rights for most Bangladeshis.

The Bangladesh Constitution guarantees several other fundamental rights, which are justiciable, such as the rights to life and personal liberty, equality of opportunity, freedom of assembly, freedom of expression, safeguards against arrest and detention, and prohibitions against discrimination on the basis of sex, religion, race, caste, or place of birth. In practice, access to justice is limited to individuals who are politically connected and/or sufficiently affluent to procure the required documentation, navigate the bureaucratic hurdles, and pay the costs of lawyers and lengthy trials, including paying bribes and speed money. Many regard the justice system, especially the criminal justice system, as “deeply politicized” and “dysfunctional,” which is “undermining rather than buttressing the rule of law.”⁴² A report from the International Crisis Group states the justice system “swings between two

“Women in Bangladesh face an uphill battle. When faced with a legal problem, particularly related to violence against women, they are often afraid to speak up or are persuaded to drop their cases; the system seems to work against them...Additionally, the lowest income group tends to evaluate the quality of the procedures and the quality of the outcomes less favorably than Bangladeshis in higher income groups.” Hiil, “Justice Needs and Satisfaction in Bangladesh 2018. Legal problems in daily life,” p. 7

³⁷ According to data from the Supreme Court, every judge conducts 3,938 cases in the Appellate Division, 5,041 cases in the High Court Division, and 1,750 cases in the lower courts. See Ahmed Tanvir, Daily Bangladesh, November 2, 2020. <https://www.daily-bangladesh.com/english/1800-judges-for-165-crore-people/53044>.

³⁸ Transparency International. U4 “Overview of corruption within the justice sector and law enforcement agencies in Bangladesh.” <https://www.u4.no/publications/overview-of-corruption-within-the-justice-sector-and-law-enforcement-agencies-in-bangladesh>.

³⁹ Hannan, M.A. and Arifuzzaman, Md. (2021) Separation of Judiciary and Judicial Independence in Bangladesh: An Appraisal. *Open Access Library Journal*, 8, 1-21. doi: [10.4236/oalib.1107002](https://doi.org/10.4236/oalib.1107002).

⁴⁰ <https://www.thedailystar.net/independence-of-the-judiciary-the-masdar-case-14760>.

⁴¹ Bangladesh Constitution, Article 27.

⁴² See The International Crisis Group, “Political Conflict, Extremism and Criminal Justice in Bangladesh.” April, 11 2016. <https://www.crisisgroup.org/asia/south-asia/bangladesh/political-conflict-extremism-and-criminal-justice-bangladesh>.

*extremes: woefully slow and dysfunctional for ordinary cases and speedy, undermining due process, in politically charged ones.”*⁴³

Aside from high levels of distrust in the justice system and widespread perceptions of corruption,⁴⁴ Bangladesh’s citizens, especially the poor and most vulnerable, prefer to resort to informal or quasi-formal justice systems to resolve their disputes. A study on justice needs and satisfaction based on a nationwide survey of 6,000 individuals in 2018 found that, in Bangladesh, four in five adults face one or more legal problems over a period of four years. This suggests that “*more than 31 million people experience a legal problem that requires the protection of the law every year.*”

But according to the study, about half of these people avoid seeking any sort of formal action to solve their legal disputes.⁴⁵ The main reason is the belief that the effort of taking a dispute to the formal justice system will “not make a difference.” However, of those who do take legal action to resolve their problems, the study estimates

“We have taken the policy that those who will come to us for legal aid, we try to make them our ambassadors.”
District Legal Aid Officer/Jessore

only about 40 percent of people find a solution.⁴⁶ Many of these citizens are women and/or the extremely poor. Apart from poverty, which is a cross-cutting issue, many other factors hinder people’s access to justice, including socio-cultural contexts and entrenched patriarchy, widespread lack of awareness of rights, laws, and remedies and time-consuming and lengthy legal processes. The passage of the Act in 2000 represented an unparalleled opportunity to increase access to justice for the poor and destitute in Bangladesh. The right to free legal aid services addresses one of many structural barriers preventing poor and vulnerable people from taking their legal disputes to the formal justice system. As previously discussed, other deep-rooted barriers still prevent greater access to justice, such as the insufficient level of funding for legal aid services, including staff, equipment, infrastructure, and client support; the dearth of good panel lawyers; inefficient court management and administration procedures resulting in lengthy trials; political manipulation and lack of transparency and accountability of judicial decisions; and absence of court performance standards along with limited access to information.

Considering these challenges, PPJ’s efforts to strengthen LACs, promote greater citizen awareness about the service, and support clients to access the formal justice system are all extremely relevant in stimulating demand for legal aid services. Despite the many hurdles that still exist today in Bangladesh, many clients who receive legal aid are satisfied with the service. Although a client satisfaction survey does not exist, at least anecdotally, out of 35 clients interviewed by the ET, 26 stated they were satisfied. They all acknowledged the relevant role played by the NGO partner in getting access to the service. Many of them also recognized that, despite the enormous problems of corruption perceived to be prevalent in the courts, having the DLAO stamp on their files deterred lawyers and other court officials from seeking bribes to process their cases. This is also one of the reasons most stakeholders interviewed by the ET at the district level said the meetings PPJ organized with clients, judges, court personnel, legal aid officers, and panel lawyers were central in learning about the quality-of-service delivery in their district and address problems if they emerged.⁴⁷

Client satisfaction can help to motivate other citizens in their communities seek legal aid services. Moreover, in theory at least, greater client satisfaction helps to build greater trust in the justice system,

⁴³ *Ibid.*

⁴⁴ Elizabeth Searing and Kristina Lugo, “Determinants of Confidence in Judiciary Institutions Amidst Corruption: Evidence from Bangladesh.” SSRN electronic journal. 2012. DOI:10.2139/ssrn.2293209.

⁴⁵ Hiil, “Justice Needs and Satisfaction in Bangladesh 2018 Legal problems in daily life.” BRAC and Government of Netherlands, 2018, p.5.

<https://www.hiil.org/wp-content/uploads/2018/07/Hiil-Bangladesh-JNS-report-web.pdf>

⁴⁶ *Ibid.*

⁴⁷ In Cumilla, for example, the DLA officer said she learned in one of these meetings about panel lawyers extracting illegal payments from clients. She said in the aftermath, she took steps to address the problem.

and, more generally, improve citizens' confidence in governance institutions, one of USAID's strategic objectives in its CDCS.

PPJ's efforts to enhance court management and administration, reduce case backlog, and allow the judicial system to operate more effectively are also highly relevant because greater citizen demand for legal aid needs to be supported by improved service delivery. In fact, it is possible to suggest that increased demand for the service without improved service delivery can lead to greater disappointment and distrust in the justice system.

For USAID, the most important question is not only whether PPJ objectives are relevant, but also whether they are feasible in the current judicial and political circumstance in Bangladesh. Objectives can be relevant and yet not be feasible, which largely depends on the political will of top GOB officials to change the status quo by introducing significant judicial reforms.

3.4.2 Conclusions

PPJ's three main objectives, namely improved delivery of legal aid in the formal justice system, improved case management capacity of the judiciary, and increased citizen awareness about legal rights and responsibilities, are all relevant. However, not all of them are feasible to achieve in the current political and legal context of Bangladesh.

Promoting Legal Aid Services

PPJ objectives with respect to legal aid services and citizen awareness are both relevant and feasible.

As discussed in responses to EQ 1 and EQ 2, despite the many challenges legal aid services offered by the state face, PPJ contributed to improving delivery of free legal aid services for poor and vulnerable people. PPJ also contributed to increasing citizens' awareness about the service, as well as their rights and responsibilities when they request legal aid.

Although the GOB has not allocated adequate levels of funding for legal aid, it has promoted legal aid as a citizen's right and announced and celebrates a National Legal Aid Day every year when events are held all over the country to build awareness about this service. Top government representatives, including the Prime Minister, actively participate in these events. This national event represents an opportunity for PPJ to work with district, upazila, and union LACs, promote increased coordination between district and sub-district LACs, improve clients' experiences, and increase service delivery.

Additionally, at the district level, there are several DLA officers and district judges truly committed to providing free legal aid services to the poor and vulnerable, whether the legal cases are resolved through mediation (most cases) or through litigation before a judge. These legal aid officials are "legal aid champions," allowing PPJ to carry out its tasks and achieve its expected results.

However, as mentioned above, to increase PPJ's relevance it is important to focus on the quality of service delivery, not just the number of cases processed by the DLAO and DLAC and reported to NLASO. Building greater citizen awareness about legal aid and increasing demand for legal aid services can backfire if clients are not satisfied with the service or if, due to delays in court proceedings and absence of adequate information systems, the cases are not resolved and/or clients are unable to understand the status of their case in the courts.

To date, no client satisfaction survey exists to generate more robust evidence on client satisfaction with legal aid services, including satisfaction with the process, the decision obtained or agreement reached through mediation, and the way they were treated by legal aid officers.

Improving Case Management Capacity of the Judiciary

As discussed in EQ 3, Bangladesh's judiciary faces significant challenges in court management and administration, but the Supreme Court and GOB lack the motivation or commitment to reform the justice

system and move toward “excellence.” Although PPJ’s objectives are relevant, they are not feasible in the current political and legal context.

During the past 20 years, similar donor-funded projects have attempted to improve court administration and management by introducing case management systems, drafting court management and administration guidelines, purchasing ICT equipment, and training judicial officials. All of these projects failed to improve court management and administration, reduce backlog, or increase court efficiency. The World Bank, for example, reported in its evaluation of its legal and judicial capacity-building project, that while a few “*pilot courts increased their clearance rate and reduced their case backlog,*” during the second phase of the project, “*their performance returned to the pre-reform level. The reform gains in the rest of the pilot courts were negligible.*” More significantly, the report states despite the implementation of case management systems, “*the day after the project ended, the courts officially returned to the model of court administration and case management which had been in place before the project started.*”⁴⁸

A few years later, the UNDP JUST Project also aimed to contribute to more efficient and effective processing of cases by promoting improvements in the administration of justice. The evaluation of this project found it was not effective in significantly reducing the backlog of cases and promoting sustainable improvements in the administration of justice. Among other initiatives, JUST established court management committees in the Supreme Court and district courts, but to date, these committees exist on paper only. One of the challenges the evaluation notes is that “*JUST was premised on the promise of judicial independence.*”⁴⁹

Finally, the USAID-funded JFA Activity promoted the adoption of IFCE standards in the courts. Once JFA realized the Supreme Court was not interested in the adoption of IFCE principles, they narrowed their scope to improving court administration and case management at the policy level with the Supreme Court and at an operational level at subordinate courts. According to the final performance evaluation of this Activity, “*In October 2017, the Chief Justice was removed and key judicial officers within the Supreme Court were ‘posted out,’ thus all ongoing reform efforts supported by JFA were suspended.*”⁵⁰ Despite its efforts and an extensive training program, JFA did not have any impact in a reduction of case backlog or in strengthening the legal and regulatory framework to improve self-governance and increase court efficiency.

As all these cases demonstrate, the main problem is political, not technical. Without the buy-in and commitment of the GOB to improve court management and administration, technical solutions to achieve this objective are doomed to fail.

As discussed in EQ 3, the promotion of ADR methods within the judiciary, and particularly mediation, is one area where at least some Supreme Court Justices have demonstrated interest for donor-support. According to Section 89(A)(1) of the Bangladesh Code of Civil Procedure (CPC), in civil cases, the judge should first try to resolve the case through mediation. Currently, however, most civil cases are litigated. One of the challenges against the implementation of ADR under the CPC in Bangladesh is the mindset of the pleaders for the parties; for reasons best known to them, the pleaders are less interested in using ADR methods and more interested in traditional system of disposal of suits.⁵¹ The main problem is that lawyers,

“ADR is the avenue. But ADR, of course, covers many different aspects, including arbitration and other things. But arbitration has become less popular, because it has become very exclusive, expensive, and also time consuming, almost as time consuming, in many cases, as litigation. So, mediation is the best choice for dispute resolution, because it is quicker, it is less expensive, and people are left satisfied. This is a win-win, nobody loses. Everybody gets something of what they want, maybe not all of it, but then they are happy at the end of it.” Supreme Court Judge

⁴⁸ World Bank, *Op. cit.* pp. 9-10.

⁴⁹ UNDP JUST Evaluation, *Op. Cit.* p. 10.

⁵⁰ Social Impact, Final Performance Evaluation of JFA, *Op. Cit.* p. 22.

⁵¹ Rahman, Justice AFM Abdur (2021). “ADR under CPC: Does it work?” <http://lawyersclubbangladesh.com/en/2021/05/08/adr-under-cpc-does-it-works/>.

not judges, control court procedures in Bangladesh, and they lack motivation to use ADR/mediation methods to resolve cases for fear of losing their clients. It is often alleged that lawyers discourage their clients from resolving their disputes through ADR in fear of reduction of their regular income level.⁵² Another and related problem is the low level of information/awareness among the judiciary about Section 89(A)(1) provisions, particularly regarding the different entities who can legally mediate civil cases: the judge, the DLA officer, an agreed mediator (who can be a lawyer), or a mediator selected by the judge. Finally, although the law is in place, currently there are no nationwide policy standards on mediation, no standard curriculum for mediators, and no guidelines for supervising and monitoring mediators in the country. Given the voluminous backlog of cases in civil courts,⁵³ promoting ADR methods, and especially mediation, could be a relevant and feasible opportunity for PPJ to contribute to the reduction of new cases entering the system, which can indirectly help to reduce the increasing number of backlog cases.

3.5 EQ5: TO WHAT EXTENT HAS PPJ ACHIEVED PROGRESS TOWARD ESTABLISHING SUSTAINABILITY MECHANISMS?

3.5.1 Findings

PPJ designed and implemented several sustainability measures into its activities. From the start of the Activity, PPJ actively engaged with key government counterparts at the Supreme Court, NLASO, and JATI to ensure their buy-in and cooperation with the Activity's several tasks and objectives. As one PPJ staff member interviewed said,

“[W]e wanted to work in a more systematic way, to give the Activity an institutional identity...we wanted to collaborate with the Supreme Court to develop the court improvement plans, rather than just focusing on training people. PPJ could have trained a lot of people in case management and administration, but we were not thinking like that. We thought we needed to promote the court improvement plans first to make the effort more sustainable.”

As discussed in this evaluation report, despite their many efforts, PPJ was not successful in securing the commitment of the Supreme Court and MOLJPA for the promotion of judicial reforms to move the courts towards excellence, primarily due to external factors beyond their control. During the first year of implementation, PPJ worked hand in hand with the Supreme Court Special Officer, the Chairman of the SCSCJR, and the Supreme Court RGO, as well as with several district courts. However, after the closure of the courts following the onset of the COVID-19 pandemic, they were not able to implement their CIPs and/or get any further traction with the promotion of measures to improve court management and administration. As had happened in the past with other donor-funded justice programs, the Supreme Court seemingly lost interest or deprioritized all efforts to advance any type of judicial reform. As one Supreme Court justice candidly explained in an interview with the ET, in 2020 the Chief Justice circulated a directive stating they could no longer work with any donors or international NGOs. As a result, “everything ended abruptly...we just couldn’t get off the ground. Really, this was not the fault of PPJ. And I would like to think that it was not any fault of mine. But it happened nevertheless.”

PPJ also introduced several sustainability measures to improve legal aid services and strengthen demand for the service, such as working in coordination with NLASO to generate DLAC improvement plans, helping NLASO standardize monitoring and reporting guidelines for all DLACs and increase reporting and monitoring between DLAO and lower-level LACs, and designing and implementing training modules for JATI and NLASO to enhance capacity of legal aid officers and judges. At the district and sub-district levels, PPJ encouraged LAC members to establish a special fund to pay for meeting expenses and awareness

⁵² Islam, Md. Khairul (2015). “Critical Review of the Court Based ADR in Bangladesh: Prospects and Challenges” in IOSR Journal of Humanities and Social Science (IOSR-JHSS) Volume 20, Issue 12, Ver. IV (Dec. 2015) pp. 45-55 at p. 54. <https://www.iosrjournals.org/iosr-jhss/papers/Vol20-issue12/Version-4/F0201244555.pdf>.

⁵³ Md. Milan Hossain, “Backlog of cases – civil and criminal justice: a comparative study, Bangladesh perspective.” Int. J. Human Rights and Constitutional Studies, Vol. 6, No. 3, 2019.

campaigns after the completion of the project. Finally, PPJ also worked with NLASO to advocate for greater financial allocations for DLACs, promote incentives to encourage lawyers to work on legal aid cases, such as increasing lawyers' compensation, and establish mechanisms to increase oversight over panel lawyers' performance.

In interviews with the ET, panel lawyers and LAC members at the district, upazila, and union levels all expressed concern about the sustainability of their activities once PPJ comes to an end (see Text Box below). Issues related to the constant turnover of upazila and union chairmen, inadequate levels of staff at DLAOs and serious work overload, and lack of resources for upazila and union LACs were perceived as the most critical problems to continue operating without donor support. In all cases, stakeholders acknowledged how much they depended on the NGO partner for organizing meetings, making upazila and union LAC members aware of their responsibilities, conducting awareness campaigns, and supporting clients. Interviewees even acknowledged that, in the past, once a project came to an end, most of their activities stopped.

Interviews with GIZ and UNDP staff also recognized the problem of sustainability of their efforts to improve legal aid services given the dearth of government financial support. The GIZ staff expressed this more bluntly: *"According to our current experience, when the project is over, all activities come to an end. That is the practice."*

Regarding public awareness about legal aid, PPJ's surveys indicate citizens' awareness about legal aid increased in those districts where PPJ operates. Yet, it is questionable whether citizens' awareness has reached sustainable levels.

Even in districts where citizens' awareness increased with respect to the baseline, only 14 percent of survey respondents were aware of legal aid services. This low number is consistent with information collected during interviews with different stakeholders, where everyone agreed citizens' awareness of legal aid services is still low. Furthermore, even when people are aware of the service, they do not believe the service is free of cost, given the existing distrust of the justice system in general. For example, one upazila chairman in Jessore said, *"People do not know about government legal aid services —that are free of cost. Those who know, cannot believe that they can get a government service free of cost. That is why I am saying that Democracy Watch [NGO Partner] should work more to raise awareness."*

"I think it will be very difficult to maintain the activities [if PPJ ends]. We get financial and technical support because of the project. We do not have any budget for meetings. Finance is a very important problem." DLA Officer/Cumilla

"[If PPJ ends] ... We will not be able to continue the progress made so far. It will totally stop. The next election is approaching. The next chairman might not know much about legal aid. I think the project should continue for at least another 2-3 years. After that people will get to know." Union Chairman/Jessore

"I think it would be difficult to run these activities with only the government help at this moment. Without PPJ support, it would not be possible to conduct these union level activities. I have only two staff. How will I organize events without PPJ's support?" DLA Officer/Satkhira

"In 2012 a UNDP project 'Access to Justice' collaborated with us and we activated legal aid committees in the 193 unions of the then 14 Upazilas in Chattogram. They formed the committees, and we funded their activities to some extent, but they later did not continue the project. A lot of support was needed, but we had very little manpower." Court Staff/Chattogram

"After JFA concluded, the progress stopped. The meetings stopped being held. Once the PPJ project began, these meetings were restarted." Panel Lawyer/Bogura

While most legal aid officers interviewed commended PPJ's outreach efforts in their districts, they all recognized there is still much to be done. As previously discussed regarding EQ 2, interviewees perceived the awareness campaigns have not reached "the root level." Others recognized that awareness building entails a consistent effort, where people must be constantly informed. For example, a UNO representative in Rajhashi said, *"If you think about any good product, without good advertisement people will forget."* Similarly, the DLA officer in Bogura said, *"we always express our concerns about the sustainability of the awareness*

building program. I think at some point we would need to go to the root level for awareness raising. But there is always a complaint that we do not have funds.”

