USAID/MYANMAR (BURMA)

PROMOTING THE RULE OF LAW PROJECT

QUARTERLY REPORT: July to September 2014

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# USAID Promoting the Rule of Law
Quarterly Report July to September 2014

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**LIST OF ACRONYMS**

| ADR    | Alternative Dispute Resolution                        |
| CDR    | Chief of Party                                         |
| COR    | Contracting Officer’s Representative                   |
| CSO    | Civil Society Organization                             |
| DCOP   | Deputy Chief of Party                                   |
| INGO   | International Non-Governmental Organization            |
| JICA   | Japanese International Cooperation Agency              |
| LGBT   | Lesbian, Gay, Bisexual, and Transgender                |
| LNGO   | Local Non-Governmental Organization                    |
| MCC    | Myanmar Council of Churches                            |
| MJN    | Myanmar Journalists Network                            |
| MJU    | Myanmar Journalists Union                              |
| MLAW   | Myanmar Legal Aid Network                              |
| MP     | Member of Parliament                                   |
| NDI    | National Democratic Institute                          |
| OSCU   | Office of the Supreme Court of the Union               |
| PMP    | Performance Monitoring Plan                            |
| PRLP   | USAID Promoting the Rule of Law Project                |
| ROL    | Rule of Law                                            |
| SGBV   | Sexual and Gender-Based Violence                       |
| UAGO   | Union Attorney General’s Office                        |
| UNDP   | United Nations Development Program                     |
| USAID  | United States Agency for International Development     |
| USG    | United States Government                               |
I. EXECUTIVE SUMMARY

Genuine progress in the reform environment was evident during the fourth quarter of the United States Agency for International Development (USAID) Promoting the Rule of Law Project (PRLP). The quality of engagement with PRLP’s justice sector and civil society counterparts was high during this period, and significant demonstrable outcomes were the result.

The Office of the Supreme Court of the Union (OSCU) displayed a real commitment to its reform efforts over the next three years with the work completed on its strategic plan. PRLP worked with the country’s leading rule of law civil society organizations (CSOs) through rule of law/access to justice trainings and workshops to improve the organizational capacity of these CSOs to implement their own rule of law programs. Incoming judges were the first ever to receive modern training on case and court management and media skills. PRLP worked with two of the country’s largest journalist organizations to build capacity of young reporters. Grants addressing critical access to justice issues were finalized with some of the most important and promising CSOs. And importantly, in coordination with the Supreme Court, PRLP launched the first ever pilot court program in the country.

These and similar efforts are providing PRLP with a durable foundation upon which the program can further work with counterparts and encourage their growth and commitment to national rule of law (ROL) reform and provision of quality legal services and awareness among all communities. Summaries of a few of PRLP’s key achievements during the past three months appear below.

Judiciary’s Strategic Plan The OSCU’s stalled efforts to develop a strategic plan were resuscitated, largely with PRLP support, and resulted in a plan to guide OSCU initiatives from 2015 – 2017. The Plan includes five strategic priorities – Protect Public Access to Justice, Promote Public Awareness, Enhance Judicial Independence and Accountability, Maintain Commitment to Ensuring Equality, Fairness and Integrity of the Judiciary, and Strengthen Efficiency and Timeliness of Case Processing – that evidence a strong commitment to serving the public.

Pilot Court Program Public-oriented court facilities, mechanisms that increase access to court information and alternatives to judicial resolution of disputes are separate initiatives that cannot be implemented across the country simultaneously. An important step to facilitating these and other activities was the launch of the pilot court program, where activities, especially those most beneficial to citizens, can be developed, tested, and re-tooled if necessary. Pilot court action plans for the Hlaing Thayar Township Court in Yangon, Taungoo District Court in Bago Region, and Pha-an Township Court in Kayin State are closely aligned with, and in some cases directly incorporated into, the judiciary’s strategic plan. After the first year of implementation, pilot court best practices and lessons learned will be developed into a manual so that courts, often with limited resources, can begin to replicate these activities throughout the country.

Media Engagement The justice sector’s relationship with the media is not an easy one, with a judiciary largely lacking basic skills on media engagement and a media often in need of basic investigative journalism training. PRLP addressed both sides of the issue in the fourth quarter through investigative journalism training for the Myanmar Journalists Union and Myanmar Journalists Network, media skills training for the 69 candidates selected to join the judiciary this
year, and development of a court reporters handbook. Similar activities will continue into the next quarter as PRLP looks to support the Supreme Court’s efforts to develop its first public information functions at the Supreme and High Courts.
II. RESULTS FRAMEWORK

The results framework below represents how PRLP’s objectives and program components support United States Government (USG) assistance goals. Project activities are designed pursuant to program components and aligned so as to advance the objectives and results outlined in the USAID results framework and PRLP contract.

**USG Assistance Goals:**
- Prosperous, democratic, and stable country that reflects the diversity and aspirations of its people, is responsibly integrated into the international system, and plays a productive role in advancing regional economic growth and security.
- Transparent, accountable, responsive, and participatory processes and institutions.

**Overall Project Goal:** Promote and protect the rule of just laws and civil liberties in Burma as a means of supporting the democratic transition and bridging the center-periphery divide.

The specific expected results of the PRLP are further elaborated in the following chart.

