

## Evaluation Audit Trail Template

*(To be completed by Project Management to show how the received comments on the draft report have (or have not) been incorporated into the evaluation report. This audit trail should be included as an annex in the evaluation report.)*

**To the comments received in April 2024 from the “Strengthening the capacity of the judicial system and promoting the rule of law in Mali Phase II” (Reference: C2021.TARPT082.DEUMFA) project.” Project team**

*The following comments were provided in track changes to the draft evaluation report; they are referenced by institution (“Author” column) and track change comment number (“#” column):*

Author #	Para No./ comment location	Comment/Feedback on the draft evaluation report	Evaluator response and actions taken
Kerstin Bartsch	1	<p>Ex. Summary Effectiveness</p> <p>Suggestion to replace «criminal mediation practices» - (the mediation practices the trainers mentioned are not «criminal»).</p> <p>Suggestion to add «in minor cases of criminal offences». In fact, the training for prosecutors and lawyers included information on how to use mediation in minor cases of criminal offences. These are cases in which the prosecutor can decide whether the case should be brought to court or not. In these cases, it is possible (also in accordance with criminal procedure), that there is mediation between victim and offender to solve the case. This is a way of «unburden» the criminal justice system. The training included this aspect when discussing applicable procedural laws and regulations in the area of criminal law.</p>	Adjusted
Kerstin Bartsch	2	<p>Ex. Summary Effectiveness</p> <p>Suggestion to add more detail.</p> <p>Observation made refers to: In general, training courses facilitate cooperation and communication between the participants and thus involved actors from the justice system or civil society.</p> <p>This is why certain training courses and events brought together different actors from the justice system and to a certain point also from civil society.</p>	Adjusted

			<p>However, I do not recall that the establishment of formal cooperation mechanisms (or what do you exactly mean by «formalization of cooperation mechanisms»?) was an envisaged output in the project design. We could have and perhaps should have integrated this aspect in the project from the start. Or, such activity could have been part of an extension of the project which we did unfortunately not achieve. Thus for me, the lesson learned is to consider this aspect in similar projects. Please see my comment in the «lessons» section.</p>	
Kerstin Bartsch	3	Ex. Summary Effectiveness	<p>Request clarification on the aspect:</p> <p>It is my understanding that the (international) subject matter experts / consultants involved in the project were MAINLY involved in the content development and they were supposed to be LESS involved in conducting training since it was the objective of the ToT that local trainers would take over the training. Thus, the project foresaw (see also the budget) the engagement of international subject matter experts to develop content. The project design therefore took duly into account the «importance of engaging subject-matter experts in content development». From what I know is that the international subject matter experts designed the training content together with local experts/trainers. Would you mind clarifying where the «confusion» was? Perhaps the roles and responsibilities in terms of content development were not clear?</p> <p>Additional clarification on the term «initial confusion». Clarify what does initial mean.</p>	Clarified
Kerstin Bartsch	4	Ex. Summary Effectiveness	<p>Clarification on the point: UNITAR's slow turnaround time.</p>	Clarified
Kerstin Bartsch	5	Ex. Summary efficiency	<p>Observation on involvement of subject matter experts: This is an interesting point since the budget</p>	Clarified

			included considerable costs for consultants and subject matter experts.	
Kerstin Bartsch	6	Ex. Summary recommendations	<p>Comment on recommendation 3:</p> <p>The establishment of formal or structure mechanisms for cooperation and knowledge sharing among justice sector institutions was, to my knowledge, not envisaged in the project. It is, indeed, an output or outcome which would have been good to include in the design of the project - and it could have been included in continuation of the project in Mali.</p> <p>From the perspective of UNITAR, the recommendation No 3 should be phrased: «Consider in the design of the project the inclusion of ...»</p> <p>The recommendation, as stated here, is addressed to the Government authorities: they should establish these mechanisms (UNITAR cannot establish, but can assist), hence my suggestion for rewording the «implementing responsibility».</p>	Clarified
Kerstin Bartsch	7	Ex. Summary recommendations	<p>Clarification on recommendation 5:</p> <p>The development of quality training content does in my view not ensure a «standardization» of «approaches» (what do you mean exactly by «approach» - training approach?).</p> <p>Rather, I believe, the following applies: If you provide standards to be applied when designing training content, you ensure an appropriate level of quality training content.</p> <p>If I may suggest: take the «standardization» part out of this sentence. It is in my humble view appropriate to recommend:</p>	Adjusted