3.5.2 Conclusions

In all 12 districts where the ET conducted fieldwork, stakeholders interviewed raised serious concerns about the sustainability of their activities at the conclusion of PPJ. In all 12 districts, the NGO partner played a key role in activating LACs, convening and facilitating meetings, organizing outreach activities, helping clients with their applications for legal aid services, and, in many cases, physically assisting them in reaching the DLAOs.

While the NGO partners should be commended for their work, the overreliance on NGOs undermines the sustainability of PPJ’s accomplishments. It is clear from all interviews with stakeholders that without the support of the NGO partner, they would not have been able to continue with their activities nor to conduct any public awareness campaigns. At the district level, to the extent there is a DLA officer in place, DLACs will be able to operate without further donor support. At least in the two control districts, where PPJ is not operating, interviews with the DLA officers indicate their LACs are active, and they are receiving and processing legal aid applications. Yet, it is unlikely the DLAOs will be able to continue conducting regular meetings with panel lawyers, clients, judges, court staff, and legal aid officers, which all stakeholders interviewed found to be valuable for their work.

Furthermore, the reliance on the personal commitment of the DLA officer for the operation of the DLAC, while important, also questions the sustainability of PPJ’s achievements. DLA officers are transferred from one district to another. As discussed above, the best performing districts in ET fieldwork were those where a DLA officer was permanently appointed for a term and was personally committed to the provision of legal aid services. Without greater institutional support, the sustainability of DLAC activities may be compromised once the DLA officer is transferred to another district.

Finally, with a few exceptions,⁵⁴ PPJ does not cover the entirety of the unions and upazilas in a district where it operates. That limits the scope of PPJ’s outreach campaigns as well as the sustainability of its overall efforts. Without massive public awareness campaigns, increases in citizens’ awareness about legal aid services will not likely endure in the future.

Despite all of PPJ’s sustainability measures, many structural challenges remain, beyond USAID and PPJ’s manageable interests, which make the sustainability of PPJ’s achievements—or any other donor-funded activity—unlikely. The first and most significant challenge is the insufficient government budgetary allocations for the justice sector in general, and for legal aid in particular. As discussed in this report, access to justice is not a GOB priority.

LACs at the upazila and union levels do not receive any government funding for their operation. The chairmen and secretary of the union and upazila LACs are overburdened, and their offices are understaffed. Legal aid is only one of many other responsibilities under their purview. Moreover, the Legal Aid Act is under the Ministry of Law, but the unions and upazilas are under the responsibility of the Local Government Ministry. As one UNDP staff member interviewed said, *“from our experience from two piloting districts, we have learned that unless the Deputy Director of Local Government is included in the District Legal Aid Committee then it will be very hard to effectively activate or enhance the process. I have communicated this to the Director of NLASO.”*

At the district level, while the DLAO receives public funding from NLASO, the funds are insufficient to cover all costs, particularly hiring additional staff, conducting awareness-raising activities, and holding regular committee meetings.

Other structural challenges include:

⁵⁴ For the 12 districts included in this evaluation, PPJ is covering all unions only in two districts—Panchagarh and Sherpur.

- The conflicting interests between elected legal aid officials at the upazila and union levels and appointed DLA officials, which results in upazila and union chairmen's preference to resolve client cases themselves to gain favor with their constituencies rather than referring clients to the DLAC—even in cases when the clients are eligible for the service.
- The rivalry between the UNOs and the upazila chairmen, which obstructs the operation of upazila LACs.
- The absence of stronger incentives (either mandatory requirements for lawyers to take legal aid cases to maintain their certification and/or higher remuneration for legal aid cases) for lawyers to work pro bono on legal aid cases, even when they are members of the panel of lawyers in their district.
- The weakness of judges relative to lawyers in controlling court proceedings, which discourage mediation alternatives and results in lengthy and costly trials.
- The absence of any institutional support for poor and destitute clients to fill-in their legal aid services application forms and bear travel expenses to the districts to present their cases to the DLAO and DLAC.

4. RECOMMENDATIONS

The following recommendations for USAID and DI are linked to the evaluation findings and organized by IR.

4.1 RECOMMENDATIONS FOR USAID

Considering the deep-rooted challenges for the promotion of justice reforms in Bangladesh and the experience of previous ROL projects funded by USAID and other donors, USAID could engage the GOB in the following policy dialogues:

1. USAID could discuss the feasibility of supporting the GOB in its forthcoming E-Justice initiative. While some stakeholders interviewed for this evaluation stated the GOB does not want any international donor support for this effort, this information should be confirmed to assess whether some parts of this initiative could be supported by the USG and under what conditions. For example, the GOB may be interested in the promotion of greater support for ADR solutions, especially mediation.
2. Once the new Chief Justice is appointed, USAID could engage the Supreme Court and MOLJPA to assess opportunities for renewed initiatives to improve court management and administration. Without securing the commitment and buy-in from top GOB agencies, any initiative to improve court management (or any other nationally significant reform) will not be likely to succeed.
3. USAID could engage NLASO, MOLJPA, and the Ministry of Local Government, Rural Development, and Co-Operatives to advocate for increased funding for legal aid services, including financial support for outreach activities and additional staff for DLAOs.
4. Finally, USAID could also engage the GOB in a policy dialogue to discuss reforms to the Act and its regulations to increase the incentives for upazila and union LACs to improve their services. Policy initiatives could include elevating the position of the DLA officer from senior assistance judge to a joint district judge, designating the UNO as the chairman of the upazila LAC, and including a representative of the Ministry of Local Government, Rural Development, and Cooperatives to serve on DLACs. Finally, given that DLA officers are typically overburdened, appointment of a deputy DLA officer (which is already under consideration) and the appointment of two other assistant DLA officers may also be considered.

4.1.1 Intermediate Results 1.1: Improved Delivery of Legal Aid and 1.3: Increased Citizens' Awareness About Legal Aid

5. USAID should consider removing from sub-IR 1.1 references to “serving survivors of TIP, VE, or AD”, as these victims are served by the police and the prosecutors, not by the DLAO. Victims of AD may be considered victims of political violence, but given the increasing restrictive political context in Bangladesh, it is not feasible to expect that victims will seek legal assistance from the DLAO or that the DLAO will become active in defending these cases.
6. As PPJ moves forward, consider reducing the total number of districts where PPJ operates and increasing the coverage of unions and upazilas covered in each district. This would allow PPJ to work longer in each district, thereby promoting greater sustainability of results at the district level and contributing to increasing the demand for legal aid services.
7. USAID should promote greater collaboration with other donors and NGOs, such as UNDP, Japan International Cooperation Agency (JICA), GIZ, and Bangladesh Rural Advancement Committee (BRAC), who are supporting justice initiatives at the district level. Additionally, USAID should also promote greater coordination with other USAID-funded activities such as the PAR and BCTIP activities. For example, PPJ could develop specific outreach materials for victims of human trafficking as well as for vulnerable persons living in trafficking-prone areas who are susceptible to being trafficked. At the district level, PPJ could also coordinate with BCTIP in specific cases, for example, where a victim may need assistance to attend a hearing or where victims are pressed by middlemen not to press charges.⁵⁵ PPJ could learn from BCTIP whether some alleged perpetrators may be suspected of being charged illegally, for political reasons and, in those cases, offer them legal assistance. PAR, on the other hand, among other tasks, work with victims of GBV, many of whom may qualify for legal aid. PPJ could coordinate with PAR to conduct outreach activities in women's shelters and help women protect their rights by, for example, using legal aid to prevent an illegal child marriage or helping a wife seek a divorce from an abusive husband.
8. USAID should also consider supporting a country-wide social auditing project to monitor coverage and quality of legal aid services offered by the government. This will enable an evaluation of client satisfaction with service delivery, identify strengths and weaknesses of service providers, and assess the gender sensitivity in judicial decisions or mediation agreements. The study could help identify whether male and female judges make different judicial decisions in cases of GBV or family disputes. This assessment could further contribute to raising awareness about legal aid services and help to build demand for improved service delivery.

4.1.2 Intermediate Result 1.2: Improved Judiciary Case Management Capacity

9. USAID should conduct an inventory of donor-funded ROL programs implemented during the past ten years. The World Bank, UNDP, JICA, and GIZ have all implemented ROL programs in Bangladesh. Some of these programs have been evaluated and important lessons can be learned from their experience to avoid duplication of efforts and, most importantly, to design relevant, feasible, and sustainable justice projects.
10. Consider the expediency of conducting a Political Economy Assessment (PEA) of Judicial Reform in Bangladesh. These assessments offer an excellent methodological approach for understanding the political dynamics surrounding recalcitrant governance issues. Based on the assessments' findings, PEAs assess the windows of opportunity for promoting significant reforms and identify

⁵⁵ Scholars and human rights advocates have alleged that the Bangladeshi justice system in some cases wrongfully charges and even convicts people, either intentionally for political and other reasons and sometimes due to shoddy investigations. For example, one report states “many innocent people have been wrongfully convicted and falsely detained over the years. Sadly, people are sentenced to imprisonment, even to death penalty, for crimes they have not committed at all.” See Tahsin, Anika (2020). A grim picture of wrongful convictions in BANGLADESH; <https://www.tbsnews.net/thoughts/grim-picture-wrongful-convictions-bangladesh-164614>.

potential reform champions, such as the SCSCJR and BWJA. Results from such an assessment could inform future ROL activities for USAID in ways that increase their feasibility and sustainability in the near and medium term.

11. For PPJ, consider substantially narrowing down and rescoping IR 1.2, focusing entirely on ADR solutions, and, particularly, on mediation. This is a more feasible approach to contribute to the reduction of case backlogs, as mediation can reduce the number of cases entering the courts. As elaborated above, this is an area of opportunity to continue to engage with the justice sector. Importantly, given that mediation is already established in Bangladesh's CPC Section 89(A), PPJ does not require the express authorization of the Supreme Court or the Chief Justice to promote mediation alternatives. PPJ could strengthen a group of "panel mediators" ready to work with judges in their district courts. PPJ could work with the District Bar Associations to motivate lawyers to promote mediation. Furthermore, PPJ can also extend their number of "panel mediators" by including the members of the union parishads (who are part of the union parishad LAC) who conduct mediation regularly by way of informal Shalish and represent contesting sides in the village court. They would have to be trained properly regarding various techniques and rules of mediation; this would remove the shortage of experienced and dutiful mediators in the rural areas of Bangladesh. Given its extensive work with judges and lawyers, PPJ could also increase training on mediation methodologies, including techniques of mediation, specialized conciliation practices for dealing with family disputes or property matters, and use of traditional law, such as Muslim Family Laws, to help mediation efforts.

4.2 RECOMMENDATIONS FOR DEMOCRACY INTERNATIONAL

4.2.1 Intermediate Result 1.1: Improved Delivery of Legal Aid

1. In collaboration with JATI, offer training on legal aid for all judges, not just DLA officers. Given that DLA officers are transferred from district to district, offering the training to all judges would increase the training coverage and contribute to increasing the likelihood that new DLA officers appointed to their positions will already be trained on legal aid services, including mediation solutions. Additionally, judges, some of whom eventually are promoted to the position of District Judge, become ex officio chairpersons of the DLACs and will benefit from such training eventually.
2. Based on respondents' feedback from the mini surveys, consider introducing case studies to increase the practicality of the training modules, include more interactive sessions (where trainees can participate more actively), and offer refresher courses.
3. Continue to work with law schools to advocate for the institutionalization of student internships programs at DLAOs.
4. If feasible, engage the Bangladesh Bar Council to support trainings for lawyers on legal aid services and encourage lawyers to take pro bono cases as well as to become panel lawyers for DLAOs.
5. Continue efforts to motivate legal aid officers to generate special funds to support outreach activities and provide support to clients.
6. Consider conducting a client satisfaction survey to generate robust (rather than anecdotal) evidence of clients' experiences with legal aid services, including information about the cases brought to the legal aid offices, perceptions about the overall fairness of the process, and clients' satisfaction or dissatisfaction with the judges' decisions or mediation agreements. Results of this survey could help DI adjust or modify its trainings and technical support for LACs. The survey can also help DI and USAID assess whether legal aid services are gender sensitive and whether they adhere to human rights principles. Furthermore, the survey can also help identify whether male and female judges make significantly different decisions in cases involving family disputes or GBV.

4.2.2 Intermediate Result 1.2: Improved Judiciary Case Management Capacity

7. Expand training on mediation practices beyond DLAOs; include lawyers and judges by partnering with JATI, Bangladesh Bar Council, and universities. Include special training modules on mediation related to intra-family conflicts.
8. Help to establish a “panel of mediators,” including lawyers and retired judges who are fully certified as mediators.
9. In collaboration with NLASO, consider updating the Standard Operating Procedures for Mediation prepared several years ago by UNDP.
10. Promote awareness and informational campaigns among lawyers and judges on provisions in the CPC 89(A), which define who is eligible to mediate a civil case. Contrary to what most people interviewed for this evaluation believe, the DLA officer is not the only officer authorized to mediate a case under the section of the CPC mentioned above. This could help motivate lawyers to become trained mediators, as they could benefit from this faster alternative method of resolving disputes.
11. Promote nationwide awareness and informational campaigns on the benefits of resolving cases through mediation.
12. Review international best practices on mediation. For example, consider engaging the World Justice Project, which produced a series of educational videos on mediation for judicial officials in Mexico. The videos include examples of actual cases and interviews with mediators and clients who used the service.⁵⁶

4.2.3 Intermediate Result 1.3: Increased Citizens’ Awareness About Legal Aid

13. Consider conducting a data quality assessment on the indicator related to the number of TIP, VE, and GBV applications received for legal aid services. As discussed in this report, the criteria for classification of these cases are vague. PPJ’s Monitoring, Evaluation, and Learning (MEL) Plan does not specify how the legal aid office will categorize these cases and report on their data, what form it will use, and how PPJ will collect the information.
14. Consider scaling up public awareness campaigns on legal aid services through advertising on TV and social media. Using mass media will significantly increase the volume of people reached and potentially motivated to use the service. Messages intended to promote awareness could include information on where to go if one becomes a victim of human trafficking or GBV.
15. Develop specific messages targeted for vulnerable population such as ethnic minorities, the lesbian, gay, bisexual, transgender, and queer (LGBTQ) communities, people with disabilities, human trafficking victims, GBV victims, and people illegally detained in prisons. In terms of GBV, messages could be disseminated in shelters.
16. Engage with other government committees and officials representing different Ministries at the district and upazila levels to disseminate information on legal aid, beyond the LAC (Primary and Mass Education; Health and Family Planning; Youth and Sports Development; Women and Child Development; Social Welfare). The catchment areas these committees or persons have access to represent a large portion of the population of that area and can potentially deliver the message of free legal services provided by the government to a wide audience.
17. Coordinate with other NGOs working with vulnerable people at the district and sub-district levels to disseminate information on legal aid services.

⁵⁶ See example here: <https://vimeo.com/606669278>

5. LESSONS LEARNED

- The promotion of political reforms, including judicial reforms, **requires the commitment and buy-in of key government officials**. Political will, a somewhat vague concept often difficult to identify and measure, is central for the successful implementation of governance reforms. For any donor willing to collaborate with the government in the advancement of reform initiatives, securing the buy-in of key government officials is of paramount importance. As demonstrated by previous failed attempts to introduce judicial reforms in Bangladesh, whether they are all encompassing, such as the World Bank multimillion-dollar initiative, or narrower, like the USAID-funded JFA Activity that focused on improvements in court management and administration, without the explicit commitment from key decision-makers at the top levels of government, the likelihood for these initiatives to succeed is marginal at best.
- **Securing government buy-in for the promotion of governance reforms is a diplomatic effort, not an implementation task left for USAID's partners**. A PEA can be helpful to explore the causes of a particularly intransigent development or governance issue. These types of assessments help to understand the political dynamics and the structure of incentives—positive and negative—that need to be mitigated and/or strengthened to increase the chances of success of a particular reform initiative. They also help identify entry points as well as potential champions for the advancement of a reform. These assessments and the consequent diplomatic efforts with relevant stakeholders should be conducted at the planning and design phase of an activity before any tasks are implemented.
- In cases where political will cannot be built through diplomatic efforts, **donors can focus on fostering demand for reform from the bottom up**. That is, strengthening civil society organizations' (CSOs) advocacy capacity, thereby generating greater pressure on their political leaders to increase access and deliver better public services, including justice. Although the civic space has been shrinking in Bangladesh, the country has a widespread network of NGOs at all levels that can be effectively mobilized to push for the improvement of services, including access to justice.
- Given the justice sector's institutional weakness and lack of political independence, its insufficient levels of public funding, and the low prioritization justice receives in the GOB's public agenda, **NGOs will remain critical players for any efforts to increase access to justice, particularly for the poor and vulnerable population**. As the results of this evaluation demonstrate, without NGOs partners, LACs are not able to operate effectively. Efforts focused entirely on institutional strengthening, while important, are not likely to be sustainable. On its own, the government is not able to meet the demand for legal aid services: namely, conduct outreach activities, support clients, secure good panel lawyers, and provide sufficient mediators. In the short to medium term, donor-funded efforts to promote greater access to justice will require the active involvement of NGOs.

ANNEXES

ANNEX I: SCOPE OF WORK

Intake Form Template

USAID/Bangladesh

Democracy, Human Rights and Governance (DRG)

Date of Request: March 28, 2021

Tasking Request: S033

Type of Task: Mid-term Performance Evaluation for “USAID's Promoting Peace and Justice (PPJ) Activity.”