<table>
<thead>
<tr>
<th>PRLP Target Results</th>
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<tbody>
<tr>
<td><strong>Objective/Component</strong></td>
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<tr>
<td>Objective 1: Promote More Effective, Accountable and Accessible Justice Sector Institutions</td>
</tr>
</tbody>
</table>
| 1.1 Support the Development of a Comprehensive Strategy for National Rule of Law Reform | • Result 1.1.1: Increased understanding by justice sector institutions and Civil Society Organizations (CSOs) of comparative legal frameworks and best practices  
• Result 1.1.2: Construction of a comprehensive and coordinated strategy for rule of law reform and improved legal framework is supported  
• Result 1.1.3: In-depth analysis of justice sector issues and needs is supported |
<table>
<thead>
<tr>
<th>Objective/Component</th>
<th>Results</th>
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<tbody>
<tr>
<td><strong>Objective/Component</strong></td>
<td><strong>Results</strong></td>
</tr>
</tbody>
</table>
| 1.1 Increase the Capacities of UAG in the Oversight of Executive Legislative Initiatives and Professional Development | - Result 1.1.1: Capacity of key government justice sector institutions to effectively participate in the development of a comprehensive rule of law strategy is enhanced  
- Result 1.1.2: Roles, mission and function of justice sector institutions, and how they should operate together, defined  
- Result 1.1.3: Public participation, primarily through CSOs, in the development of a national rule of law strategy is promoted and supported  
- Result 1.1.4: Capacity of CSOs to effectively participate in the process is enhanced  
- Result 1.1.5: Development of a comprehensive sector wide rule of law strategy is promoted and supported |
| 1.2 Enhance the Capacities of UAGO in the Oversight of Executive Legislative Initiatives and Professional Development | - Result 1.2.1: Capacity of the UAGO to provide legislative drafting oversight to executive branch ministries is strengthened  
- Result 1.2.2: Capacity of ministries to draft legislation using best practices is improved  
- Result 1.2.3: Gaps in gender-related laws and policies are identified and addressed  
- Result 1.2.4: Efforts to make information about legal procedures available to the public is promoted and supported  
- Result 1.2.5: Professional development in the UAGO and among public defenders or legal aid providers supported |
| 1.3 Support to Judicial Self-Governance and Judicial Reform | - Result 1.3.1: Capacity of the judiciary to adjudicate cases in a manner that is timely, effective, impartial, and free from outside influence is enhanced  
- Result 1.3.2: Administration of justice improved through increased ability to monitor and analyze caseload, and implement performance standards  
- Result 1.3.3: Reforms to the process of selecting and appointing judges supported  
- Result 1.3.4: Integrity enhancing measures promoted and supported  
- Result 1.3.5: Efforts to make information about judicial procedures available to the public promoted and supported  
- Result 1.3.6: Professional development of the judiciary is supported |
| 1.4 Develop the Capacity of Civil Society to Engage in Public Policy Development and Advocacy | - Result 1.4.1: Capacity of CSOs to participate in policy dialogues related to rule of law reform, human rights, access to justice, and other related issues is strengthened  
- Result 1.4.2: Capacity of CSOs to manage and implement ROL projects, including the provision of services to SGBV victims and advocacy for women’s rights is enhanced  
- Result 1.4.3: Selected advocacy initiatives of CSOs in the ROL sector are supported  
- Result 1.4.4: Coalition-building for CSOs with shared interests in ROL issues is supported  
- Result 1.4.5: Public participation in policy debates, including in the planning of ROL reform and the drafting of legislation, is increased  
- Result 1.4.6: Accurate and up-to-date information is provided by media  
- Result 1.4.7: Public opinion is accurately measured, tracked and disseminated widely  
- Result 1.4.8: Independence and professionalism of the Bar Association are promoted |
| Objective 2: Increase Legal Literacy, Access to Justice and the Participation of | - Result 2.1: CSO community level services to increase access to justice, legal literacy, human rights protection, and civic participation in related policy dialogues are supported  
- Result 2.2: Capacity of CSOs to manage and implement ROL projects is |
<table>
<thead>
<tr>
<th>Objective/Component</th>
<th>Results</th>
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<tbody>
<tr>
<td>Marginalized Populations in Target Regions/States</td>
<td>strengthened</td>
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<tr>
<td>▪ Result 2.3: Networking among CSOs and between CSOs and different levels of local government (e.g. region/state, district and township) is supported</td>
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<tr>
<td>▪ Result 2.4: Capacity of CSOs to actively and effectively participate in rule of law related policy dialogues is strengthened</td>
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</tr>
<tr>
<td>▪ Result 2.5: Public participation, especially by marginalized and vulnerable groups, in local policymaking is increased</td>
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<tr>
<td>▪ Result 2.6: Capacity of the local media to provide accurate and up-to-date information and perform a watchdog role is enhanced</td>
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<tr>
<td>▪ Result 2.7: Dialogue and trust building activities between local communities and police and other security actors are supported</td>
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<tr>
<td>▪ Result 2.8: Services of local courts, legal aid providers, and other justice system actors in the region/state are improved</td>
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<tr>
<td>▪ Result 2.9: If present, independence and professionalism of bar associations are assisted</td>
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III. PROGRAM ACTIVITIES BY OBJECTIVE/COMPONENT

PRLP’s activities with both civil society and the judiciary continued to intensify in the fourth quarter with some key results realized, including the drafting of a Judiciary Three Year Strategic Plan that provides a strategic framework for project activities with the judiciary going forward.

Objective 1: Promote More Effective, Accountable and Accessible Justice Sector Institutions

PRLP’s Objective 1 contemplates a multi-dimensional approach to promoting authentic and sustainable reform in the justice sector and greater public participation in policy making around justice reform.

Under the Statement of Work, the Project is to engage key national stakeholders and civil society to engender consensus on a national rule of law strategy suited to Myanmar’s needs and conditions. PRLP is expected to engage key justice institutions, the judiciary, and the Union Attorney General’s Office (UAGO) to promote an enhanced legal framework with wide public input and strengthen the judiciary’s independence and professionalism. Finally, PRLP should engage key civil society stakeholders and stimulate the justice sector research, advocacy, dialogue, and public awareness activities needed to promote political and public will for justice sector reform and modernization.

The following sections summarize progress toward the first project objective under this integrated results framework. As evidenced below, many strong linkages among the result areas emerged over the project’s first year, resulting in project activities which are greater than the sum of the parts. For example, the court user satisfaction survey is augmenting data on the justice sector needed for national reform strategy development and civil society advocacy while stimulating reform commitment in the judiciary. PRLP will continue to prioritize activities that have strong potential for multiplied impact.

1.1 Support the Development of a Comprehensive Strategy for National Rule of Law Reform

A consensus-based national justice sector reform strategy will ensure justice and rule of law reform is effective, needs-driven, coordinated, and comprehensive. In the fourth quarter, PRLP continued to lay the groundwork for development of a comprehensive justice sector reform strategy that reflects public input and fits Myanmar’s context. A significant amount of awareness raising and analysis on the current situation is needed before a quality, locally-owned reform strategy can emerge. In the fourth quarter (hereinafter “Q4”), PRLP continued to perform key data analyses and promote stakeholder understanding of legal and justice sector best practices, key steps toward a national strategy that benefits Myanmar’s citizens.

Build the Capacity of Justice Sector Stakeholders and CSOs to Participate in the Development of a National Justice Sector Reform Strategy

PRLP worked on various fronts to develop the understanding of justice sector institutions and CSOs of best practices and comparative legal frameworks, to enable them to participate effectively in the development of a justice sector reform strategy.
**Publication of a Justice Sector Best Practices Report.** While there have been several efforts by international non-governmental organizations (INGOs) and CSOs to qualitatively analyze the rule of law needs in Myanmar, understanding of justice sector reform is hindered by a lack of information on comparative best practice models. To address this shortcoming during Q4, PRLP completed its *Justice Sector Best Practices in the Asia Region and Globally*, in both English and Myanmar.

The report is structured around primary elements required for rule of law reform to take hold (set forth below). For each element, the report provides substantial information on international justice sector standards and practices, with a focus on the Asia region.

- **Pillar 1:** Independent, professional, self-governed, and accountable judiciary
- **Pillar 2:** Justice actors are of the highest competence and integrity and remunerated accordingly
- **Pillar 3:** Modern and fair criminal justice system
- **Pillar 4:** Public confidence and access to justice for all regardless of income or status
- **Pillar 5:** Modern legal framework that enjoys public support

The report is designed to facilitate stakeholders’ ability to analyze for themselves how the Myanmar justice sector compares to regional and international norms and models and what solutions from global experience might be effectively adapted to the Myanmar context. As the quarter came to a close, PRLP was preparing to pilot test this approach through a civil society consultation meeting in which 30 to 35 justice sector stakeholders – including lawyers, retired judges, CSO leaders, business representatives, activists, academics, and media – will analyze and recommend practical justice sector reform solutions. Looking to Year 2, PRLP will engage a wider range of constituencies to accelerate the emergence of a stakeholder consensus on rule of law reform priorities and solutions.

The current version of this report is attached, and PRLP will continue to supplement the report as new and relevant information is made available.

**Support to Judiciary Strategic Planning.** As an independent institution at the heart of the justice system, the judiciary is in a position to drive justice sector reform strategy if the will and capacity are present. PRLP has therefore concentrated significant effort on working with reformers in the judiciary to build the judicial leadership’s understanding of justice sector best practices and judicial strategic planning methods and principles. PRLP recognized that if the judiciary could develop a quality strategic plan meeting international standards, it could become a foundation for a broader, national justice sector reform strategy. In addition, the analysis and debate involved in developing such a plan would empower the judiciary’s leaders to be dynamic participants in a national justice sector reform strategy process.

Building on the June strategic planning workshop for senior OSCU officials, from August 25 through September 9, PRLP provided technical assistance to the OSCU’s Planning Team to complete a draft of a Three Year Strategic Plan, with one-year action plans (see attachment). PRLP was informally told that the Chief Justice has endorsed the plan and the goal is to finalize the plan by the end of October for publication.

The strategic planning process necessarily invokes broad rule of law principles and thus gave the Supreme Court an important opportunity to review international models and experiences. Positively, the OSCU Planning Team, which was tasked with development of the strategic plan
The details of the OSCU strategic planning effort are set forth in Component 3, below.

**Capacity of CSOs to Effectively Participate in the Process is Enhanced**

**Rule of Law and Access to Justice Workshop.** The need for greater understanding on the part of civil society on rule of law and access to justice principles, standards, and best practices is significant. Recognizing this gap, on August 18-19, PRLP conducted a significant CSO workshop on *Introduction to Rule of Law and Access to Justice* in Yangon. The training was attended by 24 CSO representatives from Yangon and PRLP’s target regions - Kayah State, Mon State, Kayin State, and Hlaing Thayar Township on the fringe of Yangon.

While donors have widely engaged in technically specific trainings on issues such as gender-based violence, there has been limited support to provide civil society with a foundational and practical understanding of the types of international justice sector standards and tools that will be required for civil society to actively participate in a national rule of law reform effort or to cultivate practical skills in research methods in the rule of law context. The workshop included opportunities for participants to evaluate current rule of law reform priorities (see text box).

As part of the activity, PRLP conducted its 35-question justice sector opinion questionnaire collecting further data on the following:
- Opinions on justice sector institutions’ performance and accessibility
- Where citizens seek justice and dispute resolution services
- Awareness of the law and how to access the justice system
- Accessibility of legal information
- Extent and sources of community conflict

As a further benefit, CSO representatives were given various networking opportunities and sessions were organized to allow CSOs to identify ways their different organizations could cooperate on rule of law reform issues in the future. In Year 2, PRLP will take this effort a step further and has begun development of a justice sector working group model which could serve as a substantial and organized counterbalance to government proprietorship of a national rule of law strategy.

**Access to Justice and Administrative Law Comparative Study.** Although the basic constitutional and legal framework elements for an effective, accountable justice system are, theoretically, in place, the legal framework itself has received little critical analysis and implementation of recent laws in the sector remains untested. PRLP conducted a rapid analysis of legal framework gaps inhibiting the effectiveness of justice institutions and how they can fulfill their role in a democratic checks and balances system. After consultations with PRLP’s Contracting Officer’s Representative (COR), Mark Silva, it was decided to initially support a comparative law analysis of administrative justice systems and application of constitutional writs.
In Myanmar, the judiciary’s authority to review legality of executive administrative actions is limited to writs procedures and the Supreme Court has exclusive jurisdiction over such cases. Well-functioning democracies have developed administrative justice systems that allow for judicial review of executive branch actions, a critical mechanism for ensuring access to justice and promoting accountability and checks and balances in a constitutional separation of powers system.

PRLP engaged a respected comparative law expert, Dr. Melissa Crouch, based in Singapore, to develop a comparative law study focused on administrative law policies and procedures. The Report was completed in mid-September (see attached) and covers several topics:

- Judicial review of administrative agencies, including explanation of the process of judicial review in Myanmar, and how the development of judicial review of administrative decisions in other countries can provide a crucial point of comparison.
- Non-judicial mechanisms of review that exist in Myanmar, and recent global trends in non-judicial mechanisms of review that may be suitable for Myanmar.
- The broader system of legal education and legal practice, including legal non-government organizations.

While seemingly a highly technical subject, the importance of a well-structured administrative law system cannot be overstated. As Myanmar continues to go through a period of transition and legal reform, the role of government and the provision of government services is likely to significantly increase in terms of the extent to which government departments regulate the lives of citizens. It is therefore important that a firm foundation is laid for checks and balances on executive power, and clear procedures in place to regulate the administration in a way that promotes transparency and accountability in governance.

To help promote an informed application of administrative law and writ procedures, the report provides short and long term recommendations on substantive and procedural aspects of administrative law, as well as recommendations that affect the broader legal system. If, consistent with international standards, judicial review is ultimately expanded in Myanmar, then the Supreme Court alone will lack the bandwidth to review all administrative appeals. Development of a national, decentralized administrative justice system would be needed, the norm in many developed countries.

In the first quarter of Year 2, PRLP is looking for opportunities to continue to provide information on this subject to relevant stakeholders. PRLP is currently coordinating with National Democratic Institute (NDI) for a Hluttaw roundtable with members of Parliament (MPs). The OSCU is in the process of developing a writs department and PRLP will seek to support this effort. Given its importance, PRLP will continue to work with USAID and other USAID programs to support understanding and transparent application of administrative law and constitutional writ procedures, including promoting citizen awareness of the mechanisms governing review of government decisions available to them.

**Support In-Depth Justice Sector Analyses in Support of National Reform Strategy Development**

When PRLP commenced, there was a severe lack of data on justice-related issues. Even if political will existed to develop a national justice sector reform strategy, the lack of available
data on strengths, gaps, and potential solutions would impede meaningful progress. Gradually, the data gap is being filled with the efforts of PRLP and other actors.

Recognizing that the full range of data analysis required is beyond PRLP’s resources, PRLP circulated a checklist of needed data analysis projects to the United Nations Development Programme (UNDP), Japanese International Cooperation Agency (JICA), and other donors in the rule of law sector. PRLP is continuing to coordinate with UNDP and others about research and analysis being undertaken by different organizations, with the next meeting on this topic scheduled for October at UNDP’s offices.

Using the checklist as a guide, PRLP has been systematically carrying out key data analyses.\(^1\) Prior to the fourth quarter, PRLP carried out a number of analyses using a variety of methods including:

- Assessment of rule of law challenges and CSO activity mapping (series of CSO focus groups)
- Study on gender-related barriers to access to justice (US gender expert; CSO focus groups)
- Judicial operations assessment (US expert consultancy; interviews, record and statistical reviews, and court site visits)
- National court administration capacity analysis (US expert consultancy; document reviews and interviews with OSCU officials)

In the most recent quarter, PRLP incorporated the data findings into workshops with justice sector actors and CSOs to promote wide awareness of system strengthens and weaknesses. As political will to move forward on creation of a national reform strategy rises, the analysis results will greatly facilitate strategy development and ensure the final reform strategy corresponds to empirically-based priority needs.

The following analyses were commenced or completed in the fourth quarter:

**National Caseload Analysis.** In February and March, visits by PRLP to three courts in Yangon indicated fairly low caseloads in the Myanmar courts, particularly with respect to civil disputes. Anecdotal reports further indicated people tend to resolve disputes outside of court amicably or with the assistance of community leaders or government officials. Some of the explanations informed observers offered were: high cost of attorneys; distrust of the courts; and, lack of legal awareness of average citizens who are simply surviving day-to-day.

To obtain a more accurate and complete understanding of court system usage, and sufficiency of current judicial resources and capacities, PRLP requested national caseload data from the OSCU. That data found that the usage of the courts is actually much higher than initially believed. Nationally, the total number of criminal case filings in 2012 was close to 1 million: 888,510 criminal and 40,896 civil cases. In Taungoo, the Township Court processed more than 10,000 cases in 2013 alone. Hpa-An Township Court, in a city of only 50,000 people, processes more than 3,000 cases per year.