Description of Activity: *(Guidance – please provide a short summary of the activity that will receive service/s; it should contain at minimum the objectives of the activity, anticipated results (or results if available) major challenges to implementation, and major successes); (Guidance – if this an assessment or special study, please provide topic, necessary explanation, and rationale for undertaking)*

“USAID's Promoting Peace and Justice (PPJ) Activity” is a five-year \$10.10 million program aims to work with legal aid delivery organizations, judges and judicial staff, and vulnerable groups to improve access to justice and delivery of services in Bangladesh. PPJ's activities are designed to do this by improving the performance of District Legal Aid Committees to better serve the public, strengthen legal aid committee members' capacity to utilize legal aid funds, and enhance the capacity of District Court judges to better serve in their role on the judiciary and serve clients more effectively.

Research Question: *(Guidance – If an evaluation, please provide at least 3 research questions the evaluation team will consider)*

The evaluation will cover PPJ activity performance from October 2018 to June 2021.

Proposed evaluation questions are:

- To what extent is Democracy International (DI) on course to meet PPJ's objectives based on progress achieved thus far?
- How effective has the Activity been in stimulating demand among Bangladeshi citizenry for legal services through the District Legal Aid Committees?
- To what extent has DI been able to improve the capacity of judicial personnel with special focus on case management and administration?
- To what extent are the Activity objectives relevant to the current judicial and political circumstances in Bangladesh?
- To what extent has PPJ achieved progress toward establishing sustainability mechanisms?

Geographic Coverage *(Guidance – If this is third-party monitoring, please provide locations of sites to be visited)*

The evaluation should cover implementation sites in at least eight districts from the 20 targeted regions of PPJ activity. There are four geographic clusters to implement PPJ. At least two from each clusters need to be selected. The more is better. For example, if the evaluator can select three districts from each cluster.

Dates of performance and timeline: *(Guidance – Please provide an anticipated start date and or completion date. Please note that, depending on the complexity of the requested services, the period of performance, from initiation to completion, can be significant)*

The period of performance for evaluation is roughly 12 weeks, based on a five-day work week, from on or about June 2021 to on or about August 2021. This period includes the literature review, field work, in and out-briefing for USAID, report writing and the final report submission.

Team Composition/Qualifications of Consultants:

This Evaluation Team will comprise five or six personnel: a team leader (US/TCN Evaluation Specialist), three team members (one US/TCN Sectoral Specialist and two Local Sectoral Specialists), and one or two evaluation assistant/translator/note taker.

Qualifications:

1. **Team Leader:** An international Senior Evaluation Specialist with Ph.D. or equivalent degree and relevant experience in the rule of law program, international justice, legal and judicial reform. Experience in evaluating programs related to rule of law and human rights are required. At least ten (10) years of experience in conducting and managing complex evaluations is required. Experience in conducting other assessments of projects/programs/activities and designing evaluations on international level or in developing countries are required. Ability to produce high-quality evaluation report in English is essential. The Team Leader will direct the team, finalize the evaluation design and methodology, coordinate activities, meetings, group discussions and the Key Informant Interviews, consolidate individual input from team members, coordinate the process of assembling the key findings, and develop appropriate recommendations. S/he also will lead in the preparation and presentation of key evaluation findings and recommendations to USAID/Bangladesh.
2. **International Team Member:** A mid-level evaluation specialist with an advanced degree in a relevant discipline and at least five (5) years of experience. Experience in program design, management, monitoring and evaluation of rule of law and DRG programs in developing countries, are required. Prior experience and ability to conduct evaluation and to write well in English are required. S/he will work with the Team Lead and national team members to manage focus group discussions and KIs; quantitative and qualitative data collection and analysis; analyze findings and draft the evaluation report.
3. **Two National Team Members:** Senior or mid-level evaluation specialist should have at least seven years of experience in designing and conducting field-based evaluations and assessments of programs related to rule of law, human rights and DRG. Relevant experience in Bangladesh is preferred, especially related to the dynamics of justice sector, government legal services and judicial reform.

Deliverables: *(Guidance – In a bullet format, please provide a list of anticipated deliverables (e.g., Design proposal; Draft questionnaires, protocols and other data collection instruments; Updated SOW, if applicable; Draft Report; Mission Presentation; Final Report in electronic version that incorporates comments, statements of difference (if applicable) and appendices; Data sets; etc.)).*

- Literature Review
- Evaluation Team planning meetings
- Evaluation Design and Work Plan
- Evaluation Design Matrix and Data Collection instrument
- In-brief meeting with USAID
- Mid-term briefing and interim meetings with USAID (as required)
- Debriefing with USAID
- Debriefing with Partners
- Draft Evaluation Report
- Final Report (due within two weeks after USAID provides comments on the draft report; total length, excluding references and annexes, should not exceed 30 pages.)

ANNEX 2: REFERENCES

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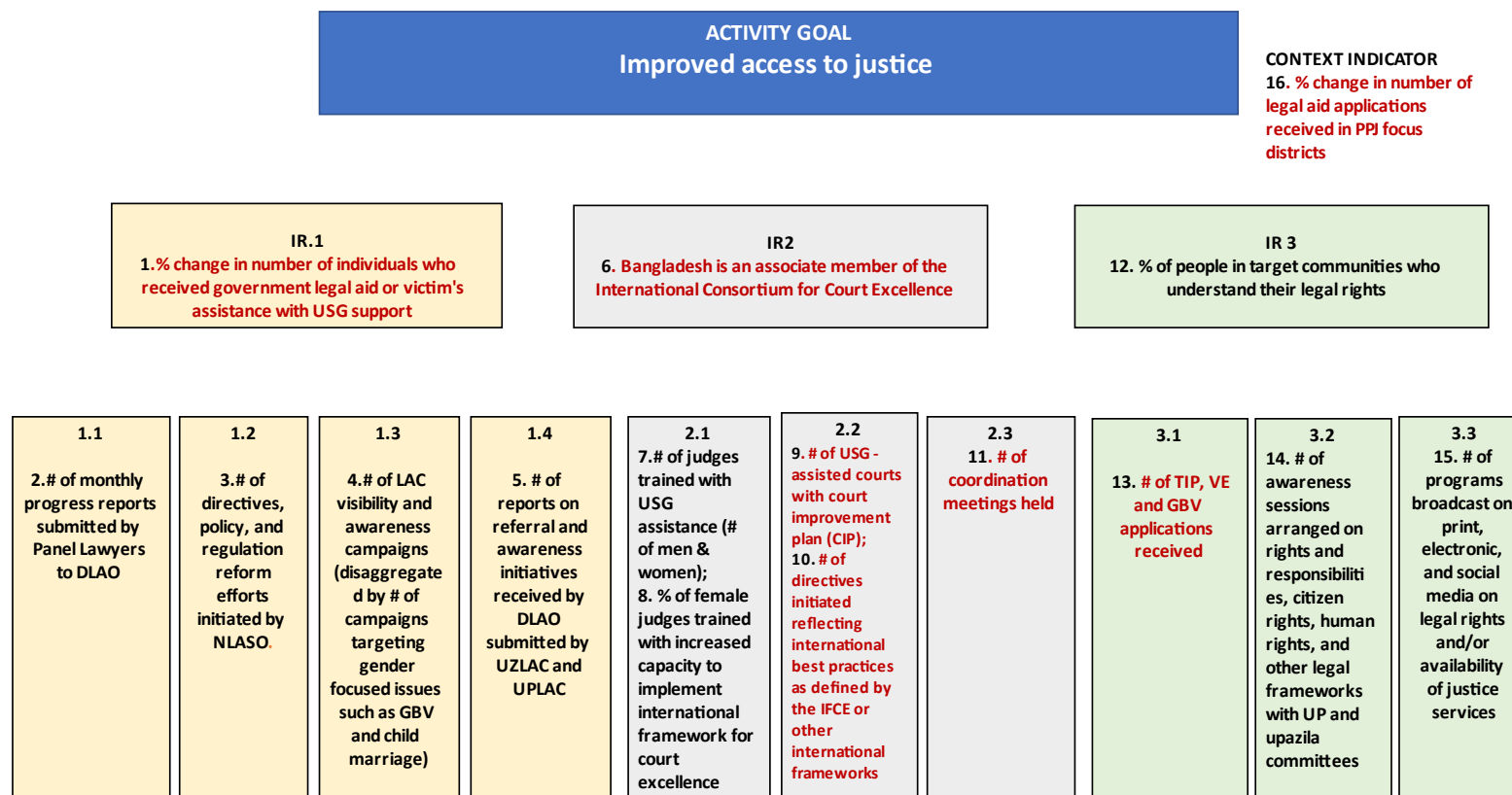
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ANNEX 3: INDICATORS BY RESULT



Note: Red font indicates target was not met; black font indicates indicator target was achieved.

ANNEX 4: LIST OF STAKEHOLDERS INTERVIEWED

Key Informant Interviews

Name	Designation	Organization	Location/District
Dr. Shahdeen Malik	Advocate	Supreme Court of Bangladesh	Dhaka
Karen Miller	Project Manager	DI	United States
Charles Jakosa	Chief of Party	DI	United States
Shahidul Islam	Monitoring & Evaluation Manager	DI	Dhaka
Liesbeth Zonneveld	Chief of Party	Winrock International	United States
Sara Hossain	Executive Director	BLAST	Dhaka
Syed Ziaul Hasan	Team Leader	GIZ	Dhaka
Nanda Lal Sutradhar	Deputy Chief of Party	DI	Dhaka
Md. Humayun Kabir	District Coordinator	Aparajeyo Bangladesh	Dhaka
Golam Kibria	District & Session Judge	JATI	Dhaka
Asaduzzaman Sardar	Assistant Resident Representative	UNDP	Dhaka
Md. Saiful Islam	Director	NLASO	Dhaka
Justice Imman Ali	Honorable Judge, Appellate Division	Supreme Court of Bangladesh	Dhaka
Habiba Akter	Team Lead, Human Rights and Rule of Law	USAID	Dhaka
Kyra Buchko	POC	New Rule	United States
Shamim Ahmed and Maksuda Parvin	President and General Secretary	BWJA	Dhaka
CR Abrar	President	Odhikar	Dhaka
Wahida Begum and Mostofa Kamal	Advocacy & Outreach Component Lead	DI	Dhaka
Heather Goldsmith	Chief of Party	DI	United States
Mir Shafiqul Alam	District Judge	District Judge Court	Rajshahi
Luna Ferdows	District Legal Aid Officer	District Judge Court	Rajshahi
Adv. Mozaffor Hossain	Public Prosecutor	District Judge Court	Rajshahi
Md. Shanowar Hossain	UNO	Mohanpur Upazila	Rajshahi
Md. Zana Alam	UNO	Godagari Upazila	Rajshahi
Mr. Sohel	Union Chairman	Bargachi Union	Rajshahi
Md. Riajul	Union Chairman	Deluabari Union	Rajshahi
Adv. Adeeb Imam Dalim	Panel Lawyer	District Judge Court	Rajshahi
Adv. Sahela Pervin	Panel Lawyer	District Judge Court	Rajshahi
Adv. Parvaze Taofique Zahedy	Secretary	Rajshahi Bar Association	Rajshahi
Ruma Pervin	Client		Rajshahi
Parul Begum	Client		Rajshahi
Md. Royel	Client		Rajshahi
Ahsan Habib	Legal Aid Officer	District Judge Court	Jessore
Md. Iktearul Islam Mollick	District Judge	District Judge Court	Jessore
Adv. Shetara Khatun	Public Prosecutor	District Judge Court	Jessore
Md. Sirajul Haque Monju	Upazila Chairman	Sarsha Upazila	Jessore
Shah Farid Jahangir	Upazila Chairman	Abhoynagar Upazila	Jessore
Md. Bazlur Rahman	Union Chairman	Benapole Union	Jessore
Hossain Ali	Union Chairman	Dihi Union	Jessore
Md. Rabiul Haque Suza	Panel Lawyer	District Judge Court	Jessore
Adv. Firoza Siddika Liza	Panel Lawyer	District Judge Court	Jessore
Aklima Khatun	Client		Jessore

Name	Designation	Organization	Location/District
Adv. Shahanur	Secretary	Jessore Bar Association	Jessore
Parven Khatun	Client		Jessore
Faridha Khatun	Client		Jessore
Sheikh Mofizur Rahman	District Judge	District Judge Court	Satkhira
Salma Akhter	District Legal Aid Officer	District Judge Court	Satkhira
Abdul Latif	Public Prosecutor	District Judge Court	Satkhira
Alhajj Mujibur Rahman	Upazila Chairman	Debhata Upazila	Satkhira
Asaduzzaman Babu	Upazila Chairman	Satkhira Sadar Upazila	Satkhira
Md. Sumsur Rahman	Union Parishad Chairman	Fingri Union	Satkhira
Shuvas Chandro Sen	Union Parishad Chairman	Islamkati Union	Satkhira
Muhammad Munir Uddin	Panel Lawyer	District Judge Court	Satkhira
Khairul Bodiuzzman	Panel Lawyer	District Judge Court	Satkhira
Abul Hossain	President	Satkhira Bar Association	Satkhira
Sabina Yasmin	Client		Satkhira
Halima Khatun	Client		Satkhira
Sadik Hossain	Client		Satkhira
Ms. Shahana Begum	Client		Dhaka
Salma Akhter	Client		Dhaka
Mr. Mafizul Islam	Panel Lawyer	District Judge Court	Dhaka
Barrister Showkot Ali Chowdhury	District Judge	District Judge Court	Dhaka
Ms. Jubaira Ferdushi	Court Staff	District Judge Court	Dhaka
Mr. Ali Azger	Union Parishad Chairman		Dhaka
Jahirul Alam	District Legal Aid Officer (Acting)	District Judge Court	Dhaka
Md. Abdul Hannan	DLA Office Court Staff	District Judge Court	Dhaka
Ms. Anjuman Akter	Client		Dhaka
Alhajj Md. Kamal Hossain Mia	Panel Lawyer	District Judge Court	Dhaka
Mr. Abed Hossain	Union Parishad Chairman	Agla Union	Dhaka
Al-Hajj Ahmed Hossain	Union Parishad Chairman	Balia Union	Dhaka
Fatema Jahura	District Women Affairs Officer, Member of the DLAC	Department of Women Affairs	Dhaka
Mr. H.M Salauddin Monju	UNO	Nawabganj	Dhaka
Mr. Monjurul Alam (Rajib)	Upazila Chairman	Savar Upazila	Dhaka
Noresh Chandra Sarker	District Judge	District Judge Court	Bogura
Md. Shariful Islam	District Legal Aid Officer	District Judge Court	Bogura
Adv. Noresh Mukherjee	Special Public Prosecutor	District Judge Court	Bogura
Md. Rezaul Asraf Jinnah	Upazila Chairman	Nandigram Upazila	Bogura
Md. Fazlul Haque	Upazila Chairman	Dupchanchia Upazila	Bogura
Md. Abdul Motin	Union Parishad Chairman	Durgahata Union	Bogura
Md. Mohorrom Ali	Union Parishad Chairman	Fapor Union	Bogura
Adv. Sufia Begum	Panel Lawyer	District Judge Court	Bogura
Adv. Binoy Kumar Das	Panel Lawyer	District Judge Court	Bogura
Adv. Shafiqul Islam	District Bar President	District Judge Court	Bogura
Tanzila Akter	Client		Bogura
Julekha Khatun	Client		Bogura
Md. Sagar Hossain	Client		Bogura
Mohammad Al Mamun	District Judge	District Judge Court	Sherpur
Md. Zulfikar Hossain Rony	District Legal Aid Officer	District Judge Court	Sherpur
Chondon Kumar Paul	Public Prosecutor	District Judge Court	Sherpur
Rofiqul Islam	Upazila Chairman	Sherpur Sadar Upazila	Sherpur

Name	Designation	Organization	Location/District
Abdullah Al Nayam	Upazila Chairman	Jhenaigati Upazila	Sherpur
Mohammad Firuz Al Mamun	UNO	Sherpur Sadar Upazila	Sherpur
Md. Awladul Islam Awlad	Union Parishad Chairman	Ghazir Khamar Union	Sherpur
Md. Habibur Rahman	Union Parishad Chairman	Gouripur Union	Sherpur
S.M. Alamgir Kibria	Panel Lawyer	District Judge Court	Sherpur
ASM Rashoun Kabir	Panel Lawyer	District Judge Court	Sherpur
Tariqul Islam Bhasani	Secretary	District Bar Association	Sherpur
Israt Jahan Mou	Client		Sherpur
Lal Mia	Client		Sherpur
Shabina Yasmin	Client		Sherpur
Habibur Rahman	District Judge	District Judge Court	Mymensingh
Sibbir Ahmed Liton	Panel Lawyer	District Judge Court	Mymensingh
Md. Fazlul Haque	Upazila Chairman	Tarakanda Upazila	Mymensingh
Bikash Chandra Roy	President	Mymensingh District Bar	Mymensingh
Halima Khatun	Client		Mymensingh
Tofazzel Hossain Khan Tapos	Panel Lawyer	District Judge Court	Mymensingh
Ashraf Hossain	Upazila Chairman	District Judge Court	Mymensingh
Ms. Raoshan Ara Rahman	District Legal Aid Officer	District Judge Court	Mymensingh
Md. Nurul Islam	Program Coordinator	Democracywatch	Mymensingh
Moshiur Rahman Ripan	District Judge	District Judge Court	Mymensingh
Farhana	Client		Mymensingh
Harun Miya	Client		Mymensingh
Md. Helal Uddin	District Judge	District Judge Court	Mymensingh
Kamruzzaman Sujon	Upazila Chairman	Lalmonirhat Sadar Upazila	Lalmonirhat
Ashraf Hossain Badal	President	District Bar Association	Lalmonirhat
Nilufa Yasmin	Client		Lalmonirhat
Jui Yasmin	Client		Lalmonirhat
Harun Ar Rashid	District Legal Aid Officer	District Judge Court	Lalmonirhat
Akmol Hossain Ahmed	Public Prosecutor	District Judge Court	Lalmonirhat
Mohammad Ali	Union Parishad Chairman	Bhelabari Union	Lalmonirhat
Mursheda Begum Manu	Panel Lawyer	District Judge Court	Lalmonirhat
Nosimoddin	Client		Lalmonirhat
Md. Saifuzzaman	Project Manager	RDRS Bangladesh	Lalmonirhat
Mostafizur Rahman Liton	Panel Lawyer	District Judge Court	Lalmonirhat
Md. Imrul Kayes Faruk	Upazila Chairman	Aditmari Upazila	Lalmonirhat
Md. Abu Hena Mostofa	Union Parishad Chairman	Barakhata Union	Lalmonirhat
Md. Mizanur Rahman	District Judge	District Judge Court	Lalmonirhat
Md. Abul Kalam Azad	Union Parishad Chairman	Benghari Union	Panchagarh
Md. Joynal Abedin	District Legal Aid Officer (Acting)	District Judge Court	Panchagarh
Md. Aminur Rahman	Public Prosecutor	District Judge Court	Panchagarh
Md. Sazzad Hosain	Client		Panchagarh
Mst. Roushanara Lovely	Panel Lawyer	District Judge Court	Panchagarh
Md. Kamal Mostaharul Hasan	Union Parishad Chairman	I No Chilahati Union	Panchagarh
Mojammel Choudhuri	Panel Lawyer	District Judge Court	Panchagarh
Manik Chandra Shil	Client		Panchagarh
Md. Fazlul Haque	Secretary	District Bar Association	Panchagarh

Name	Designation	Organization	Location/District
Md. Sharif Hossain Haider	District Judge	District Judge Court	Panchagarh
Md. Amirul Islam	Upazila Chairman	Panchagarh Sadar Upazila	Panchagarh
Mst Lima Akter	Client		Panchagarh
Md. Abu Taher Mohammad Samsuzaman	UNO	Atwari Upazila	Panchagarh
Md. Atiqur Rahman	Project Manager	RDRS Bangladesh	Panchagarh
Fowzia Siddika	UNO	Brahmanpara Union	Cumilla
Farhana Lokman	District Legal Aid Officer	District Judge Court	Cumilla
Advocate Md. Shoriful Islam	President	District Bar Association	Cumilla
Harun-Ur-Rashid	Panel Lawyer	District Judge Court	Cumilla
Mr. Atabullah	District Judge	District Judge Court	Cumilla
Md. Murshedur Rahman	Project Manager	AID Cumilla	Cumilla
Abul Kalam Azad	Union Parishad Chairman		Cumilla
Advocate Md. Johirul Islam Salim	Public Prosecutor	District Judge Court	Cumilla
Rashada Begum	Client		Cumilla
Tahera	Client		Cumilla
Obayadur Rahman	Union Parishad Chairman	Goliyara Uttar Union	Cumilla
Bilkis Akter	Client		Cumilla
Jakiya Afrin	UNO	Cumilla Sadar Upazila	Cumilla
Yasha Akter	Panel Lawyer	District Judge Court	Cumilla
Md. Ismail	Project Manager	YPSA	Chattogram
Ripu Akter	Client		Chattogram
Mr. Sorwar Uddin Chy. Shaheen	Union Parishad Chairman		Chattogram
Adv. Enamul Hoque	President	District Bar Association	Chattogram
Mohammad Ershahul Islam	Court staff who received training	District Judge Court	Chattogram
Adv. Uttam Kumar Mohajan	Chowki Court Committee member	Fatikchari Court	Chattogram
Rajia Sulatana	District Legal Aid Officer	District Judge Court	Chattogram
Adv. Md Salahuddin Chy.	Panel Lawyer	District Judge Court	Chattogram
Adv. Md Salamat Ullah Chy. (Shaheen)	Additional Public Prosecutor	District Judge Court	Chattogram
Runa Akter	Client		Chattogram
Mr. Faisal Ahmed	UNO		Chattogram
Adv. Hamid Ullah	Panel Lawyer	District Judge Court	Chattogram
Mr. Sohrab Hossain	Union Parishad Chairman		Chattogram
Mr. Hossain Mohammad Abu Tayeb	Upazila Chairman		Chattogram
Fatema Akter	Client		Chattogram
Md Ismail Hossain	District Judge	District Judge Court	Chattogram
Md. Anisur Rahman	District Judge	District Judge Court	Narayanganj
Muzahidur Rahman Halo	Upazila Chairman	Araihasar Upazila	Narayanganj
Abul Kalam Azad Biswas	Upazila Chairman	Narayanganj Sadar Upazila	Narayanganj
Md. Jahirul Haque	Union Parishad Chairman	Baradi Union	Narayanganj
Odud Mahmud	Union Parishad Chairman	Satgram Union	Narayanganj
Md. Maniruzzaman Bulbul	Public Prosecutor	District Judge Court	Narayanganj
Mamun Hasan Khan	District Legal Aid Officer	District Judge Court	Narayanganj
Sipra Modok	Panel Lawyer	District Judge Court	Narayanganj

Name	Designation	Organization	Location/District
Zannatul Ferdous (Archi)	Panel Lawyer	District Judge Court	Narayanganj
Muslima	Client		Narayanganj
Romiza Begum	Client		Narayanganj
Khandoker Shaikat Islam	Project Coordinator	Madaripur Legal Aid Association	Narayanganj
Md. Mohsin Miah	President	District Bar Association	Narayanganj

ANNEX 5: DATA COLLECTION TOOLS

QUESTIONS FOR KII

KII Guide for LACs Officials, NLASO and Panel Lawyers

1. Have any reforms been introduced to address the application and approval process for obtaining legal aid? If yes, what are they? What happens if anyone needs help to fill the forms?
2. Why do you think the application and approval process is so bureaucratic?
3. To what extent do you think the application process for obtaining legal aid has improved during the past two years?
4. Has PPJ/DI contributed in any way to facilitate the application process? In what ways?
5. When people request legal aid from the LAC, how knowledgeable do you think they are about the process and about their rights? Is there any initiative to increase their knowledge about the process and about their rights? What do you find is the most common way the applicants know about your services?
6. Do you think victims of political violence, victims of gender-based violence or child marriages, victims of human trafficking and victims of arbitrary detention have used the legal aid services more than other users? Why/why not?
7. What happens in cases of arbitrary detentions, enforced disappearances; extra-judicial killings where the accused is part of the GOB—e.g., Police, RAB? Do the victims come for/get legal aid?
8. According to official records, the vast majority of gender-based violence cases never reach the courts. Only 2.3 percent of victims of domestic violence take any legal action, and only 1.3 percent of cases that are filed in court result in convictions. During the past three years, there have been many allegations of arbitrary detentions and human rights abuses on the part of the government. To what extent do you think LACs are able to improve the way they address these issues?
9. What has your office done to reach out to these vulnerable groups (victims of gender-based violence, human trafficking, arbitrary detentions)? What else could be done to reach out to these groups?
10. Has your office done anything different to attract these types of clients to your services?
11. How do you coordinate with the police or community leaders to ensure people who place complaints or want mediation services can request legal aid? Is any training given to the Police? If yes, by whom?
12. Do victims of violence turn to CSOs for help? In that case, have you done anything to coordinate with them to offer legal aid?
13. What type of technical assistance has PPJ/DI offered LAC to deal with trafficking cases, gender-based violence, family disputes, and political violence cases? To what extent do you think this technical assistance of DI helped to deal with such cases?

	Technical assistance/training	How helpful they have been
Trafficking in person cases		
Gender-based violence cases		
Family disputes		
Political violence and arbitrary detention cases		

14. Have you introduced new methods or tools to interact with victims of violence, trafficking, or political violence? If yes, to what extent do you think these new methods and tools to interact helped to deal with such cases?
15. To what extent has NLASO adopted or established methods to monitor LACs?
16. To what extent has NLASO been successful in advocating for increased funding levels? (Sustainability issue)
17. Have the NLASO strategic and operational plans been implemented?
18. Is lack of awareness about the existence of funds for poor people to access legal aid the main barrier to requesting legal aid services? What other barriers exist that deter people from turning to legal aid services?

KII Guide for LACs Officials, NLASO and Panel Lawyers

In your opinion, why do people continue to prefer informal modes of settlement? Do you believe distrust of the judiciary is a barrier?

19. What has your office done differently to advertise/disseminate information about legal aid services and legal aid funding?
20. To what extent do you coordinate with the district, Upazila, union, NLASO?
21. To what extent does NLASO coordinate with district judges such as the chairman of the DLAC/District Legal Aid Officer? How is this coordination done? How often? At what level in the process?
22. What types of incentives could be introduced to motivate lawyers to promote pro bono legal aid services for poor people?

KII Guide for Judiciary

1. Are you aware of the International Framework for Court Excellence (IFCE)?
2. How relevant do you think are IFCE guidelines are for the judiciary in Bangladesh?
3. How feasible is it that Bangladesh will incorporate these guidelines in the near future?
4. During the past two years, have you seen any improvement in the administration of cases in your court?
5. What are the most important problems your court faces in increasing case management efficiency (reducing backlog)?
6. What have you learned from PPJ/DI training and technical assistance? What is the most valued aspect of the training you received?
7. Have you been able to develop a court improvement plan to address identified problems in court management?
8. What do you think is the interest or commitment on the part of the Supreme Court or the government of Bangladesh to introduce reforms in the administration of justice? If yes, then to what extent?
9. Do you know whether the Supreme Court has prioritized reducing the backlog of cases and increasing the level of funding to the judiciary or not? If not, then why do you think the Supreme Court has not prioritized reducing backlog and increasing the level of funding to the judiciary?
10. What was the outcome of the self-evaluation you conducted in your district?
11. Has the JATI adopted the IFCE guidelines in its training materials? Also has the issue of Legal Aid been added to the curriculum of JATI?
12. Have you heard any radio programs that promote legal rights? If yes, then what type of radio programs have you heard promoting legal rights?
13. Has the court introduced any new performance indicators for judges? If yes, what indicators have they introduced? (Number of cases decided upon, quality of judgements, time it took to process and resolve the case, type of resolution, etc.)
14. Has PPJ/DI reached out to public prosecutors who respond to victimization cases? (Gender, political violence, human trafficking). What have they done? In your opinion, what is the biggest contribution of DI in its work with prosecutors?
15. In your opinion, what is the biggest hurdle in promoting greater coordination between the executive and judicial branches of government?
16. Why do you think reforming the judiciary is not one of the Supreme Court of Bangladesh's priorities?
17. According to official records, the vast majority of gender-based violence cases never reach the courts. Only 2.3 percent of victims of domestic violence take any legal action, and only 1.3 percent of the cases that are filed in court result in convictions. Why do you think so few cases of domestic violence are processed in the courts and even fewer result in convictions? In your opinion, why do people still prefer the informal justice mechanisms, e.g., Shalish even in such cases?

KII Guide for PPJ's Sub-Grantees, CSOs, and Community Leaders

1. What is the mission of your organization? (Grantees only)
2. What were the goal of the grant your organization received from PPJ? (Grantees only)
3. How successful have you been in achieving those goals? What have been the challenges? What have been the unexpected results? (Grantees only)
4. How much confidence do you have in the ability of the justice system to protect victims of violence and resolve cases dealing with gender-based violence or human trafficking or political violence?
5. What has been your greatest accomplishment in the dissemination of information on citizen rights? And what has been your greatest obstacle?
6. What community radio programs, if any, have you developed and implemented in their communities? What kind of information do they disseminate during these programs?
7. What have you done to reach out to vulnerable people? (Disenfranchised women, third gender populations, disabled people, survivors of gender-based violence, TIP victims, victims of arbitrary detention)?
8. How effective do you think the courtyard meetings are in improving the legal literacy of Bangladeshi citizens? How do you know if people are more literate or have improved their understanding of their legal rights? To what extent are the knowledge and skills learned in those courtyard meetings used in real life situations by attendees?

KII Guide for DI

1. What has been the greatest accomplishment of PPJ during the past two and a half years?
2. What has been PPJ's greatest obstacle?
3. Why do you think the GOB and the Supreme Court are not prioritizing judiciary reform at this time?
4. Why didn't DI work with prosecutors on Component I?
5. What strategies has DI introduced to target vulnerable groups? What has your project done with these groups in particular?
6. To what extent have you coordinated with the police or local representatives who are the main POC for people in the community who need help with dispute resolution or legal aid?
7. How effective is your communications/outreach campaign program?
8. To what extent do you think these campaigns will continue after the end of the program?
9. What is the interest of the NLASO in increasing the effectiveness and outreach of the LAC?

KII Guide for USAID

1. What has been the greatest accomplishment of PPJ during the past two and a half years?
2. What has been PPJ's greatest obstacle?
3. Have you coordinated with other donors working with the judicial branch in Bangladesh?
4. What is unique about PPJ work (or USAID-funded programs) in comparison with other international donors?
5. In your opinion, how much commitment exists on the part of the GOB to improve access to justice for vulnerable populations? And to what extent is the judiciary committed to introduce reforms to improve effectiveness in case management?
6. What do you think is likely to happen with the DLAC after the PPJ concludes? What measures or what incentives have been designed to promote the sustainability of PPJ activities?
7. Do you think DI should do anything different from what they are doing today?
8. What has been your experience managing the PPJ activity?

MINI-SURVEY FOR LAWYERS AND STUDENT TRAINEES OF PPJ WORKSHOPS AND TRAININGS

Survey Instructions

ME&A is an implementing partner of the United States Agency for International Development in Bangladesh (USAID/Bangladesh), implementing the USAID Bangladesh Monitoring, Evaluation, and Learning (BMEL) Activity. Recently, ME&A, through the BMEL Activity, was assigned to conduct the mid-term evaluation of the Promoting Peace and Justice (PPJ) Activity.

This survey is a major part of the evaluation's data collection activities. The data derived from it will be used to conduct analysis and inform the findings and recommendations about future programming.

You and/or your organization have been recommended to us as one of the key stakeholders able to provide expert insights on this topic. Although your participation in this online survey is voluntary, we believe it is crucial for the evaluation team to gain a greater understanding of the PPJ activity's impact.

The survey will take approximately 15 minutes to complete. Any information that you provide will be confidential and your name will not be linked in any way to your responses.

The survey questionnaire that you received is unique to you and will not be shared with others.

We would appreciate it if you could complete the survey. Should you have any queries about the survey or require any assistance please ask one of the facilitators to assist you.

Thank you.

Part 1: Respondent Identification

- Name of District:
- Upazila:
- Union:
- Village:
- Age (optional):
- Male/Female:
- Nature/type of participation:
- Time/frequency of participation (during last two years):

Part 2: Quality of PPJ's trainings and technical assistance

Instructions for Survey Respondents: Please choose a number on a scale of 1-5 that corresponds with how you feel about the following statements (1 = Very poor, 5 = Excellent). You are welcome to elaborate on your response after choosing the number.

Indicators	Excellent	Good	Mediocre	Poor	Very poor
1. Content	5	4	3	2	1
2. Trainer/facilitator	5	4	3	2	1
3. Usefulness	5	4	3	2	1
4. Relevance	5	4	3	2	1
5. Others, please specify	5	4	3	2	1

Part 3: Capacity

Instructions for Survey Respondent: Please choose a number on a scale of 1-5 that corresponds with how intensely you feel about your response). For example, in addition to inquiring whether you have been able to apply the skills you have learned, we would like to know **how often** you have been able to apply them. You are welcome to elaborate on your response after choosing the number.

Questions Mark as applicable	Always	Frequently	Sometimes	Rarely	Never
1. To what extent have you been able to apply the skills/knowledge you learned in PPJ/DI's training activities in your daily job?	5	4	3	2	1
2. To what extent have you consulted the manuals that were made available (e.g., ICEF & TAPP Toolkit)?	5	4	3	2	1
3. I have a greater appreciation of the barriers preventing access to justice for vulnerable populations.	5	4	3	2	1
4. I am ready to do (free of charge) pro bono work.	5	4	3	2	1
Now please tell us how much you agree or disagree with the following statements. Please rank your response using a scale of 1 to 5 where 5 is strongly agree and 1 is strongly disagree.					
Questions	Strongly Agree	Agree	Somewhat agree	Disagree	Strongly Disagree
5. I believe lawyers should encourage ADR whenever possible.	5	4	3	2	1
6. I believe I have become more aware of the needs of my clients.	5	4	3	2	1
7. I believe that the skills and knowledge I gained from PPJ have improved my capacity to motivate citizens in my community, especially vulnerable communities, to seek justice through the formal justice system.	5	4	3	2	1
8. I believe PPJ/Activity has contributed to improve access to justice for vulnerable populations in Bangladesh.	5	4	3	2	1
9. I believe I have sufficient support from my school or the legal aid committees in performing my role as a lawyer.	5	4	3	2	1

Part 4: Challenges and recommendations

4.1. What are the most important challenges of access to justice for vulnerable populations in Bangladesh?
(Please select all that apply.)

Formal legal system is too bureaucratic and time-consuming	1
Citizens, especially vulnerable populations, do not have knowledge of their rights and responsibilities	2
Citizens, especially victims of TIP, GBV, VE, and AD, do not have access to legal aid	3
Informal ways of dispute resolution are more culturally appropriate	4
Justice system has problems of corruption and bias due to political affiliation	5
Legal Aid committee members not interested or committed to increasing access to justice for vulnerable people	6
Others	7
	Please specify:

MINI-SURVEY FOR JUDGES TRAINEES OF PPJ WORKSHOPS AND TRAININGS

Survey Instructions

ME&A is an implementing partner of the United States Agency for International Development in Bangladesh (USAID/Bangladesh), implementing the USAID Bangladesh Monitoring, Evaluation, and Learning (BMEL) Activity. Recently, ME&A, through the BMEL Activity, was assigned to conduct the mid-term evaluation of the Promoting Peace and Justice (PPJ) Activity.

This survey is a major part of the evaluation's data collection activities. The data derived from it will be used to conduct analysis and inform the findings and recommendations about future programming.

You and/or your organization have been recommended to us as one of the key stakeholders able to provide expert insights on this topic. Although your participation in this online survey is voluntary, we believe it is crucial for the evaluation team to gain a greater understanding of the PPJ activity's impact.

The survey will take approximately 15 minutes to complete. Any information that you provide will be confidential and your name will not be linked in any way to your responses.

The survey questionnaire that you received is unique to you and will not be shared with others.

We would appreciate it if you could complete the survey. Should you have any queries about the survey or require any assistance please ask one of the facilitators to assist you.

Thank you.

Part 1: Respondent Identification

- Name of District:
- Upazila:
- Union:
- Village:
- Age (optional):
- Male/Female:
- Nature/type of participation:
- Time/frequency of participation (during last two years):

Part 2: Quality of PPJ's trainings and technical assistance

Instructions for Survey Respondents: Please choose a number on a scale of 1-5 that corresponds with how you feel about the following statements (1 = Very poor, 5 = Excellent). You are welcome to elaborate on your response after choosing the number.

Indicators	Excellent	Good	Mediocre	Poor	Very poor
1. Content	5	4	3	2	1
2. Trainer/facilitator	5	4	3	2	1
3. Usefulness	5	4	3	2	1
4. Relevance	5	4	3	2	1
5. Others, please specify	5	4	3	2	1

Part 3: Capacity

Instructions for Survey Respondent: Please choose a number on a scale of 1-5 that corresponds with how intensely you feel about your response). For example, in addition to inquiring whether you have been able to apply the skills you have learned, we would like to know **how often** you have been able to apply them. You are welcome to elaborate on your response after choosing the number.