As economic activity rises, the performance of the courts improves, and public trust rises, the caseloads should grow substantially in the coming years, making the courts a significant

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1 In addition to PRLP’s direct analytical work, under the PRLP grants program, evaluative criteria favored applications that incorporated justice sector research and data analysis activities. PRLP grantees’ analytical activities will further fill gaps in the supply of justice sector data.
institution for average Myanmar citizens. It will be important for the judiciary to anticipate these trends to have the resources, systems, and practices in place to meet the demand effectively.

**Closed Case Survey.** The judiciary maintains basic caseload statistics. Not surprisingly, since case management systems are manual, it has limited data on case processing times, number of events per case, and reasons for delay. Detailed case flow data is essential to develop tailored case management and other solutions to improve judicial performance and build public trust and confidence.

As a substitute for data that would generally be available from a modern case management system, PRLP worked with the judiciary to organize a closed case survey of a random sample of civil and criminal cases closed in 2013 as part of the OSCU pilot court program described below. The survey took place in August and involved the review of a random sample of 277 criminal and 148 civil cases across the three pilot courts. For different cases types (e.g., theft, breach of contract) the PRLP survey teams compiled data on case durations, dispositions (e.g., conviction, acquittal, and dismissal), number of postponements, reasons for postponements and length of any appeals process. The survey includes data on performance of prosecutors (law officers), lawyers, police, experts, and other justice sector actors, not only the courts. For example, the survey captures if a postponement was the result of the prosecutor's unavailability, lack of preparation, or failure to produce a witness or expert.

Among the findings, the survey surprisingly found most cases are not complex in nature. Additionally, case durations in the three pilot courts are not excessive in relation to global standards\(^2\):

![Case Durations - Civil (Days)](image)

![Case Durations - Criminal (Days)](image)

However, the number of scheduled hearings per case is exceedingly high, causing significant waste and inefficiency, in addition to citizen frustration. In one of the surveyed courts, for example, an average of 22 hearings were scheduled per civil case, seven of which were postponed. The practical impact of such inefficiencies is that parties, attorneys, and witnesses are required to appear at the court repeated times unnecessarily for a standard claim. This situation is not uncommon in many countries, and while direct costs to litigants and the courts are hard to ascertain, it is generally understood as a major source of low public trust and confidence in the courts around the world.

In Year 2, PRLP will continue working with the OSCU to collect similar information so as to inform targeted interventions in pilot courts and provide data to the OSCU for purposes of

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\(^2\) The American Bar Association recommends case duration time standards of 6 to 24 months depending on case type and complexity.
identifying quantifiably-based needs and developing strategies that support a national rule of law reform effort.

1.2 Enhance the Capacities of UAGO in the Oversight of Executive Legislative Initiatives and Professional Development

PRLP’s statement of work anticipates direct assistance to the Union Attorney General’s Office in advancement of a better quality legislation that reflects public input and empirical analysis. However, despite its best efforts, PRLP has been unable to reach agreement with the Attorney General on activity areas that fit within PRLP’s scope of work, on the one hand, and are of interest to the UAGO, on the other. Part of the challenge is that numerous donors, including UNDP and JICA, are already embedded at the UAGO with similar project scopes of work. Other factors may include the overwhelming workload of the UAGO leadership and staff and the fact the Attorney General and the UAGO Director General plan to retire in 2015.

PRLP has kept USAID informed of developments with the UAGO and, in the course of discussions, was encouraged to continue to seek engagement with the UAGO. However, given the impending changes in UAGO leadership substantial activity under this component may need to wait until the 2015 elections are concluded. PRLP is currently coordinating with UNDP to identify points of engagement. PRLP will also remain alert for opportunities to assist the UAGO in reviewing or drafting laws or legislative amendments pertaining to the justice sector.

1.3 Support to Judicial Self-Governance and Judicial Reform

PRLP’s engagement with the judiciary entailed a number of complementary training and technical assistance activities and culminated in the preparation of a draft Judiciary Three Year Strategic Plan which will provide a solid framework for defining project assistance to the judiciary for the coming years.

Support to the Development and Implementation of a National Judiciary Strategic Plan

A. Development of a Judiciary Three Year Strategic Plan

Support to the development of a Judiciary Strategic Plan has been a critical PRLP objective for a number of reasons. Such a plan is a vital tool for a judiciary to develop and set forth its vision for reform, develop priorities, and define systematic interventions to achieve goals. A strategic plan can also serve as a useful instrument for explaining to the public the initiatives the judiciary is undertaking and why, and can be usefully employed to engage at the inter-governmental level to advocate for resources and necessary reforms that require inter-institutional cooperation, such as changes to the civil service. The strategic planning process also provides an implementing partner with the chance to identify reformers within the judicial leadership.

The OSCU Planning Team formed in early 2013 undertook initial assessments, but the initiative lost momentum as senior officials did not buy-in to the results and the OSCU, following consultations with an outside expert, understood that formal strategic planning would require $1.5 million and consume 18 months, furthering dimming interest in the concept.

Fortunately these obstacles were navigated and a Judiciary Three Year Strategic Plan is now being finalized. PRLP was able to renew interest in strategic planning through its first entry-point activity with the judiciary on court budgeting. That technical assistance included discussions about the need to develop an annual budget justification (narrative) that ties to a strategic plan,
necessary in order to secure funding and resources for upgrading the court system. As hoped, those discussions raised interest among judicial leadership for the development of a judicial branch strategic plan.

In response, during the third quarter, PRLP quickly organized a workshop on Judicial Strategic Planning for OSCU officials in Naypyitaw. As a result of the workshop, PRLP prepared and submitted to OSCU a framework for the OSCU’s consideration in its future planning. Upon their further consideration, the OSCU sought PRLP support for a more complete strategic planning activity and from August 25 through September 9, PRLP provided five intense days of on-site technical assistance to the OSCU’s Planning Team to complete a draft of a Three Year Strategic Plan (2015-2017), with one year action plans. At PRLP’s recommendation, an early draft was circulated to OSCU Departmental Directors for comment, to create wide input and buy-in. The plan was subsequently presented to the OSCU Director General, and has since been presented to the Chief Justice whom PRLP understands has offered his informal endorsement and wants to finalize the plan by the end of October for publication.

The Plan includes three prioritization levels across five Strategic Action Areas drawn loosely from the 5 main areas under the US Trial Court Performance Standards, considered the authoritative guide to judicial performance standards. Some of the forward thinking elements of the Plan include:

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<tr>
<th>Strategic Action Area</th>
<th>Key Strategic Initiatives</th>
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</table>
| **Strategic Action Area 1:** Protect Public Access to Justice | • Create public self-help information counters in courts  
• Design and implement pilot modern public intake centers  
• Train judges/court staff on communications/customer service  
• Conduct feasibility study of civil mediation  
• Modernize pilot court facilities to provide adequate and safe access and improve public trust |
| **Strategic Action Area 2:** Promote Public Awareness | • Initiate public information services in courts at different levels  
• Carry out public outreach programs |
| **Strategic Action Area 3:** Enhance Judicial Independence and Accountability | • Develop capacity to administer the unified court budget at the OUSC and High Court levels  
• Review processes for integrated strategic planning and budget priority setting  
• Establish new departments, e.g., Public Information/IT, Writs |
| **Strategic Action Area 4:** Maintain Commitment to Ensuring Equality, Fairness and Integrity of the Judiciary | • Enhance training for judges to achieve equality, fairness, and integrity  
• Skills training for non-judicial court staff to enhance efficiency and public satisfaction  
• Upgrade judicial libraries to enhance judge access to knowledge resources  
• Review ethics code and develop a judicial professional and ethics development strategy |
| **Strategic Action Area 5:** Strengthen Efficiency and Timeliness of Case Processing | • Review and streamline caseflow processes and recordkeeping procedures as needed  
• Initiate development of an automated case management system  
• Prepare an IT master plan for the entire judiciary  
• Develop recommended legislative and/or code changes to promote expedition and timeliness in criminal and civil cases |

To promote its effective implementation, the Strategic Plan includes timelines and responsible persons and, at the suggestion of the OSCU Planning Team, provides for the establishment of a
Strategic Plan Implementation Committee to monitor implementation. The attitudes and comments of the Director General and Planning Team, and positive record of the Chief Justice in following through on commitments, provide some assurance that a serious effort will be made to implement the plan. Still, it will be important for PRLP to support some early initiatives to bolster the Plan’s champions and generate momentum and confidence that the Plan is fully achievable.