Questions	Always	Frequently	Sometimes	Rarely	Never
1. To what extent have you been able to apply the skills/knowledge you learned in PPJ/DI's training activities in your daily job?	5	4	3	2	1
2. To what extent have you consulted the manuals that were made available (e.g., ICEF & TAPP Toolkit)?	5	4	3	2	1
3. I have a greater appreciation of the barriers preventing access to justice for vulnerable populations.	5	4	3	2	1
4. I am better at managing my case workload.	5	4	3	2	1
Now please tell us how much you agree or disagree with the following statements. Please rank your response using a scale of 1 to 5 where 5 is strongly agree and 1 is strongly disagree.					
Questions	Strongly Agree	Agree	Somewhat agree	Disagree	Strongly Disagree
5. I believe my organization has become more responsive to the needs of its clients.	5	4	3	2	1
6. I believe I have improved my capacity to coordinate with other stakeholders in order to better serve my organization's clients.	5	4	3	2	1
7. I am better prepared to resolve cases through mediation (ADR).	5	4	3	2	1
8. I believe that the skills and knowledge I gained from PPJ have improved my capacity to motivate citizens in my community, especially vulnerable communities, to seek justice through the formal justice system.	5	4	3	2	1
9. I believe PPJ/Activity has contributed to improving the capacity of my organization to improve access to justice for vulnerable populations in Bangladesh.	5	4	3	2	1
10. I believe I have sufficient support from the leadership of my organization in performing my role.	5	4	3	2	1

Part 4: Challenges and Recommendations

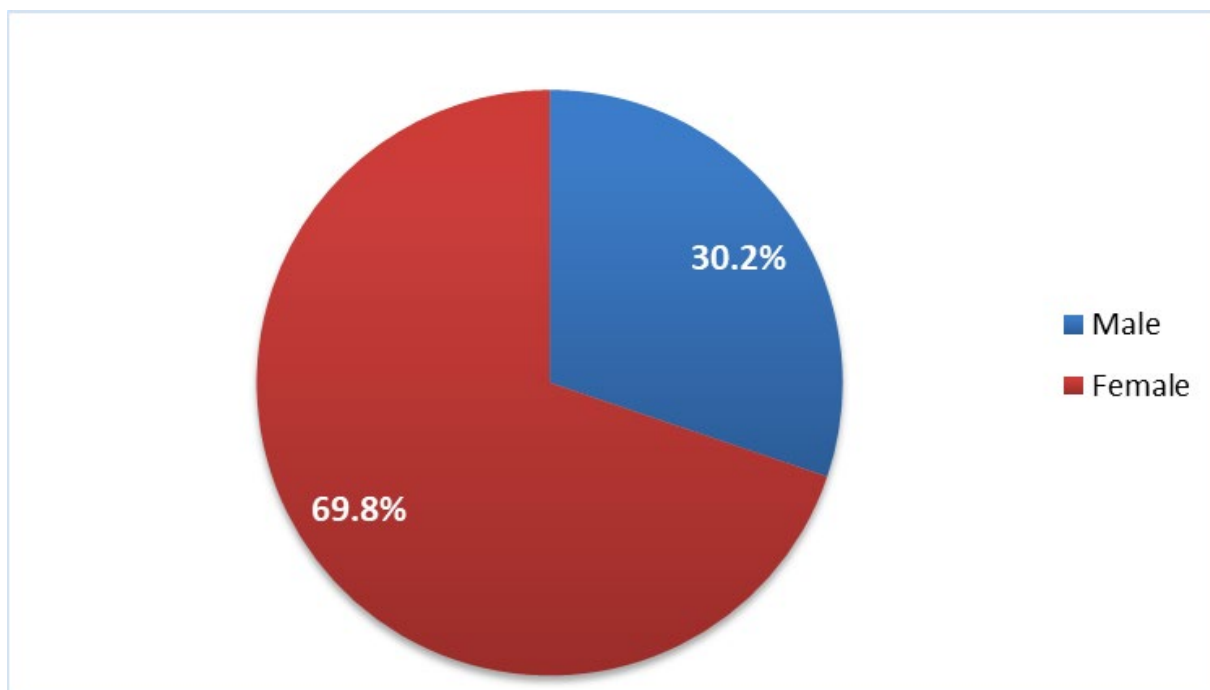
4.1. What are the most important challenges of access to justice for vulnerable populations in Bangladesh?
(Please select all that apply.)

Formal legal system is too bureaucratic and time-consuming	1
Legal Aid Committee members are not referring sufficient cases for adjudication by the courts	2
Citizens, especially vulnerable populations, do not have knowledge of their rights and responsibilities	3
Citizens, especially victims of TIP, GBV, VE, and AD, do not have access to legal aid	4
Informal ways of dispute resolution are more culturally appropriate	5
Justice system has problems of corruption and bias due to political affiliation	6
Others	7
	Please specify:

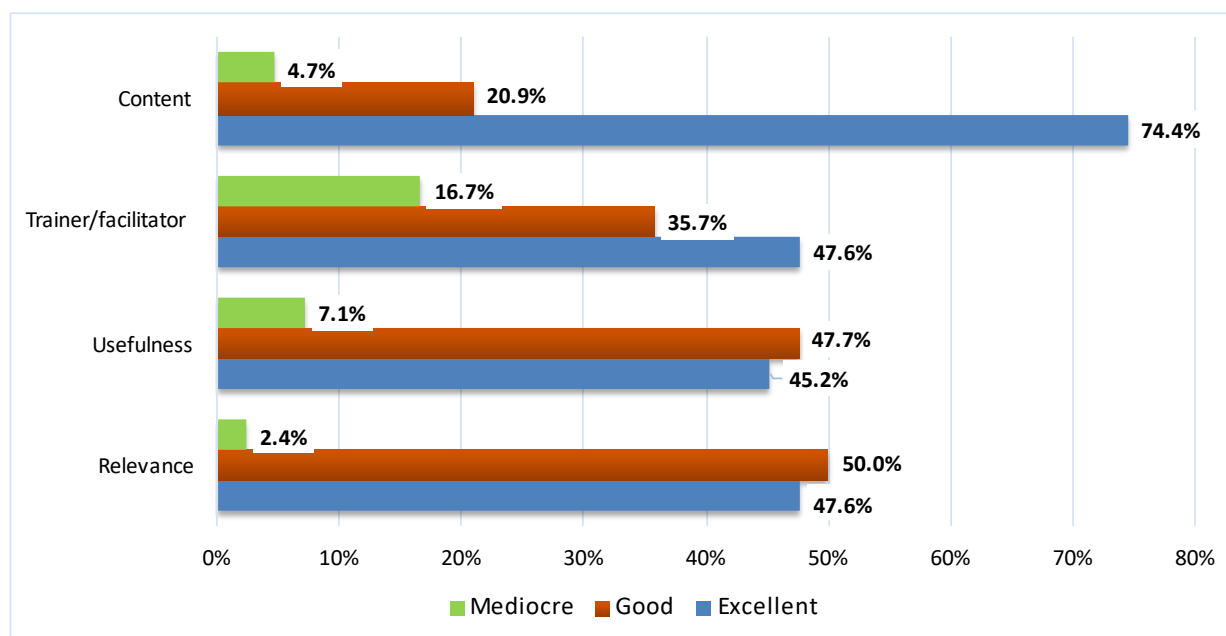
ANNEX 6: RESULTS OF MINI SURVEYS WITH JUDGES AND LAWYERS

Mini Survey with Judges—Total Number of Respondents: 46

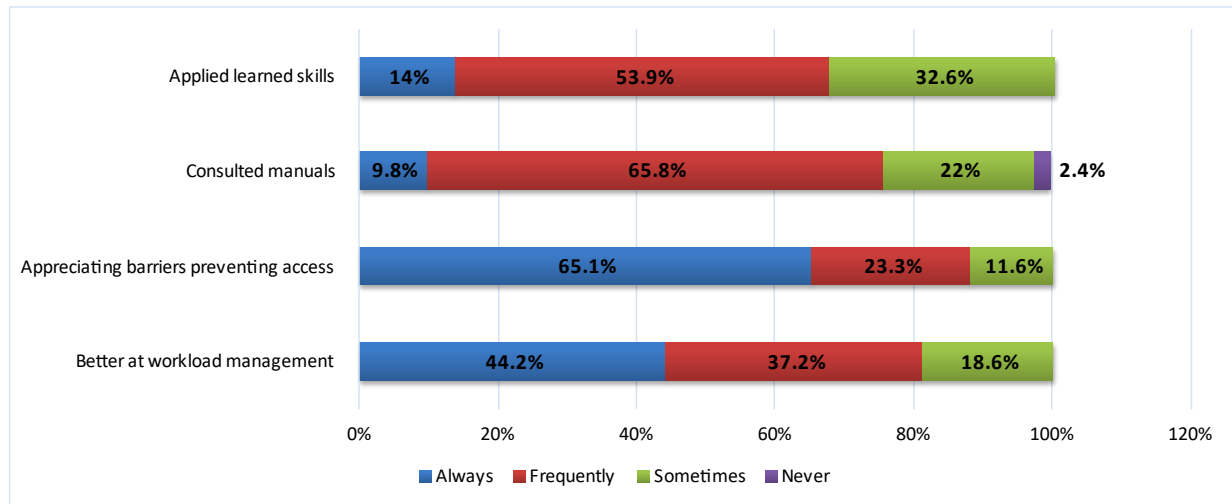
Survey Respondents by Gender



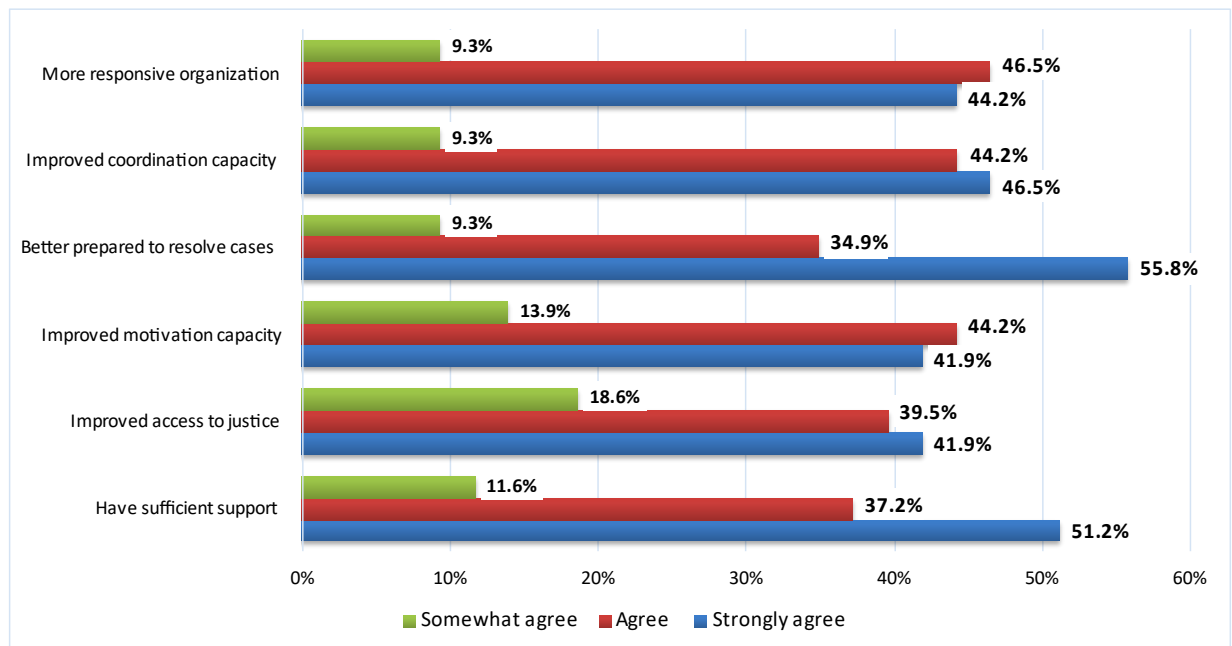
Perceptions About Quality of PPJ Training, by Category (Content, Facilitator, Usefulness, and Relevance)



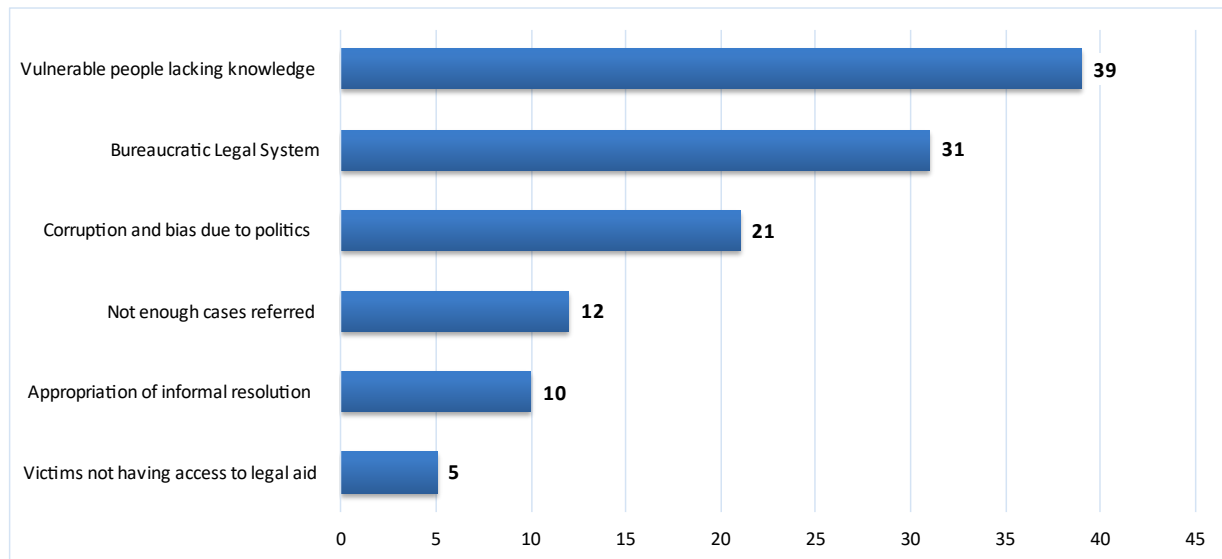
Perceptions About Outcome of Trainings



Extent of Agreement/Disagreement with Results of the Training

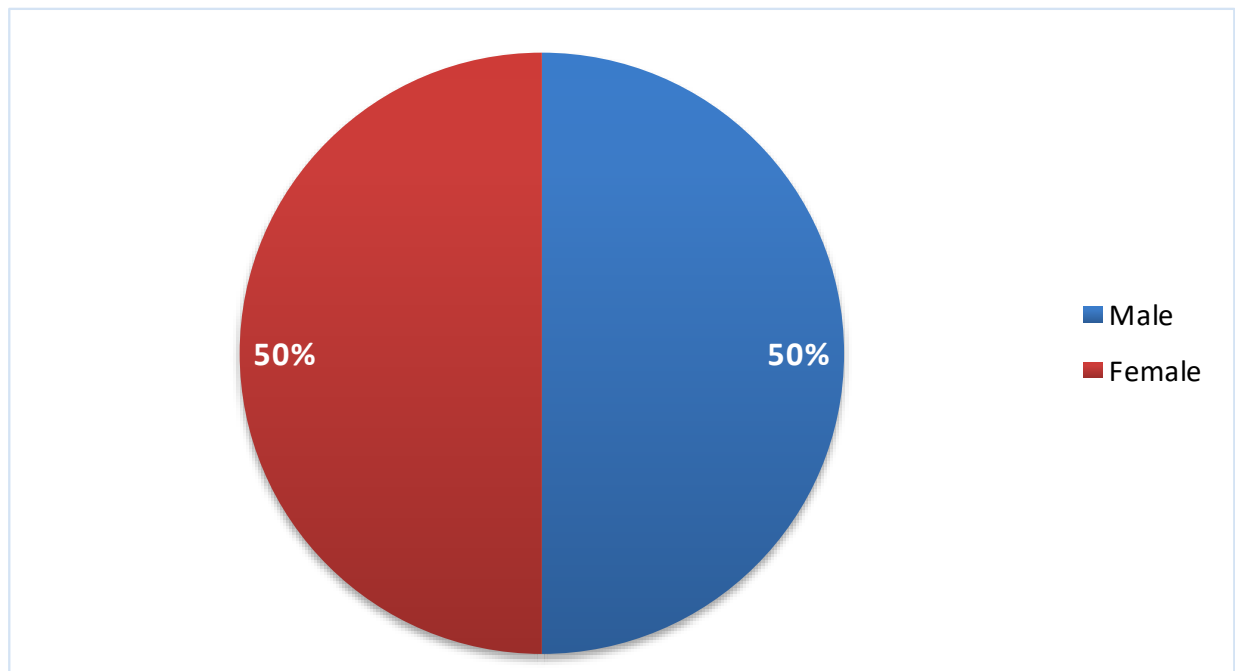


Perceptions on the Most Important Problem Preventing Access to Justice for Poor and Vulnerable People (Counts in Numbers)