B. Support to the Implementation of the Judiciary Strategic Plan

The overall goals of the Strategic Plan are to improve access to justice for Myanmar citizens by raising the professionalism and user responsiveness of the judicial branch. In the fourth quarter, PRLP supported various activities that directly advance the strategic objectives of the judiciary’s strategic plan, as follows:

Strategic Action Area 1: Protect Public Access

Launch of the Pilot Courts Program to Operationalize the Strategic Plan and Develop Models. Since most initiatives cannot be implemented across the country all at once, the PRLP pilot courts program has become critical to the success of the judiciary’s reform efforts. The pilot court interventions have been closely aligned, and in some cases directly incorporated into, the Strategic Plan. During Q4, PRLP made progress in the implementation of the pilot courts program, which covers Hlaing Thayar Township Court in Yangon, Taungoo District Court in Bago Region, and Pha-an Township Court in Kayin State.

Q4, pilot court action plans were also developed following participatory assessments of each court. The Strategic Plan and the pilot courts action plans were developed concurrently, and they are closely linked in that the pilot courts will be the testing grounds for many of the strategic initiatives under the Strategic Plan. The general approach is that once case management, public information, facilities, and other initiatives are developed and evaluated in the pilot courts, they will be rolled out nationwide through adoption of national standards and procedures, incorporation into training programs, and related means.

At PRLP’s suggestion, the OSCU formed a Pilot Court Implementation Committee and a Case Management Committee in the OSCU and Pilot Court Committees in each of the three pilot courts. PRLP commenced meetings with the Pilot Court Committees on September 26 in Hlaing Thayar where the final pilot court action plans were reviewed and solutions to issues such as witness non-appearances and siting of an information desk were discussed.

Pilot court activities also support Objective 2, Expected Result 2.8: Services of local courts, legal aid providers, and other justice system actors in the region/state are improved.

Improve Court Facilities Design for Accessibility and an Improved User Experience. The quality of Myanmar’s courthouses vary widely, but even the best lack key access features such as waiting rooms, public information services, centralized intake areas, and separation of prisoners from judges and victims from offenders. They also are sorely lacking in technology; many courts take witness statements by hand or antiquated typewriters. Facilities upgrading is in progress but needs to accelerate and incorporate modern courthouse design standards.

PRLP continues to support the judiciary’s efforts in this area through expert technical input on facilities designs. In prior quarters, PRLP provided the OSCU Court Facilities and Operations Guidelines, in Myanmar and English, as a basis for development of Myanmar-specific facilities standards. In September, the OSCU requested PRLP to provide revisions to the latest
architectural blueprints for future township courthouses. This activity was in progress at quarter end, with the support of a Myanmar architect. The overall aim is to improve security, accessibility, efficiency, and the experience of users and judicial personnel.

Under the pilot courts program, PRLP is working with the courts to develop a procurement plan with prioritized renovation and equipment needs. These plans will provide a basis for decisions on funding of pilot court facilities improvements by PRLP/USAID and the OSCU. Since the goal of a pilot court program is to model best practices and modern court features, PRLP believes it will be desirable to provide some targeted material support.

**Strategic Action Area 2: Promote Public Awareness**

*Strengthen Media Skills and Court-Media Relations.* To date, judges have lacked confidence to engage the media so negative news coverage goes uncontested even if it is unfair, which compounds the perception some citizens hold of judges as incompetent and self-serving. There is strong interest among the Chief Justice and judges in enhancing relations with the media, as evidenced in the Strategic Plan’s Strategic Objective 2.1: *Improved communication with media and the public.*

Building upon the interest generated at PRLP’s court-media relations workshop for 58 sitting judges and OSCU officials in the third quarter, in September, PRLP conducted a two-day training for 69 incoming judges at the Judicial Training Center in Hlaing Thayar Township in Yangon. The training was conducted by a former Wall Street Journal reporter, Stephanie Buckley, and included mock press conferences and TV news show interviews, filmed by a professional camera crew. The new judges then watched themselves on screen and critiqued performances. This training method was well-received by the Judicial Training Center’s training director, who expressed interest in incorporating similar techniques in future training programs. DVDs of the mock exercises were provided to each participant and OSCU leadership, who expressed interest in repeating the training for sitting judges in the upcoming judges’ refresher training next year.

*Produce a Reporter’s Handbook for Accurate and Up-to-Date Coverage of the Judiciary.* Journalists lack access to information on the judiciary’s structure and procedures, making it difficult for them to report accurately and effectively on the courts. To help remedy this situation, PRLP completed a draft of a *Reporter’s Handbook*, a guide for journalists to report on the courts. The Handbook includes basic information on the court system and judicial process as well as practical tips for reporters in covering the judiciary.

PRLP submitted the draft Handbook to the OSCU Director General in early September, offering the judiciary the opportunity to adopt the Handbook as an official publication of the OSCU. If the OSCU were to issue the Handbook, it would be the first outreach measure toward improving relations between the judiciary and the media. The Director General committed to provide a response by the end of October. If the OSCU declines to adopt the Handbook, PRLP will issue the Handbook to journalists, including the Myanmar Journalists Union and Myanmar Journalists Network, as a project work product, and incorporate it into future training programs for journalists.

*Technical Support to the Development of Court Brochures.* To date, the judiciary has provided citizens very little written information about the courts and judicial procedures. Brochures on the court system, procedures, and related topics can go a long way to improving access by raising citizens’ awareness of the courts and how to navigate them.

During the fourth quarter, PRLP compiled best practice examples of court brochures to share
with the pilot courts, so they can visualize the types of brochures that may be pertinent in the Myanmar environment. PRLP prepared a checklist of brochure categories and topics as an aid to pilot courts in electing which brochures to develop first. Supporting the pilot courts to develop the brochures for display at their courts will be a central activity in the next quarter, and is expected to improve court user satisfaction scores in follow-up court user surveys.

**Strategic Action Area 3: Enhance Judicial Independence and Accountability**

**Enhance Unified Court Budgeting in Furtherance of Judicial Independence and Modernization.** Experience has shown that an effective, unified judicial budgeting system is vital to the establishment of judicial independence and the ability of the judiciary to secure the resources it needs to implement strategic reform initiatives. Under Strategic Objective 3.1 of the Three Year Strategic Plan, the OSCU has prioritized activities to enable it to successfully assimilate its new responsibilities under a unified budgeting system, and engage in budget advocacy vis-à-vis the legislature and executive branches.

Currently, a small team at the OSCU is responsible for manually compiling budget and expenditure reports received from all courts nationwide, a daunting and time consuming task. The manual system creates risks of calculation errors and the time consuming nature of the work severely limits the attention staff can devote to thoughtful budget analysis and preparation of a compelling, well justified budget submission.

To modernize this system, PRLP continued its assistance to the OSCU to develop a financial database solution that will allow the OSCU to perform its new unified budgeting responsibilities effectively. This outcome ideally will raise confidence in the judiciary’s capacity to administer its budget and finances, a key foundational requirement for an independent judiciary. The new software will allow the 14 high courts to easily input and analyze financial data and support automated budget report generation. During Q4, specific assistance included engaging an IT consultant to prepare specifications in consultation with the OSCU. Through a subcontract, PRLP managed a local IT firm to develop the database solution. The test version of the software was presented to the OSCU in Naypyitaw on September 23 and was deemed generally satisfactory, with some minor enhancements requested by the OSCU. The final version of the software is expected to be delivered in October, in time for the OSCU to prepare its first unified budget submission to the Ministry of Finance and Revenue.

**Strategic Action Area 5: Strengthen Efficiency and Timeliness of Case Processing**

**Enhance Case Management for Improved Efficiency and Public Confidence in the Courts.** OSCU officials highlight that enhancing efficiency is a major priority, based on recognition that “justice delayed is justice denied,” and timeliness is directly tied to citizens’ access to justice and public satisfaction with the court system. As noted, citizens currently must spend inordinate time and expense attending an excessive number of court hearings per case.

To support gains in efficiency and timeliness of justice, PRLP court administration consultant Richard Callanan delivered a Case Management Workshop for new judge trainees on September 2–3. The Workshop was a follow-up to a case management workshop for 40 OSCU officials and District Judges in the third quarter.

There was energetic participation and discussion, and the new judge candidates came up with innovative ideas for improving case flow processing and case management. Notably, the students almost unanimously agreed with the desirability of pre-trial management conferences and orders and use of continuous trials, two ideas that PRLP hopes to test with the pilot courts.
Mr. Callanan will provide in-depth case management training to the pilot court judges in the next quarter, as preparation for developing and testing practical case management improvements.

**1.4 Develop the Capacity of Civil Society to Engage in Public Policy Development and Advocacy**

In Myanmar’s context, rule of law reform will require complementing supply side justice sector interventions with civil society and media engagement and support. In this regard, in Q4, PRLP engaged in an integrated set of initiatives with rule of law related CSOs, including grants for national research and advocacy initiatives, support to a justice sector reform working group, and participatory training workshops. PRLP’s strategy is to develop enough understanding and active support for justice sector reform so that, in combination with institutionally driven initiatives, genuine reform that is responsive to citizens’ needs is more likely to occur.

Based on this strategy, during Q4, PRLP significantly increased its engagement with and support for civil society and launched events focused on building the capacity of Myanmar’s media to provide credible reporting on rule of law issues. As PRLP Objective 2 foresees programming that supports access to justice, legal awareness, and advocacy, primarily through the activities of regional CSOs, activities under this component should be read in conjunction with support for the following Expected Results from PRLP Objective 2:

- CSO community level services to increase access to justice, legal literacy, human rights protection, and civic participation in related policy dialogues are supported;
- Networking among CSOs and between CSOs and different levels of local government (e.g. region/state, district and township) is supported;
- Capacity of CSOs to actively and effectively participate in rule of law related policy dialogues is strengthened; and
- Capacity of the local media to provide accurate and up-to-date information and perform a watchdog role is enhanced.

**Capacity of CSOs to participate in policy dialogues related to rule of law reform, human rights, access to justice, and other related issues is strengthened**

*Creation of a Justice Sector Modernization Working Group.* Based on the grants applications received, PRLP identified a gap in relation to advocacy around judicial reform and related justice sector modernization issues. In PRLP’s assessment, justice sector reform is not as high on the executive branch’s reform agenda as it should be. However, the judiciary’s efforts to develop and advocate for a Three Year Strategy should soon draw attention to judicial reform. Nevertheless, civil society engagement on the issue is needed to improve the public and political will for professionalizing the justice system.

Accordingly, PRLP issued a *Request for Expressions of Interest* for individuals to participate in a working group focused on analyzing, recommending, and advocating for priority justice sector reforms. PRLP selected an initial core of eight members for a launch meeting in August where the group discussed objectives and organizational and operational planning for the group. From this discussion PRLP worked with the eight initial group members to plan a larger “Justice Sector Modernization Consultation Meeting” on October 4, with approximately 35 of potential working group candidates. The purpose was to discuss working group models and seek volunteers for future justice sector reform analysis and advocacy initiatives.
Capacity of CSOs to manage and implement ROL projects, including the provision of services to sexual and gender-based violence (SGBV) victims and advocacy for women’s rights is enhanced

Rule of Law and Access to Justice Workshop. There remains a need to build CSOs’ understanding of rule of law and access to justice principles, standards, and best practices. Recognizing this gap, PRLP custom designed a 2-day CSO workshop entitled Introduction to Rule of Law Training and Justice Sector Best Practices. The PRLP DCOP, Access to Justice Advisor, M&E Specialist, and Judicial Program Specialist facilitated the workshop in Yangon on August 18 and 19. The training was attended by 24 CSO representatives from Yangon and PRLP target regions of Kayah, Mon, Kayin, and Hlaing Thayar Township on the fringe of Yangon.

The workshop’s aim was to raise awareness of international justice sector standards, tools, and best practices as well as cultivate practical skills in research methods in the rule of law context. The workshops included numerous breakout sessions including networking opportunities for rule of law CSOs and an exercise where participants evaluated current rule of law reform priorities and ranked them in priority order (see text box). The priorities identified by the participants will be incorporated into the activities of the justice sector reform working group, discussed above. Response to the workshop was extremely favorable, with most participants noting the newness and practicality of the subject matter.

Selected advocacy initiatives of CSOs in the ROL sector are supported

PRLP Grants Program. PRLP continued to evaluate the technical and organizational capacity of CSOs that responded to requests for applications in two categories: (1) to promote national research and policy advocacy initiatives that can serve as best practice models for future efforts in designated rule of law sectors (under PRLP Objective 1), and (2) to increase legal literacy, access to justice and the participation of marginalized populations in target regions/states (under PRLP Objective 2). Pre-Award responsibility determinations and grant negotiations were conducted with all selected grantees.

Under Objective 1, during the reporting USAID approved a grant totaling MMK 72,919,000 to Justice for All for criminal legal defense and criminal justice research and advocacy. USAID also approved a MMK 56,264,000 grant to Phoenix Association for the, “Promoting Knowledge and Changing Attitude by Public Project,” which will aim to enhance the human rights awareness among local communities and improve access to justice through active dialogues among stakeholders. Another grant under evaluation pertains to national research and advocacy regarding the extractive industries. A summary of the grants for which PRLP will provide support starting in Year 2 is attached to this report. A grantee training workshop on USG rules and regulations was scheduled for early October.

Accurate and up-to-date information is provided by media. Quality reporting on the justice sector is essential to the rule of law. Without accurate and current news coverage, citizens lack the information they need to hold justice sector officials accountable. The media’s investigative reporting is also vital to generating public understanding and resolve for rule of law reform.
In Myanmar, the availability of print and online media is widespread, with dozens or nationally-available print and online newspapers and an increasing online presence of citizen journalists. Still, the quality of journalism is spotty and while there are many well-regarding journalists in the country, most young journalists receive little in the way of high quality instruction. Covering the justice sector and rule of law issues is especially difficult for young journalists unfamiliar with the workings of the law and justice system.