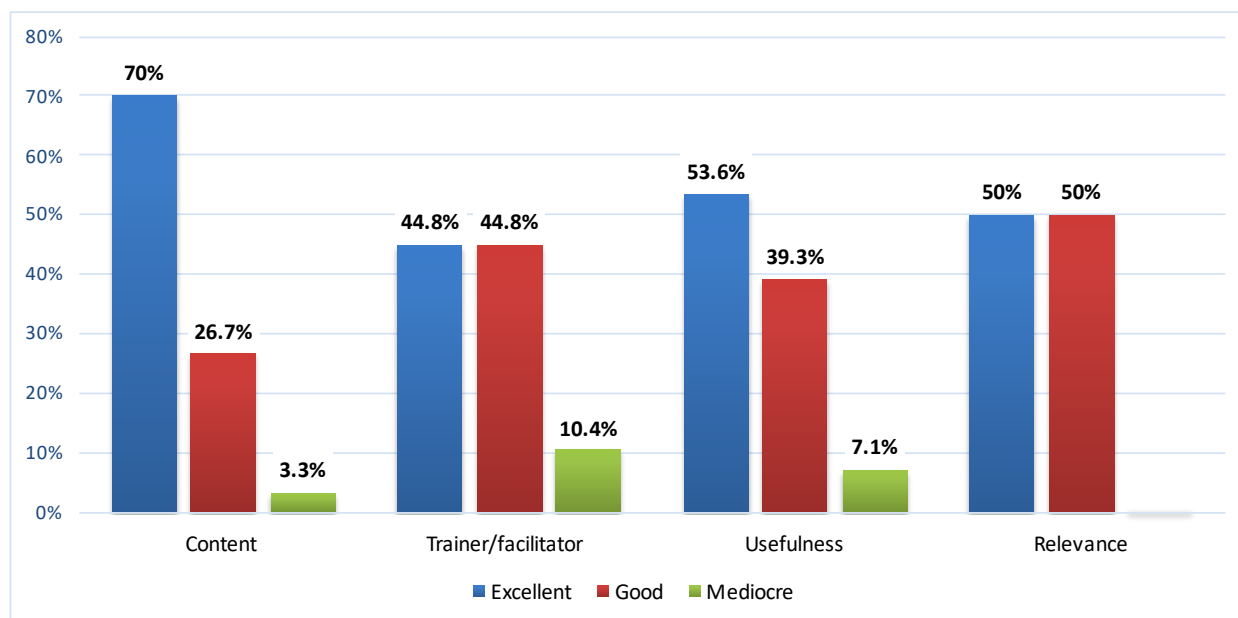


Mini Survey with Lawyers/Students-Total Number of Respondents: 31

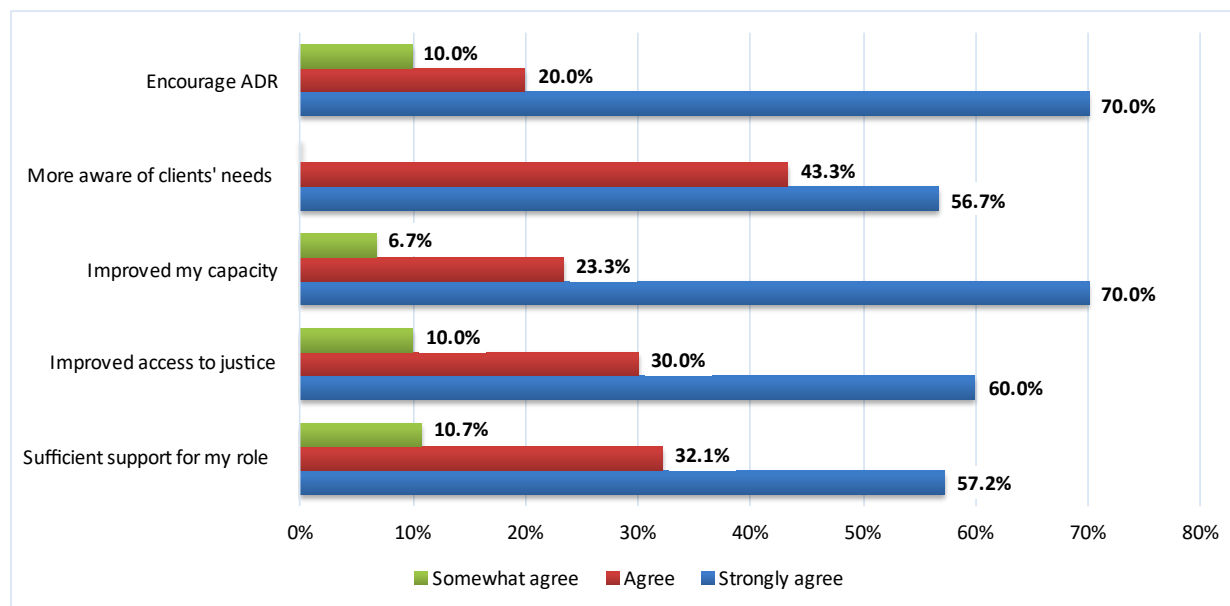
Respondents by Gender



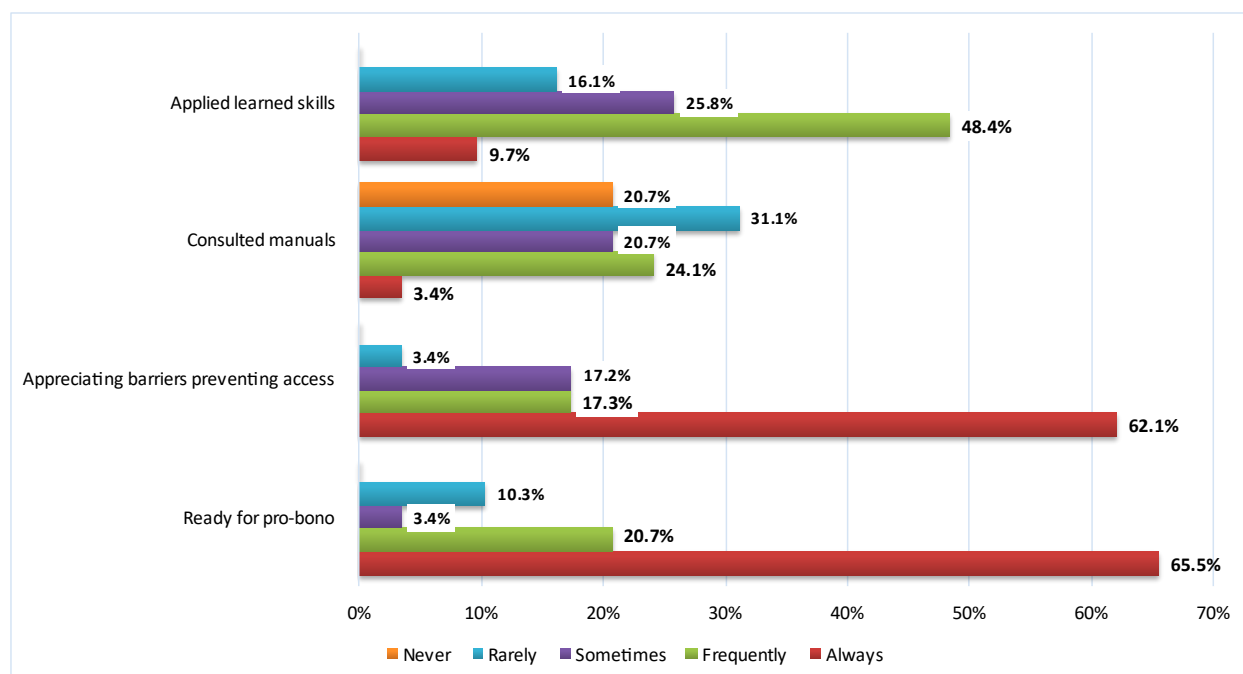
Satisfaction with Training, by Category



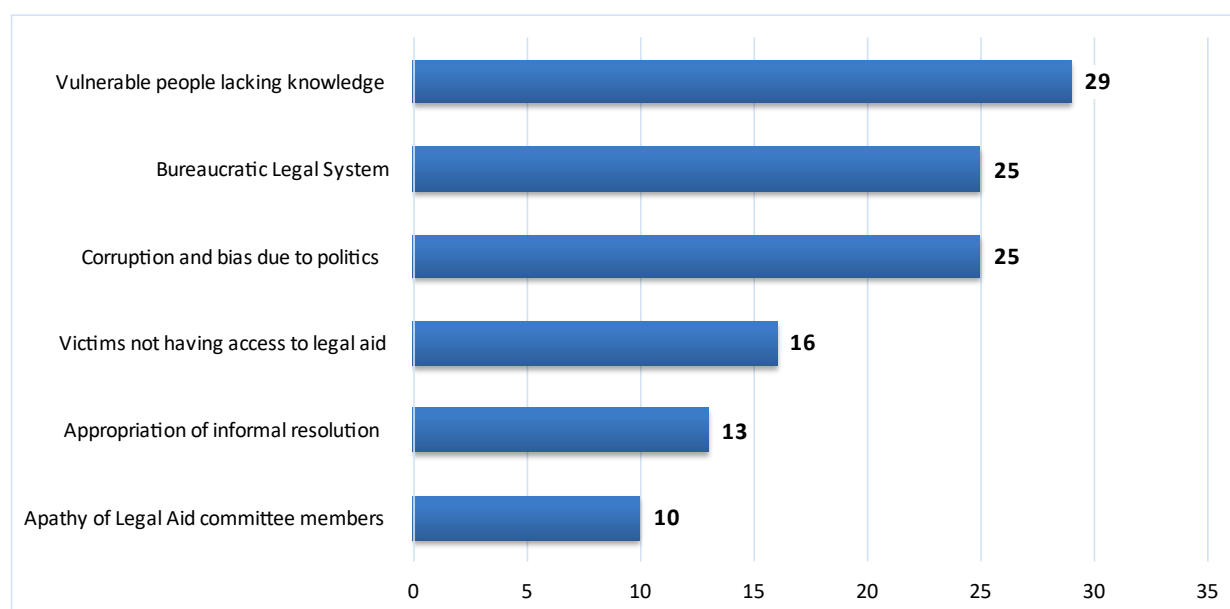
Perceptions on Outcome of Training



Extent of Agreement/Disagreement with Results of the Training



Perception of the Most Important Problem Preventing Access to Justice for Poor and Vulnerable People (Counts in Numbers, Not Percentages)



ANNEX 7: EVALUATION TEAM CVS, COI FORMS, AND NDAS

Candidate: Yemile Mizrahi, Ph.D.

Position: Team Leader – Mid-Term Performance Evaluation for Promoting Peace and Justice (PPJ) Activity (BMEL S033)

Key Qualifications

Dr. Yemile Mizrahi is a Governance Expert with more than 25 years of experience in international development. Her areas of expertise include monitoring and evaluation (M&E), capacity building, institutional strengthening, governance assessments, anti-corruption programming, conflict, and violence prevention. Dr. Mizrahi has designed, conducted, and supervised multiple evaluations and assessments in the governance sector. She has collaborated with governments, civil society organizations (CSOs), the private sector, and the international donor community in Africa, Eurasia, Latin America, and Southeast Asia.

As Director of Analytical Services at Democracy International (2014-2019), Dr. Mizrahi successfully managed and supervised over 40 analytical products, including evaluations of USAID-funded governance projects, political economy analysis, conflict, democracy, justice, and civil society assessments. In this role, she provided technical guidance and ensured the highest quality and timely submission of all deliverables. During this time, Dr. Mizrahi designed innovative methodologies and data collection approaches to evaluate USAID-funded interventions in data-poor locations such as Côte d'Ivoire, Democratic Republic of Congo, Nicaragua, Rwanda, and Sri Lanka.

During the past year, Dr. Mizrahi has worked with Tetra Tech in Guatemala, providing direct assistance to Tetra Tech staff and its grantees working on crime and violence prevention initiatives to improve their M&E systems and increase the evaluability of their interventions. Among other innovative approaches, Dr. Mizrahi has introduced a new tool to assess the level of risk of violence of grantees beneficiaries. This evidence-based approach will allow grantees to establish a baseline and objectively assess reductions of risk levels after their interventions. She has also consulted for Democracy International as co-technical director of the USAID-funded Latin America Youth Violence Prevention Program. This is an analytical services program to understand the drivers of youth violence in Latin America, evaluate results of crime and violence prevention interventions, and make evidence-based recommendations.

Currently for ME&A, Dr. Mizrahi is leading the mid-term performance evaluation of the USAID Promoting Advocacy and Rights (PAR) Activity in Bangladesh, and having led more than 17 other evaluations, she is an experienced Team Leader. Her most recent Team Leader experience includes: Democracy and Governance Assessment in Timor-Leste (2020); Political Economy Assessment of Venezuelan Migration to Northeast Colombia (2019); Assessment of Youth Violence in Colombia (2018); Assessment of Tertiary Crime and Violence Prevention Programs in Honduras (2016); Performance Evaluation of the Municipal Crime and Violence Prevention Program in Central America and the Dominican Republic (2016); Evaluation of Pillar IV Crime Prevention Models in Mexico (2015); and Mid-Term Performance Evaluations of the NEXOS and DEE programs in Honduras (2014). In addition, in 2011 in Guatemala, she led the Democracy and Governance Assessment to assess democratic institutions, with a focus on citizen security, rule of law, transparency and accountability, as USAID/Guatemala prepared its five-year country strategy.

In addition to her consulting experience, In she was a Resident Fellow at the Woodrow Wilson International Center for Scholars in Washington, DC in 1999-2000 and a professor of Political Science at the Centro de Investigación y Docencia Económicas (CIDE) in Mexico City, 1999-2001. Dr. Mizrahi holds a Ph.D. in Political Science from the University of California, Berkeley, and a Bachelor's Degree in Social Studies from the Instituto Tecnológico Autónomo de México (ITAM) in Mexico City.

Education

Ph.D., Political Science, University of California, Berkeley, 1994

B.A., Social Studies, Instituto Tecnológico Autónomo de México, Mexico City, 1985

Selected Professional Experience

Team Leader, Mid-Term Performance Evaluation for Promoting Advocacy and Rights (PAR) Activity, ME&A, Inc./USAID, Bangladesh, Feb. 2021–Present. Leading a five-person evaluation team to assess PAR's overall technical and programmatic relevance and the effectiveness in strengthening CSOs in key activity areas and assess progress in achieving activity sustainability. The evaluation will also assess the implementer, Counterpart International (CI), and its sub-grantees' performance and effectiveness; determine if the program is on course to meet the stated objectives; and examine the current opportunities and challenges of CSOs working with the GOB and CSO actors.

Team Leader, Tetra Tech, Inc., Democracy and Governance Assessment, Timor-Leste, Feb. 2020–Apr. 2020. Led a team of five to assess the five elements of democracy and formulate recommendations for USAID as it prepares its Country Strategy for the next five years.

Team Leader, MSI/Tetra Tech, Political Economy Assessment of Venezuelan Migration to Northeast Colombia, Oct. 2019–Dec. 2019. Led team in analysis of the structure of incentives and constraints government officials at national and local face to address the migration crisis. Formulated actionable and programmatic recommendations for USAID to support the GOC address the migration crisis, particularly at the local level.

Director of Monitoring, Evaluation, and Learning, Democracy International, USA, Jan. 2014-Jul. 2019. Managed Democracy International's analytical services portfolio. Responsible for providing technical direction, guaranteeing the quality and timely submission of deliverables, and ensuring client satisfaction. Collaborated in business development activities and served as **Team Leader and/or Technical Director** on individual analytical projects, including: Complexity Awareness Monitoring and Evaluation Project in Colombia; USAID Alliances for Reconciliation in Colombia; and Assessment of Youth Violence in Colombia; Performance Evaluation of the USAID Municipal Crime and Violence Prevention Program (AMUPREV) in Central America and the Dominican Republic; USAID Evaluation of Pillar IV Crime Prevention Models in Mexico: Monterrey, Ciudad Juarez, and Tijuana; Evaluation Services for Democracy, Rights and Governance (DRG) portfolio of USAID Mission in Tanzania; and USAID Mid-Term Performance Evaluations of NEXOS and DEE programs in Honduras.

Team Leader, Tetra Tech, Inc., 2012-2013. Led final performance evaluation of the International Republican Institute's Expanding Electoral and Civic Education Program and mid-term performance evaluation of the National Democratic Institute's (NDI) Democratic Leadership Development Program in Nicaragua; Democracy and Governance Assessment for USAID/Honduras; Democracy and Governance Assessment for USAID/Indonesia.

Chief of Party, Development and Training Services, Inc., Jan. 2011-Sept. 2012. Monitoring and Evaluation Program, USAID/Bureau for Latin America and Caribbean's Office of Cuban Affairs. Program designed to provide technical assistance and training on performance management, monitoring and evaluation to USAID's Office for Cuban Affairs, as well as to all of the Office's implementing partners. Assisted the client in complying with USAID regulations.

Team Leader, Final Performance Evaluation of the Elections and Electoral Processes Program in Colombia, IRG International, Mar. 2012-Apr. 2012. Evaluation of results achieved by the EPP Program implemented by NDI and the International Republican Institute (IRI) in Colombia from 2007-2012.

Team Leader, Civil Society Sector Assessment in Honduras, Counterpart International, USA, Jun. 2011. Led assessment team that examined the cleavages among CSOs in the aftermath of the 2009 coup, identifying CSOs that could effectively work in anti-corruption reform and advocacy and making programmatic recommendations.

Team Leader, Democracy and Governance Assessment in Guatemala, Tetra Tech, Feb. 2011. Led a three-member team to conduct fieldwork and write an assessment of Guatemalan democratic institutions, with a focus on citizen security, rule of law, transparency and accountability, as USAID/Guatemala prepared its five-year country strategy

Team Leader, Political Economy Assessment of Freedom of Information Law in Mexico, World Bank Institute, Aug. 2010-Sept. 2010. Led analytic study of incentives, opportunities, and constraints conditioning the passage and implementation of the Freedom of Information Law in Mexico, assessing lessons learned and providing recommendations for passage of similar legislation in other Latin American countries.

Team Leader, Performance Evaluation of the Consortium for Electoral and Political Process Strengthening Program (CEPPS), USAID/Nicaragua, Jun. 2010. Led assessment of the effectiveness, adaptability, impact, and sustainability of a program implemented by IRI, NDI, and the International Foundation for Electoral Systems.

Deputy Director, America's Accountability and Anti-Corruption (AAA) Project, Casals and Associates, May 2005–Sept. 2009. Promoted innovative analytical and practical approaches for improving government transparency and accountability in Latin America and the Caribbean. Responsible for managing small grants to CSOs in several countries to pilot projects in areas such as social auditing, environmental corruption, political party finance, and compliance with the Inter-American Convention against Corruption. Provided technical assistance to field projects and designed training modules for CSOs and journalists on good governance, accountability, and transparency.

Team Leader, Anti-Corruption Program Briefs, Casals and Associates, 2008. Wrote Program Briefs for USAID's Office of Democracy and Governance, titled "Strengthening Freedom of Information: Challenges of Implementation and Best Practices Around the World" and "Social Auditing: A Participatory Tool to Strengthen Transparency and Accountability."

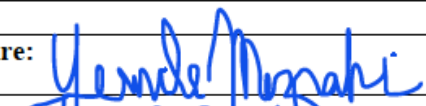
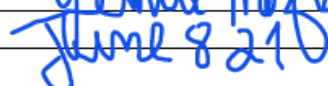
Team Leader, Mainstreaming Anti-Corruption Training Workshops, Casals and Associates, 2007-2008. Led team responsible for designing, organizing, and conducting mainstreaming anti-corruption training workshops for USAID personnel in 12 African countries. Replicated this training module in Armenia. The overall objective was to educate and sensitize USAID staff about the effects of corruption on development, analyze problems of corruption in different sectors, design effective strategies to detect, prevent and combat corruption, and identify viable and measurable results and indicators.

Evaluation Expert, World Bank Institute, 2004. Capacity Enhancement and Institutional Development Projects. Evaluated and assessed World Bank projects with a concentration in capacity enhancement and institutional development in 10 countries including Egypt, Iran, Morocco, Mexico, Russia, Bosnia and Herzegovina, Brazil, Turkey, Tajikistan, and Yemen.

Principal Investigator, World Bank Institute, 2003. Capacity Enhancement and Institutional Development. Wrote Evaluation Brief "Capacity Enhancement: A Framework for Indicators," World Bank Institute.

Languages

Spanish (native), English (fluent), Hebrew (good)

Name:	Yemile Mizrahi
Title:	Consultant
Organization:	ME&A, Inc.
Evaluation Position:	Team Leader
Evaluation Award Number: (or RFTOP or other appropriate instrument number)	BMEL S033
Project(s) Evaluated: (Include project name(s), implementer name(s) and award number(s), if applicable)	Mid-term Performance Evaluation for "Promoting Peace and Justice (PPJ)" Activity
I have real and/or potential conflict of interest to disclose:	☒ YES ☐ NO ☐ NOT APPLICABLE
If yes answered above, I disclose the following: <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 USG 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 USG 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.	4. I worked for Democracy International (DI) from 2014 to May 2019. I was Director of analytical services and did not have any involvement with DI's operations and never came in contact with the project being evaluated under this Agreement.
Signature:	
Date:	

AN AGREEMENT BETWEEN

Yemile Mizrahi

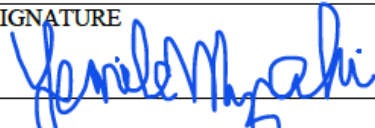
(Name of Individual - Printed or typed)

AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

1. Intending to be legally bound, I hereby accept the obligations contained in this agreement in consideration of my being granted access to sensitive data. As used in this Agreement, sensitive data is marked or unmarked "sensitive but unclassified information" (SBU), including oral communications, that meets the standards set by Office of Management and Budget (OMB) Circular A-130 Appendix 3 and the U.S. Agency for International Development (USAID) Automated Directives System (ADS.) I understand that any data or systems of records protected from unauthorized disclosure by the provisions of Title 5, United States Code Sections 552 (often referred to as "The Freedom of Information Act") and 552a ("The Privacy Act") is/are sensitive data. In addition, other categories of information, including but not limited to medical, personnel, financial, investigatory, visa, law enforcement or other information which, if released, could result in harm or unfair treatment to any individual or group, or could have a negative impact upon individual privacy, federal programs, or foreign relations is sensitive data. The term includes data whose improper use or disclosure could adversely affect the ability of the Agency to accomplish its mission, as well as proprietary data and information received through privileged sources or procurement sensitive or source selection information, as those terms are defined by the Federal Acquisition Regulations.
2. I understand and accept that by being granted access to sensitive data, special confidence and trust has been placed in me by the United States Government.
3. I acknowledge I have been given access to USAID sensitive data to facilitate the performance of duties assigned to me for compensation. I understand it is my responsibility to safeguard sensitive data disclosed to me, and to refrain from disclosing sensitive data to persons not requiring access for performance of official duties. Before disclosing sensitive data, I must determine the recipient's "need to know" or "need to access" sensitive data. I will not use any sensitive data for personal financial gain.
4. I have been advised that any breach of this Agreement may result in the termination of my access to sensitive data, which, if such termination effectively negates my ability to perform my assigned duties, may lead to the termination of my employment or other relationships with the Departments or Agencies that granted my access. I am aware unauthorized release or mishandling of sensitive data may be grounds for adverse action against me. In addition, I have been advised unauthorized disclosure of data protected by the Privacy Act may constitute a violation, or violations, of United States criminal law, and that Federally-affiliated workers (including some contract employees) who violate privacy safeguards may be subject to disciplinary actions, a fine up to \$5,000.00, or both.
5. I understand all sensitive data to which I have access or may obtain access by signing this Agreement is now and will remain the property of, or under the control of the United States Government. I agree that I must return all sensitive data which have, or may come into my possession or for which I am responsible because of such access:
 - (a) upon demand by an authorized representative of the United States Government; or
 - (b) upon the conclusion of my employment or other relationship with the Department or Agency that last granted me access to sensitive data; or
 - (c) upon the conclusion of my employment or other relationship that requires access to sensitive data.

Unless and until I am released in writing by an authorized representative of the United States Government, I understand that all conditions and obligations imposed upon me by this Agreement apply during the time I am granted access to sensitive data, and at all times thereafter.

6. These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.

WITNESS		ACCEPTANCE	
THE EXECUTION OF THIS AGREEMENT WAS WITNESSED BY THE UNDERSIGNED		THE UNDERSIGNED ACCEPTED THIS AGREEMENT BEFORE ACCESSING SENSITIVE DATA OF THE UNITED STATES GOVERNMENT.	
SIGNATURE	DATE	SIGNATURE	DATE
			June 8 21

Dr. Shahnaz Huda
Position: Evaluation Specialist/Expert

Nationality: Bangladeshi

Affiliation: ME&A

Education

- Post Doctorate , University of London, UK	2010
- Ph.D. , University of East London, UK	1996
- LL.M. University of Dhaka, Bangladesh	1985
- LL.B. , University of Dhaka, Bangladesh	1984

Key Qualifications

Dr. Shahnaz Huda is one of the prominent scholars of law in Bangladesh having different advanced degrees in Law. Her student life began with the Department of Law, University of Dhaka. She got Vice Chancellor's Award for her outstanding result on her LL.B. degree. She stood first class first in both her LL.B. and LL.M at University of Dhaka. Later on, she pursued her Ph.D. degree from University of East London, UK and did her Post Doctorate from University of London, UK. Throughout her life, she has served in different capacities. She started her professional career with University of Dhaka as a Lecturer at the Department of Law and now she is serving as a Professor at the same Department. She was also the Chairman of the Department of Law of University of Dhaka for two years. She is also an Adjunct Faculty at Eastern University, Dhaka and Women and Gender Studies Department, University of Dhaka. Additionally, she is a former of Ex-Visiting Faculty at University of Development Alternatives, Dhaka and BRAC University, Dhaka. Apart from serving as a teacher of Law at different universities she was also engaged with different national and international organizations playing different roles for the development of different areas of the society. Currently, she is an active member of Governing Board of Manusher Jonno Foundation (MJF), South Asians for Human Rights (SAHR), Academic Council of Central Women's University, Dhaka, Bangladesh and National Committee for Prevention of Violence and Social Injustices to Women and Girl Children under the Bangladesh Mahila Parishad (Bangladesh Women's Council). Additionally, she is an external Member of Sexual Harassment Redress Committee, BRAC (Bangladesh Rural Advancement Committee) and Sexual Harassment Redress Committee, ULAB (University of Liberal Arts). She is a Former member of the Core Group of the Forum on Women in Security and International Affairs (FOWSIA). She has 29 publications addressing different contemporary issues of the society. In her write up, she has mentioned different human rights aspects of different issues specially focusing on various rights of women of the society. Her Ph.D. thesis (unpublished) was 'Born to be Wed': Bangladeshi Women and the Formation of the Muslim Marriage Contract' which also focused on the aspects of Muslim marriage in Bangladesh from the perspective of women of our society. She worked all over Bangladesh and have excellent experience with some of the National and International NGOs focused on rule of law, access to justice, justice sector reformation and human rights in Bangladesh including ADB, ILO, DFID, UNDP, UNHCR, UNICEF, OXFAM-NOVID, CARE Bangladesh, Plan Bangladesh, BNWLA and BLAST.

Evaluation, Research and Consultancy Experience:

Nov. 2018 – Dec. 2018, Consultant, Research on Gender Based Sex Selection—the Legal Regime; United Nations Fund for Population Activities (UNFPA)

Jan. 2017 – Feb. 2017, Consultant, To analyze laws of different countries on child marriage, CARE Bangladesh

Jan. 2017, Lead Researcher (Consultant), Research on 'Social and Legal Implications of Withdrawing the CEDAW Reservations on the Bangladesh Legal System and Norms; UNDP and the Department of Law, University of Dhaka

May 2016 – Jun. 2016, Consultant, Study and publication on the effectiveness of the domestic violence (prevention protection act) during the first five years after enactment, Protecting Human Rights (PHR) Program, BNWL and PLAN Bangladesh

Mar. 2015 – Apr. 2015, Evaluation Expert (National Consultant), Mid-Term Evaluation of the CPD Outcome I, Democratic Governance Cluster, UNDP

Nov. 2014 – Dec. 2014, Evaluation Expert (National Consultant), Mid-Term Evaluation of the Judicial Strengthening (JUST) Project, UNDP

Oct. 2014 – Nov. 2014, Evaluation Expert (National Consultant), Mid-Term Evaluation of the Justice Sector Facility (JSF) Project, UNDP

Jun. 2014, National Consultant, Study report to Treaty Bodies under BNHRC CDP, UNDP

May 2014, Individual Consultant, Research on the problems or loopholes in the process of birth registration in Bangladesh; BNHRC & UNHCR

Nov. 2013, Evaluation Expert (National Consultant), Mid-Term review of the Bangladesh National Human Rights Commission – Capacity Development Project (BNHRC -CDP), UNDP

Aug. 2013, Consultant, Review, analysis, report preparation and draft proposal for amendment of the Child Marriage Restraint Act, 1929 under: “Bride Not Before 18” campaign to stop Child Marriage; World Vision Bangladesh

May 2013 – Jun. 2013, Consultant, Update the Community Legal Services (CLS) Situation in Bangladesh, The Asia Foundation

Jul. 2010 – Jan. 2011, Consultant, Formal Alternative Care for Children Without Parental Care in Bangladesh, UNICEF

May 2010 – March 2011, Senior Researcher, To conduct a study entitled Combating Gender Injustice; South Asian Institute of Advanced Legal Studies (SAILS)

Aug. 2009 – Sept. 2009, External Evaluator, To conduct an evaluation of the project entitled "Extension of Realization of Human Rights and Democratization (ERHRD), Phase-III"; implemented by Bangladesh National Women Lawyers Association (BNWLA); OXFAM-NOVIB, The Netherlands

Mar. 2008 – Dec. 2008, Consultant, To conduct Research Study on withdrawal of reservation on Adoption; Networking & Advocacy for Child Rights in Bangladesh (NACR) Project, Bangladesh Shishu Adhikar Forum (BSAF)

Apr. 2007 – May 2007, Individual Consultant for the Asian Development Bank (ADB)’s TA-6188 (REG) Establishing Legal Identity for Social Inclusion

Oct. 2005, Consultant, for conducting a feasibility study for developing a set of tools and techniques for engaging Muslim religious leaders to advance women’s rights informed by best practice models from South and Southeast Asia and other countries, The Asia Foundation

May 2005, Independent Contractor, Consultant for the Asian Development Bank (ADB)’s Regional Technical Assistance on Establishing Legal Identity for Social Inclusion (RETA 6188)

Dec. 2004, Short-term Consultant, As Team Leader for an assessment of the capacity, performance, and programmatic impact Bangladesh Shishu Adhikar Forum (BSAF), an umbrella and networking organization that coordinates the work of 200 children’s rights NGOs in Bangladesh; DANIDA/BANGLADESH Human Rights and Good Governance Support Unit (HRGG-PSU)

Aug. 2004 – Sept. 2004, Individual Consultant, to finalize the draft on the Social Policy on Models of Care and Protection of Children in contact with the Law. UNICEF

Mar. 2001 – Apr. 2001, Independent Consultant, to document the Progress and Development of Public Interest Litigation (PIL) under the Democracy Partnership of the Asia Foundation in Bangladesh

Sept. 2000 – Nov. 2000, Consultant, to conduct research study on Sexual Harassment in Bangladesh; International Labor Office (ILO)

Dec. 1998 – May 1999, Honorary Convener, A coalition of concerned trade unions and NGOs for ensuring the minimum wage of garment workers, American Center for International Labour Solidarity (Solidarity Center)

May 1998, Consultant, to Develop Indicators for the Audit of Human Rights in Bangladesh, DFID (Department for International Development), U.K.

Aug. 1997 – May 1998, Project Coordinator and Research Fellow, Marriages and Divorces Registration Laws Project, Bangladesh Legal Aid and Services Trust

Teaching Experience

Jul. 2005 – to date, Professor, Department of Law, University of Dhaka, Bangladesh

Feb. 2002 – Jul. 2005, Associate Professor, Department of Law, University of Dhaka, Bangladesh

Jul. 1996 – Feb. 2002, Assistant Professor, Department of Law, University of Dhaka, Bangladesh

Mar. 1989 – Jul. 1996, Lecturer, Department of Law, University of Dhaka, Bangladesh

Languages

Bengali (native language), English (fluent).

Major Publications

- Huda, Shahnaz (1991). "Death penalty – The Continuing Controversy" in the Dhaka University Studies Part F, Journal of the Faculty of Law; Vol. II No. 1, June, 1991.
- Huda, Shahnaz (1992). "Human Rights under Emergency Situations" in the Dhaka University Studies Part F, Journal of the Faculty of Law, Vol. III No. 1, June, 1992.
- Huda, Shahnaz (1993) "Untying the knot – Muslim Woman's Right of Divorce in Bangladesh"; in the Dhaka University Studies Part F, Journal of the Faculty of Law Vol. V No. 1, June, 1994.
- Huda, Shahnaz (1996). "The Imperilled Bangladeshi Girl Child" in the Dhaka University Studies Part F; Journal of the Faculty of Law; Vol.4 No.1, June 1996; pp.49-66.
- Huda, Shahnaz (1997). "Child Marriage: Social Marginalisation of Statutory Law" in Bangladesh Journal of Laws, Vol. 1, No. 2, December 1997; Bangladesh Institute of Law and International Affairs; pp. 138-181.
- Huda, Shahnaz (1998). "Women's Property Rights in Bangladesh: Effect of Religion and Custom" in Development Issues Across Regions: Women, Land and Forestry; Wickramasinghe, Anoja (editor); Corrensa, Peradiniya, Sri Lanka; pp. 294-308.
- Huda, Shahnaz (1998). "Custody and Guardianship of Minors in Bangladesh" in Gender and Law; Ahmad, Tahmina and Khan M.A. (Editors), Adtam Publishers, Dhaka; pp. 29-59.
- Huda, Shahnaz (1993-1994). "Female Child in Bangladesh: Abuse and Exploitation" in Human Rights and Development Review, 1993-1994 Vol. III and IV; Humanist and Ethical Association of Bangladesh, Dhaka.
- Huda, Shahnaz (1998). "Double Trouble: Hindu Women in Bangladesh...A Comparative Study" in the Dhaka University Studies Part F; Journal of the Faculty of Law; Vol.7 No.1 June 1996, pp.49-66.
- Huda, Shahnaz (1999). Registration of Marriage and Divorce in Bangladesh: A Study on Law and Practice; Bangladesh Legal Aid and Services Trust, BLAST, Dhaka.
- Huda, Shahnaz (1999). "Perspectives on Sexual Harassment in Bangladesh: Acknowledging its Existence" in Empowerment, Vol. 6 (1999); pp. 19-28.
- Huda, Shahnaz (1999). "Defining Sexual Harassment in Bangladesh: Its Impact and Effects" In Violence against Women and Children; Begum, Hamida Akhter et al (Editors); Department of Psychology, D.U. and DFID; pp.111-118.
- Huda, Shahnaz and Hasan Manzoor (2000). The Bangladesh Parliament and International Conventions; Monograph for the Bangladesh Institute of Parliamentary Studies, Dhaka.
- Huda, Shahnaz (2001). "Protection of Women in the Marriage Contract: An Exploration" in Bangladesh Journal of Laws, Vol. 5, No.1 & 2, June & December 2001; Bangladesh Institute of Law and International Affairs; pp. 138-181.

- Huda, Shahnaz (2002). "Women's Human Rights in Bangladesh: The Legal Framework" in State of Human Rights in Bangladesh: Women's Perspective; Salahuddin, Dr. Khaleda et al (Editors); Women for Women: A Research and Study Group, Dhaka; pp.150-161.
- Huda, Shahnaz (2002). "The New Millennium: Legislation and Precedents Relating to Women in Bangladesh" in the Dhaka University Studies Part F; Journal of the Faculty of Law; Vol.13 No.1 June 2002, pp.95-118.
- Huda, Shahnaz (2003). "Sexual harassment and Professional Women in Bangladesh" in Asia Pacific Journal on Human Rights and the Law; 2:52-69, 2003, Koninklijke Brill N, Netherlands (Kluwer International).
- Huda, Shahnaz (2004). "Personal Laws in Bangladesh: the need for substantive Reforms" in the Dhaka University Studies Part F; Journal of the Faculty of Law; Vol.15 No.1 June 2004, pp.103-126.
- Huda, Shahnaz (2004). "Anglo Muhammadan and Anglo Hindu Law: Revisiting Colonial Codification" in Bangladesh Journal of Laws: Vol.8, Nos1&2, June and December 2004; Bangladesh Institute of Law and International Affairs, Dhaka.
- Huda, Shahnaz (2005). "The Concept of Consent in Muslim Marriages: Implications for Women in Bangladesh" in the Dhaka University Studies Part F; Journal of the Faculty of Law; Vol.16 No.2 December 2005, pp.41-70.
- Huda, Shahnaz (2006) (editor). Grey Lives in the Quest of White Gold – Situation Analysis on Child Rights Violations in the Shrimp Sector in the Southwest Coastal Region of Bangladesh; Tutu, Ashraful Alam; Coastal Development Partnership, Khulna.
- Huda Shahnaz (2006). "Dowry in Bangladesh: Compromising Women's Rights" in South Asian Research, Vol. 26 No. 3 2006, pp.249-268.
- Huda Shahnaz (2008). A Child of One's Own—Study on Withdrawal of Reservation to Article 21 of the Child Right's Convention and Reviewing the Issues of Adopton/Fosterage/Kafalah in the Context of Bangladesh; Bangladesh Shishu Adhikar Forum (BSAF), Dhaka.
- Huda Shahnaz (2011). Combating Gender Injustice: Hindu Law in Bangladesh; South Asian Institute of Advanced Legal Studies (SAILS), Dhaka.
- Huda Shahnaz (2016). Five Years After Bangladesh's Domestic Violence (Prevention and Protection) Act: Is it Helping Survivors? -- USAID, BNWLA, PLAN Bangladesh.
- Huda, Shahnaz (2019). "Combating Gender Injustice: Women and the Hindu Law of Personal Status in Bangladesh: A Comparative Analysis" in Revisiting Personal Laws in Bangladesh; BRILL NIJHOFF, Leiden et al; pp. 58–144.
- Huda, Shahnaz (2019). "Gender, Personal Laws and Practices of the Bengali Barua Buddhists of Bangladesh" in Revisiting Personal Laws in Bangladesh; BRILL NIJHOFF, Leiden et al; pp. 195–211.
- Huda, Shahnaz et al (2019). Editor, Revisiting Personal Laws in Bangladesh; BRILL NIJHOFF, Leiden et al.
- Huda, Shahnaz and Islam, Rumana, Islam (2019). 'Social and Legal Implications of Withdrawing the CEDAW Reservations on the Bangladesh Legal System and Norms; Human Rights Programme (HRP), UNDP and University of Dhaka, Bangladesh.