This past quarter, PRLP partnered with two of the country’s most important journalist organizations – the Myanmar Journalists Union (MJU), and the Myanmar Journalists Network (MJN) – and selected some of the country’s most promising young journalists to build court reporting and investigative journalism skills. Stephanie Buckley, the former Wall Street Journal reporter responsible for the new judges media training (described above), oversaw four days of training for approximately 40 young reporters on topics including how to effectively engage with government officials. Notable journalists, including Aye Aye Win of the Associated Press, also participated. The training included two days of training of trainers workshops. The MJU and MJN committed to repeat the training with a wider number of journalists across Myanmar, for broad impact.

Given the strong response, PRLP is looking to support individual young writers interested in court and justice sector reporting. PRLP will look to cooperate with the upcoming USAID Accountability to All program to support improved media journalism on rule of law and access to justice issues, including availability of counsel and court integrity/ transparency.

Objective 2: Increase Legal Literacy, Access to Justice and the Participation of Marginalized Populations in Target Regions/States

Even if the justice sector improve, the benefit to citizens will be limited if they lack legal awareness and local services needed to access the justice system and enforce their rights. Legal empowerment of marginalized populations improves the reform environment by promoting accountability of public and private actors, and helping to de-concentrate power within society on a sustainable basis. In addition, as opportunities for participation, such as court user surveys, open up, legal literacy enables citizens to effectively communicate their opinions and needs to justice actors and policy makers.

Legal literacy is low in many regions of Myanmar and availability of quality rule of law services, such as legal and victims assistance, is insufficient. PRLP is addressing these shortcomings through grants, training regional CSOs on rule of law and access to justice best practices, technical assistance to raise the capacity of CSOs to manage rule of law programs, supporting CSO networking towards common objectives, and activities to improve engagement between CSOs and local governments.

**PRLP Grants Program.** Grants under Objective 2 will support legal awareness and services to female sex workers, human rights and legal awareness training for members of the lesbian, gay, bisexual, and transgender (LGBT) community, and rule of law reform advocacy and dialogue. PRLP currently envisions awarding 11 Objective 2 grants in this first round of grants.

As of the writing of this report, the following grants had been approved under Objective 2:

- EQUAL “peer paralegals” will give health, human rights and legal education to the target populations. The project focuses on advocacy on justice issues, policy change and law
Final Beneficiaries include all people living with, or at high risk of, HIV/AIDS in Myanmar, and the broader community. (MMK 73,241,100)

- Equality Myanmar will implement a pilot legal aid program to provide legal support to LGBT people in Bago Division (Bago and Pyay Townships), Mon State (Mawlamyine and Mudon) and Yangon Division (Hlaingthayar Township) through training and support of 6-8 individuals as community paralegals in each area. (MMK 192,632,950)

**Coordination with State/Region Governments.** PRLP’s ability to implement activities and promote dialogue between local governments and communities in the target states/regions requires significant coordination with local government administrations. Such coordination can be difficult. Over the past quarter, however, PRLP showed results in this area and was able to conduct multiple meetings with the Kayah State administration, follow up meetings with the administrations in Bago Region and Kayin State, and an initial meeting with the Mon State administration, initially unwilling to cooperate despite the wide donor presence.

As a result of these consultations, PRLP secured permission to open offices in each target location, to effectively monitor grantee programming as well as coordinate with local governments. In Kayah State, PRLP and the local administration began discussing activities of interest to the administration. These include training on media cooperation and more effective engagement with communities. In the next quarter, PRLP will look to develop new access to justice and legal needs analysis data collection tools, and Kayah State has indicated it would be receptive to serving as a pilot site.

Perhaps most critically, PRLP has secured permission of the administrations in Mon and Kayin States to engage with district and township level rule of law committees, a potential mechanism for enhanced government-community dialogue around legal and justice sector issues.

**Capacity of CSOs to manage and implement ROL projects is strengthened**

**CSO Capacity Assessments and Training Workshops.** Technical issue workshops for CSOs in Myanmar’s states and regions are common; trainings on issues such as SGBV and human trafficking occur almost weekly in many locations. While the importance of these trainings cannot be questioned, PRLP’s assessments of potential grantees revealed that most were lacking in the most basic organizational skills, including financial and project management, required to implement rule of law or other programing. Meetings with donors working in the rule of law area, such as UNDP and Pyoe Pin, confirmed that their trainings for rule of law-oriented CSOs focused on specific technical issues, not more practical and operational management.

To address this shortcoming, PRLP conducted two organizational development workshops, one in Mawlamyine for CSOs operating in Mon State and one in Taungoo for CSOs operating in Bago Region and Kayin State. Key topics included how to properly form a CSO, the role of governing body/executive board, long term sustainability including fund raising, legal registration, and organizational best practices. Participating CSOs underwent organizational capacity assessments upon which training plans can be developed. The results of these assessments and other surveys will form the basis for PRLP’s CSO organizational development training plan in Year 2. Support in technical sectors will be developed separately and in conjunction with other donor-funded programs, including USAID’s Accountable to All program, scheduled to begin October 2014.
IV. TRAINING PARTICIPATION

The following chart summarizes participation in workshops, meetings, and related project events since project inception.

<table>
<thead>
<tr>
<th>No.</th>
<th>Event</th>
<th>Date</th>
<th>Counterpart</th>
<th>Number of Participants</th>
<th>Gender</th>
<th>Result Area</th>
</tr>
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<td>1</td>
<td>Focus Group Workshop, MLAW offices, Yangon</td>
<td>11/25/13</td>
<td>MLAW members - legal aid CSOs</td>
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<td>8</td>
<td>7</td>
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<td>2</td>
<td>CSO Workshop, Yangon School of Political Science, Yangon</td>
<td>12/7/13</td>
<td>Human rights and access to justice CSOs</td>
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<td>CSO Workshop, PRLP Offices, Yangon</td>
<td>2/19/14</td>
<td>Human Rights &amp; Access to Justice CSOs; Gender/ Women’s Organization; CSOs/LNGOs Network Group; Land Core Group</td>
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<td>9</td>
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<td>Gender Justice Workshop PRLP Office, Yangon</td>
<td>3/10/14</td>
<td>Member CSOs from Women’s Organization Network and Gender Based CSOs</td>
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<td>Christian Marriage Law Workshop, Meeting Hall, Myanmar Council of Churches (MCC)</td>
<td>3/24/14</td>
<td>Women’ Dept, MCC</td>
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<td>6</td>
<td>Focus group session in Loikaw with Kayah-based CSOs</td>
<td>3/28/14</td>
<td>Phoo, Kain Na Yar, Pact, Law Home</td>
<td>31</td>
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<td>CSO Focus Group Session in Taungyi, Shan State</td>
<td>3/31/14</td>
<td>UNDP, INGOs, Lawyers Association, CSOs</td>
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<td>No.</td>
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<td>8</td>
<td>Presentation of Court Management/ Budgeting Assessment Findings to OSCU</td>
<td>4/9/14</td>
<td>OSCU</td>
<td>12</td>
<td>6</td>
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<td>CSO Focus Group Session in Taungoo, Northern Bago</td>
<td>4/8/14</td>
<td>CSOs: Anglican Church, A Lynn Thit</td>
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<td>CSO Focus Group Session in Northern Kayin State</td>
<td>4/8/14</td>
<td>CSO Hsar Muu Htaw and Thandaung Member of Parliament</td>
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<td>Court-Media Relations Workshop at OSCU</td>
<td>5/22/14</td>
<td>OSCU Staff and High Court Judges</td>
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<td>Judicial Strategic Planning Workshop at OSCU</td>
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<td>OSCU Staff</td>
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<td>Case Management Workshop at OSCU</td>
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<td>Court Budgeting Presentation at OSCU</td>
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<td>15</td>
<td>CSO Training - Introduction to Rule of Law and Justice Sector Best Practices (Taungoo)</td>
<td>6/23/14</td>
<td>CSOs, lawyers from Bago and Northern Kayin</td>
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<td>Objective 2</td>
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<td>Introduction to Rule of Law and Access to Justice Workshop at Summit Parkview Hotel, Yangon</td>
<td>8/18-19/14</td>
<td>CSOs from Yangon, Mon and Kayah</td>
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<td>15</td>
<td>Obj. 1, Comp. 4/Objective 2</td>
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<td>21</td>
<td>CSO Operational Management Training and Capacity Building Assessment at Royal</td>
<td>8/26-28/14</td>
<td>CSOs from Northern Bago region and Kayin State</td>
<td>15</td>
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<tr>
<td>22</td>
<td>CSO Operational Management Training, Malamyine, Mon State</td>
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<td>CSOs from Mon State</td>
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<td>Judge Media Skills Trainings in Hlaing Thar Yar</td>
<td>8/28-8/29/14</td>
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<td>Case Management Skills Workshop</td>
<td>9/2-9/3/14</td>
<td>New Judges</td>
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<td>Journalism Seminar: Best Practices in Investigative Reporting and Writing</td>
<td>9/1 and 9/3/14</td>
<td>Reporters from all over Myanmar</td>
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<td>Journalism Training of Trainers Seminar</td>
<td>9/2 and 9/4/14</td>
<td>Reporters from all over Myanmar</td>
<td>36</td>
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<td>Pilot Court Program Best Practices Workshop, Nay Pyi Taw</td>
<td>9/10/14</td>
<td>Judges from District Court, Staff Officer, Deputy Directors, Directors, Assistant Director</td>
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<td>Obj 1 Comp.3</td>
</tr>
</tbody>
</table>