Name	Dr. Shahnaz Huda
Title	Consultant
Organization	ME&A, Inc.
Evaluation Position	Sr. Evaluation Specialist
Evaluation Award Number (or RFTOP or other appropriate instrument number)	BMEL S033
Project(s) Evaluated(Include project name(s), implementer name(s) and award number(s), if applicable)	Mid-term Performance Evaluation of Promoting Peace and Justice (PPJ) Activity
I have a real and/or potential conflict of interest to disclose.	☐ Yes ☒ 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> <i>1. Close family member who is an employee of the DoS operating unit managing the project(s) being evaluated or the implementing organization(s) whose project(s) are being evaluated.</i> <i>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.</i> <i>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.</i> <i>4. Current or previous work experience or seeking employment with the DoS operating unit managing the evaluation or the implementing organization(s) whose project(s) are being evaluated.</i> <i>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.</i> <i>6. Preconceived ideas toward individuals, groups, organizations, or objectives of the particular projects and organizations being evaluated that could bias the evaluation.</i>	
Signature:	
Date:	06/11/2021

AN AGREEMENT BETWEEN

Dr. Shahnaz Huda

(Name of Individual - Printed or typed)

AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

1. Intending to be legally bound, I hereby accept the obligations contained in this agreement in consideration of my being granted access to sensitive data. As used in this Agreement, sensitive data is marked or unmarked "sensitive but unclassified information" (SBU), including oral communications, that meets the standards set by Office of Management and Budget (OMB) Circular A-130 Appendix 3 and the U.S. Agency for International Development (USAID) Automated Directives System (ADS.) I understand that any data or systems of records protected from unauthorized disclosure by the provisions of Title 5, United States Code Sections 552 (often referred to as "The Freedom of Information Act") and 552a ("The Privacy Act") is/are sensitive data. In addition, other categories of information, including but not limited to medical, personnel, financial, investigatory, visa, law enforcement or other information which, if released, could result in harm or unfair treatment to any individual or group, or could have a negative impact upon individual privacy, federal programs, or foreign relations is sensitive data. The term includes data whose improper use or disclosure could adversely affect the ability of the Agency to accomplish its mission, as well as proprietary data and information received through privileged sources or procurement sensitive or source selection information, as those terms are defined by the Federal Acquisition Regulations.
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 - (a) upon demand by an authorized representative of the United States Government; or
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6. These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.

WITNESS		ACCEPTANCE	
THE EXECUTION OF THIS AGREEMENT WAS WITNESSED BY THE UNDERSIGNED		THE UNDERSIGNED ACCEPTED THIS AGREEMENT BEFORE ACCESSING SENSITIVE DATA OF THE UNITED STATES GOVERNMENT.	
SIGNATURE	DATE	SIGNATURE	DATE
			06/11/2021

[REDACTED]

[REDACTED]

[illegible][illegible]

1. **Identify the main components of the system.** List the hardware, software, and data elements involved.

2. **Define the system's purpose and objectives.** What is the system designed to achieve?

3. **Describe the system's architecture.** How are the components interconnected?

4. **Explain the system's operation.** How does the system function?

5. **Discuss the system's performance and efficiency.** How well does the system perform?

6. **Identify the system's limitations and constraints.** What are the system's weaknesses?

7. **Propose improvements and future developments.** How can the system be enhanced?

8. **Conclude the report.** Summarize the findings and conclusions.

Category	Percentage
Very important	10%
Important	25%
Not important	35%
Don't know	30%

[illegible]

●

1. **Identify the main components of the system.**
 2. **Define the scope and objectives of the project.**
 3. **Develop a detailed project plan.**
 4. **Implement the project plan.**
 5. **Monitor and evaluate the project progress.**
 6. **Communicate and report on the project status.**
 7. **Close the project and evaluate the results.**

[REDACTED]

A diagram showing a large rectangle divided into four quadrants by a horizontal and a vertical line. The top-left quadrant is labeled 'A'. The top-right quadrant is labeled 'B'. The bottom-left quadrant is labeled 'C'. The bottom-right quadrant is labeled 'D'.

[REDACTED]

T

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Name:	
Title:	Consultant
Organization:	ME&A, Inc.
Evaluation Position:	International Team Member (BMEL S033)
Evaluation Award Number: (or RFTOP or other appropriate instrument number)	GS-10F-154BA (ORDER NO. 72038819M00001)
Project(s) Evaluated: (Include project name(s), implementer name(s) and award number(s), if applicable)	Mid-term performance evaluation of Promoting Peace & Justice (PPJ) Activity
I have real and/or potential conflict of interest to disclose:	☐ YES ☒ NO ☐ NOT APPLICABLE
If yes answered above, I disclose the following: <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 USG 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 USG 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.	
Signature:	
Date:	06/05/2021

AN AGREEMENT BETWEEN


(Name of Individual - Printed or typed)

AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

1. Intending to be legally bound, I hereby accept the obligations contained in this agreement in consideration of my being granted access to sensitive data. As used in this Agreement, sensitive data is marked or unmarked "sensitive but unclassified information" (SBU), including oral communications, that meets the standards set by Office of Management and Budget (OMB) Circular A-130 Appendix 3 and the U.S. Agency for International Development (USAID) Automated Directives System (ADS.) I understand that any data or systems of records protected from unauthorized disclosure by the provisions of Title 5, United States Code Sections 552 (often referred to as "The Freedom of Information Act") and 552a ("The Privacy Act") is/are sensitive data. In addition, other categories of information, including but not limited to medical, personnel, financial, investigatory, visa, law enforcement or other information which, if released, could result in harm or unfair treatment to any individual or group, or could have a negative impact upon individual privacy, federal programs, or foreign relations is sensitive data. The term includes data whose improper use or disclosure could adversely affect the ability of the Agency to accomplish its mission, as well as proprietary data and information received through privileged sources or procurement sensitive or source selection information, as those terms are defined by the Federal Acquisition Regulations.
2. I understand and accept that by being granted access to sensitive data, special confidence and trust has been placed in me by the United States Government.
3. I acknowledge I have been given access to USAID sensitive data to facilitate the performance of duties assigned to me for compensation. I understand it is my responsibility to safeguard sensitive data disclosed to me, and to refrain from disclosing sensitive data to persons not requiring access for performance of official duties. Before disclosing sensitive data, I must determine the recipient's "need to know" or "need to access" sensitive data. I will not use any sensitive data for personal financial gain.
4. I have been advised that any breach of this Agreement may result in the termination of my access to sensitive data, which, if such termination effectively negates my ability to perform my assigned duties, may lead to the termination of my employment or other relationships with the Departments or Agencies that granted my access. I am aware unauthorized release or mishandling of sensitive data may be grounds for adverse action against me. In addition, I have been advised unauthorized disclosure of data protected by the Privacy Act may constitute a violation, or violations, of United States criminal law, and that Federally-affiliated workers (including some contract employees) who violate privacy safeguards may be subject to disciplinary actions, a fine up to \$5,000.00, or both.
5. I understand all sensitive data to which I have access or may obtain access by signing this Agreement is now and will remain the property of, or under the control of the United States Government. I agree that I must return all sensitive data which have, or may come into my possession or for which I am responsible because of such access:

- (a) upon demand by an authorized representative of the United States Government; or
- (b) upon the conclusion of my employment or other relationship with the Department or Agency that last granted me access to sensitive data; or
- (c) upon the conclusion of my employment or other relationship that requires access to sensitive data.

Unless and until I am released in writing by an authorized representative of the United States Government, I understand that all conditions and obligations imposed upon me by this Agreement apply during the time I am granted access to sensitive data, and at all times thereafter.

6. These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.

WITNESS		ACCEPTANCE	
THE EXECUTION OF THIS AGREEMENT WAS WITNESSED BY THE UNDERSIGNED		THE UNDERSIGNED ACCEPTED THIS AGREEMENT BEFORE ACCESSING SENSITIVE DATA OF THE UNITED STATES GOVERNMENT.	
SIGNATURE	DATE	SIGNATURE	DATE
			06/05/2021

Candidate: Arafat Hosen Khan

Nationality: Bangladeshi

Position: Evaluation Specialist / Legal Expert

Education

Barrister –at Law, University of Law, UK	2009
M.A. in Global Ethics and Human Values, King's College London, UK	2013
LLB, University of Essex, UK	2008
O'Brien Fellow in Residence, Centre for Human Rights and Legal Pluralism, McGill University, Montreal, Canada	2019

Key Qualifications

Arafat Hosen Khan is a fully qualified English Barrister and Advocate of the Supreme Court of Bangladesh with an advanced degree in law. He is a Partner at Apex Court Chambers and a Senior Lecturer in the Department of Law, North South University, Dhaka. Mr. Khan has also acted as an independent consultant in Constitutional Law, Democracy, and Contemporary Human Rights issues. He is also a member and Board of Trustee of the Institute of Inclusive Policy (IIP), a leading research-based think-tank in Bangladesh. Mr. Khan has significant experience in institutional capacity building for a range of institutions including, Department of Labour (DoL), Department of Inspections for Factories and Establishments (DIFE), criminal justice sector institutions, National Legal Aid Services Organization, Chittagong Hill Tracts (CHT), judicial capacity building among the indigenous population, Bangladesh Parliament, and women police (Police Reform). He is skilled in all aspects of research, from desk review, to the design of research projects, drafting of research instruments, performance of field data collection (interviews, focus groups, surveys, observations), analysis of data, report preparation and the presentation of results, and has twelve years of professional experience including assignments on access to justice and civil society. He has worked all over Bangladesh and with many national and international NGOs focused on the rule of law, access to justice, and human rights, including ILO, DFID, USAID, GiZ, UNDP, CHRI, BLAST, ASK, Manuser Jonno Foundation, and BELA. Mr. Khan worked on several ILO and UNDP projects as a legal expert (National Consultant) including the Justice Sector Facility (JSF) Project and the Justice Sector Strategy Dialogue Project. He worked as a National Consultant for the EU- Legal & Local Governance Expert for Activating Village Courts in Bangladesh (AVCB) Phase II. In addition, he has worked on various public interest litigation matters relating to access to justice and protecting the rights of the poor, women, children, labour, people with disabilities and the indigenous population of Bangladesh. Mr. Khan is a published writer on contemporary legal, political, and human rights issues. He holds an MA in Global Ethics and Human Values from King's College, London, where he was a Chevening Scholar, and was awarded an O'Brien Fellowship in Residence at the McGill Centre for Human Rights and Legal Pluralism, Faculty of Law, McGill University, Montreal, Canada.

Consulting Experience

Jan 2021, Consultant (Legal Expert), "A Study to scope out existing legislative and policy frameworks for ending violence against marginalized women and girls in the workplace" - Women Rights & Gender Equity, ActionAid Bangladesh

Nov - Dec 2020, Consultant (Legal Expert), Introducing and Employment Injury Scheme, ITCILO- International Training Centre, ILO, Turin - Italy

Sep - Oct 2020, Legal & Policy Expert- Consultant, GFEMS RMG Law and Policy Analysis Study, National Opinion Research Center (NORC), University of Chicago

March 2020, Legal Expert- Consultant, Employment Injury Protection Scheme (EIPS), Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH German Development Corporation, Dhaka Office, Bangladesh

July 2019, Third Party monitor, USAID Bangladesh Monitoring, Evaluation and Learning (BMEL) Activity, ME&A

July 2019, Workshop Co-Facilitator, USAID Bangladesh Monitoring, Evaluation and Learning

(BMEL) Activity, ME&A

June 2019, Third Party monitor, USAID Bangladesh Monitoring, Evaluation and Learning (BMEL) Activity, ME&A

March 2019, National Legal Expert, International Labour Organization (ILO) Country Office in Bangladesh

Jun – Dec 2017, National Legal Expert, International Labour Organization (ILO) Country Office in Bangladesh

Apr 2018, National Legal Expert, Justice Defenders Program, The American Bar Association (ABA), Center for Human Rights

Dec 2017 – Jan 2018, National Consultant (External Independent Evaluator), International Labour Organization (ILO) Country Office in Bangladesh

Nov 2017, National Legal Consultant for Danish Working Environment Authority, Royal Danish Embassy, Dhaka.

May – Jun 2017, National Consultant, Improving Working Conditions in the RMG Sector programme in Bangladesh, International Labour Organization (ILO) Country Office in Bangladesh

Jun – Oct 2016, National Consultant, Danish Working Environment Authority, Royal Danish Embassy, Dhaka.

Jun 2016, National Consultant (External Independent Evaluator), ILO Shrimp Project in Bangladesh

Mar – May 2016, Research Consultant, BRAC University and SAILS (South Asian Institute of Advance, Legal and Human Rights Studies)

Jan – Feb 2016, National Consultant (External Independent Evaluator), Promoting Fundamental Rights and Labour Relations in Export Oriented Industries in Bangladesh (FRLR) Project, International Labour Organization (ILO) Bangladesh

Aug – Dec 2015, National Consultant, Promoting Fundamental Rights and Labour Relations in Export Oriented Industries in Bangladesh (FRLR) Project, International Labour Organization (ILO) Bangladesh

Nov – Dec 2015, Legal Consultant, ActionAid Bangladesh under ACB project

Feb – March 2015, National Consultant (Legal & Local Governance Expert), Activating Village Courts in Bangladesh (AVCB), Phase II Formulation Mission, EU, Bangladesh

June - Oct 2014, National Consultant (Legal Expert to Support Case Monitoring and Coordination Expert), Justice Sector Facility (JSF) Project, UNDP, Bangladesh.

April - June 2014, National Consultant, Development of a Directory of Expertise for the Parliamentary Committee on *Ministry of Law, Justice & Parliamentary Affairs* Improving Democracy through Parliamentary Development (IPD) Project, UNDP, Bangladesh.

April 2014, Research Consultant, The Commonwealth Human Rights Initiative (CHRI), New Delhi, India.

May - Oct 2013, National Consultant, Improving Democracy through Parliamentary Development (IPD) Project, UNDP, Bangladesh.

Oct - Nov 2011, National Consultant, United Nations Development Programme (UNDP), Bangladesh

Other Work Experience

Nov 2013- to date

Advocate, Bangladesh Supreme Court, Dhaka, Bangladesh

Dec 2014- to date

Faculty Member (Senior Lecturer), Department of Law, North South University (NSU), Dhaka, Bangladesh

Jun 2011- to date

Legal Consultant, Bangladesh Legal Aid and Services Trust (BLAST), Dhaka, Bangladesh

Mar 2015- to date

Partner, Apex Court Chambers [www.apexcourtchambers.com], Dhaka, Bangladesh

Aug 2020- to date

Member, Board of Trustee, Institute for Inclusive Policy (IIP) [<http://www.iip-bd.org/>], Dhaka, Bangladesh

Sep 2009-Dec 2014

Associate, Dr. Kamal Hossain and Associates [www.khossain.com], Dhaka, Bangladesh

Publications

Book

- Khan, Arafat, *"The Right to Equality of the Indigenous Peoples of Bangladesh: An Analysis of the Challenges to the Peace Accord"* (Saarbrücken, Germany: Lambert Academic Publishing, 2012)

Articles

- Khan, Arafat, *"Protecting Human Rights: Situation of Rohingya Refugees in Bangladesh during Covid-19"* (2020), 4 PKI Global Justice Journal 30, Queen's University, ON, Canada. (<https://globaljustice.queenslaw.ca/news/protecting-human-rights-situation-of-rohingya-refugees-in-bangladesh-during-covid-19>)
- Khan, Arafat, *"Restrictions on Freedom of Expression: Getting the Right Balanced"* (June, 2015), Journal of International Relations, (Vol. VI, No. 6, pp: 181-190), Jahangirnagar University, Savar, Dhaka-1342, Bangladesh.
- Khan, Arafat, *"Capability Approach and its Universality"* (December, 2013), Journal of the Chevening Society of Bangladesh, (Vol. 02, Issue. 01, pp. 163 - 182), British High Commission, Dhaka, Bangladesh. (<http://csb.org.bd/journal.html>)
- Khan, Arafat, *"Ethics and Action of Law Enforcement Agency in Bangladesh: A Study on RAB"* (September, 2013), Journal of the Society & Changes (Vol. VII, Issue. 03, pp. 51 - 69), University of Dhaka, Dhaka, Bangladesh. (<http://www.societyandchange.com/images/2013/allpagesjulysept.pdf>)
- Khan, Arafat Hosen, *"Bangladesh charts a cleaner, fairer way forward"*, Bangkok Post, Bangkok, Thailand, October, 2019 <https://www.bangkokpost.com/opinion/opinion/1781349>
- Khan, Arafat Hosen, *"Pluralism in Women's Property and Inheritance Rights – Challenges for realizing human rights in Bangladesh and India"* McGill Centre for Human Rights and Legal Pluralism, Faculty of Law, McGill University, 11 October, 2019
- <https://mcgill.ca/humanrights/article/universal-human-rights/pluralism-womens-property-and-inheritance-rights-challenges-realizing-human-rights-bangladesh-and>
- Khan, Arafat, and Mahbub, Saqeb *"Consumer Law in Bangladesh: An Overview"* (February, 2014), South Asian Jurist Magazine, (Issue. 04, pp. 07 - 10); <http://www.joomag.com/magazine/south-asia-jurist-volume4/0816982001388859425?page=23>, Date accessed: 20th September, 2014.
- *"Ensuring Effective Policing: Bangladesh High Court's Guidelines on Arrest Without Warrant"*, Network for Improved Policing in South Asia (NIPSA) [Online], May 2010; <http://www.blast.org.bd/news/news-reports/91-nipsa> Date accessed: 30th May, 2010.
- *"Asylum Seekers: Duty of the First World"*, *Law Inter Alia* [University of Essex, UK] December 2007.
- *"Fighting Lawlessness with Lawlessness"*, *Law Inter Alia* [University of Essex, UK] December 2006.

Name	Barrister Arafat Hosen Khan
Title	Consultant
Organization	ME&A, Inc.
Evaluation Position	Evaluation Specialist
Evaluation Award Number (or RFTOP or other appropriate instrument number)	BMEL S033
Project(s) Evaluated (Include project name(s), implementer name(s) and award number(s), if applicable)	Mid-term Performance Evaluation of Promoting Peace and Justice (PPJ) Activity
I have a real and/or potential conflict of interest to disclose.	☐ Yes ☒ No
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Signature:	
Date:	06/12/2021

AN AGREEMENT BETWEEN			
Barrister Arafat Hosen Khan (Name of Individual - Printed or typed)			
AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT			
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WITNESS		ACCEPTANCE	
THE EXECUTION OF THIS AGREEMENT WAS WITNESSED BY THE UNDERSIGNED		THE UNDERSIGNED ACCEPTED THIS AGREEMENT BEFORE ACCESSING SENSITIVE DATA OF THE UNITED STATES GOVERNMENT.	
SIGNATURE	DATE	SIGNATURE	DATE
			