| Totals: | 611 | 337 | 274 |

**V. PERFORMANCE MONITORING AND EVALUATION**

PRLP submitted a draft Performance Monitoring Plan (PMP) to USAID on February 17. At that time, PRLP held some discussions with COR Mark Silva about PMP targets. The below includes some adjustments based on that discussion. Pending USAID feedback on the PMP, PRLP has commenced initial baseline data collection through review of caseload data, questionnaires distributed in CSO and OSCU workshops, and other means. PRLP has been tracking results based on the current draft of the PMP. The following summarizes the baselines and Year 1 results for the draft PMP.
## PRLP Year 1 Performance Monitoring Data

<table>
<thead>
<tr>
<th>INDICATOR</th>
<th>Base-line</th>
<th>Year 1 Results</th>
<th>Year 1 Target</th>
<th>Cumulative Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Number of strategic plans, procedures, and policies for justice sector reform amended or adopted with project assistance</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>2. Number of gender related laws and policies that are revised or amended with project support</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>3. Number of procedures adopted by UAGO that strengthen and promote transparent legislative development processes</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>4. Number of justice sector personal trained with USG assistance</td>
<td>0</td>
<td>165</td>
<td>100</td>
<td>500</td>
</tr>
<tr>
<td>5. Mean case disposition time in courts assisted by the project</td>
<td></td>
<td>Civil case=181.8 days; Criminal case=91.6 days</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Civil case=148.06 days; Criminal case=74.59 days</td>
</tr>
<tr>
<td>6. Number of USG assisted courts with improved case management system.</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>7</td>
</tr>
<tr>
<td>7. Number of CSOs receiving USG assisted training in public policy development and advocacy</td>
<td>0</td>
<td>30</td>
<td>6</td>
<td>36</td>
</tr>
<tr>
<td>8. Number of justice and human rights policies or laws adopted in part through efforts of project supported CSOs</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>3</td>
</tr>
<tr>
<td>9. Number of USG assisted campaigns and programs to increase public participation in justice system reform</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>16</td>
</tr>
<tr>
<td>10. Number of women participating in public policy/ROL debates with project support</td>
<td>0</td>
<td>0</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>11. Number of project supported CSOs that are newly active in public policy dialogues related to ROL reform, human rights and access to justice</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>12</td>
</tr>
<tr>
<td>12. Percent increase in the number of women in the demonstrating regions/ states that use free legal assistance services</td>
<td>23.9%</td>
<td>N/A</td>
<td>N/A</td>
<td>29.03%</td>
</tr>
<tr>
<td>13. Increase in average level of knowledge and awareness of the law and how to access the justice system in target regions/states</td>
<td>64.4%</td>
<td>N/A</td>
<td>N/A</td>
<td>77.9%</td>
</tr>
<tr>
<td>14. Percent improvement in women users’ perception of PRLP supported pilot courts in targeted regions/states</td>
<td>58.7%</td>
<td>N/A</td>
<td>N/A</td>
<td>71.31%</td>
</tr>
</tbody>
</table>

### Notes

1. Number of strategic plans, procedures, and policies for justice sector reform amended or adopted with project assistance

   The project supported the drafting of a Judiciary Strategic Plan (2015-2017) in September 2014.
2. **Number of gender related laws and policies that are revised or amended with project support**

The targets for this indicator start in Year 2 so the project will report on this indicator in the next report.

3. **Number of procedures adopted by UAGO that strengthen and promote transparent legislative development processes**

The targets for this indicator start in Year 2 so the project will report on this indicator in the next report.

4. **Number of justice sector personal trained with USG assistance**

The project has trained 165 justice sector personals and has surpassed its year 1 target of 100.

5. **Mean case disposition time in courts assisted by the project**

The project collected baseline data for mean case disposition time in civil and criminal cases in three pilot courts.
6. **Number of USG assisted courts with improved case management system.**

Three pilot courts have been selected for the pilot court program. Case management activities will commence early in Year 2.

7. **Number of CSOs receiving USG assisted training in public policy development and advocacy**

The project conducted trainings on rule of law, access to justice, justice sector best practices, and strategic advocacy. People from 30 CSOs have participated in the training.

8. **Number of justice and human rights policies or laws adopted in part through efforts of project supported CSOs**

The baseline number for this indicator is zero. The targets for this indicator start in Year 3 so the project will report on this indicator in subsequent reports.

9. **Number of USG assisted campaigns and programs to increase public participation in justice system reform**

The project is currently finalizing the grants agreements with selected CSOs and is organizing a justice sector reform working group.

10. **Number of women participating in public policy/ROL debates with project support**

The targets for this indicator start in Year 2 and will be reported in the next report.
11. Number of project supported CSOs that are newly active in public policy dialogues related to ROL reform, human rights and access to justice

The project is currently finalizing the grant contracts with selected CSOs and is organizing a CSO justice sector reform working group.

12. Percent increase in the number of women in the demonstrating regions/states that use free legal assistance services

To collect the base line data for this indicator, in the court user survey women court users were asked whether they have ever received free legal assistance.

13. Increase in average level of knowledge and awareness of the law and how to access the justice system in target regions/states

This proxy baseline data was collected during three PRLP provided trainings. The project will update this information as additional data is collected and if it receives USG authorization to conduct a wider justice sector opinion survey.

14. Percent improvement in women users’ perception of PRLP supported pilot courts in targeted regions/states

The project conducted a court user survey in early October 2014. The percentage of women court users who agreed that the court performed effectively was used as baseline data for this indicator. This indicator will be updated after collecting data from other pilot courts.