			Strengthen the development of qualitative training content , the setting of a clear division of responsibilities between project parties, and the allocation of subject-matter expertise.	
Kerstin Bartsch	8	Ex. Summary recommendations	Comment: I agree to write here «with the support of UNITAR» since further capacity building activities that would have fostered the sustainability of the results were envisaged but they required funding from the donor which was not received.	Agreed
Kerstin Bartsch	9	Ex. Summary lessons learned	<p>Comment on lesson 4:</p> <p>Since the project did not include any activity concerning the formalization of mechanisms for cooperation withing the Malian justice system/the Malian judicial sector, I am not sure whether this is a specific lesson that can be drawn from this project.</p> <p>Rather, the lesson to be learned in relation to this particular project is to consider integrating in the design of capacity building projects seeking to enhance the justice sector, the establishment of formal cooperation mechanisms that would further enhance the effectiveness and efficiency within the judicial system.</p>	Adjusted
Kerstin Bartsch	10	Par. 48	<p>Clarification on inclusion of learning specialists:</p> <p>Do you mean the inclusion of learning specialists «in the design phase» of the project (the process of drafting of the project application?) or «in the design phase» of the training courses (after start of the project), or in the assessment phase?</p>	Clarified
Kerstin Bartsch	11	Par. 58	<p>Clarification on sentence:</p> <p>There is no evidence that continuing or formal consultation took place once the course structures and content were established, but the evaluation survey largely confirmed such consultation? This sentence is</p>	Clarified

			confusing - would you mind to clarify?	
Kerstin Bartsch	12	Par. 124	Sentence rephrased:  The expression «criminal mediation» gives the impression that the mediation is criminal. I would prefer some re-wording. I believe in French it is ok to say médiation pénale, but in English it sounds a bit strange.	Agreed. Adjusted throughout.
Kerstin Bartsch	13	Effectiveness, contributing factors, holistic and inclusive approaches	General comment about the section:  What about the approach that the target group of the specific training was defined and a decision made that some some training was tailored to specific target groups while other brought members of different target groups together? For example: training on ethics and professional conduct was conducted for different target groups. How is this approach to be evaluated? Was it appreciated that training was provided to notaries only and judges only, or would they have preferred being trained together?	Noted. No action taken. The issue of 'mixed' groups is addressed in the Report.
Kerstin Bartsch	14	Par. 143	Clarification required:  «would have» or «has» ? Did it increase the credibility?	Clarified
Kerstin Bartsch	15	Par. 144	Rephrase: See my suggested wording above.	Adjusted
Kerstin Bartsch	16	Par. 155	Clarification:  Recommendation 3 or 4? (Recommendation 4: Strengthen results frameworks and monitoring and evaluation approaches and activities (including assessment of learning), in order to more effectively track progress and assess project outcomes and impacts.)	Clarified
Kerstin Bartsch	17	Par. 158	Observation: This statement is unclear. I am not sure whether it underscores the statement you make.	Clarified
Kerstin Bartsch	18	Par. 161	Clarification: What do you mean by «initial»?	Clarified

Kerstin Bartsch	19	Par. 161	<p>Clarification: The expression “misunderstandings concerning the training capacities of the selected trainers” needs to be clarified: To which “trainers” do you refer? This is important to know since you talk about THEIR training capacities: You put in question the training capacities of trainers and therefore also the capacity of UNITAR to select trainers that have a training capacity.</p>	Clarified
Kerstin Bartsch	20	Par. 161	<p>Observation:  If one trainer of trainers states that he arrived and the trainers were not trained, one could respond saying yes this is all right, because if he is the trainer of the persons to be trained as trainers, why does he expect them to be trained already?  Is it possible that he expected them to have followed the UNITAR online training course on how to conduct training that the trainees for the ToT were supposed to take but did not take?  This is not clearly expressed here. How can a «trainer of trainers» supposed to conduct training of trainers expect that the trainers were already trained?</p>	Text adjusted.
Kerstin Bartsch	21	Par. 162	<p>Observation on this point in the executive summary:  please specify above that a «slow turnaround» was mentioned in relation to the provision of concept notes and project application.</p>	Clarified
Kerstin Bartsch	22	Par. 163	<p>Clarification about the term “early confusion”:  In this sentence, «early» is too vague, Could you please be more specific?  «Initial approach»: Would you mind being more specific here?. What do you mean by</p>	Clarified

			«initial approach»? Do you refer to the project document, thus to the design of the project? Do you mean local experts or trained trainers; do you mean international subject matter experts? The project foresaw international subject matter experts and, from my understanding, the subject matter experts designed the content together with the trained trainers.	
Kerstin Bartsch	23	Par. 163	Clarification: By trainers, do you mean LOCAL trainers? Thus, those who received a ToT?	Clarified
Kerstin Bartsch	24	Par. 163	Clarification on term "first content":  Do you mean the content for the first training?  If this is the case, «early» would mean when the first training was developed?  Are we talking here about a misunderstanding of roles and responsibilities as to the design of the content that arouse when the first training was prepared?  When you say «early confusion»: does it mean that after some clarification, the «problem»/»confusion» was solved and content creation did not encounter further problems?	Clarified
Kerstin Bartsch	25	Par. 164	Clarification:  The trainers for the ToT course were, as you rightly say, learning specialists. From what I know there was only one trainer for the ToT: Claude Kaberuka.  On the other hand, the training content (concerning the legal themes, such as criminal procedure, etc) was provided by	Clarified/ adjusted

			<p>international subject matter experts (with legal background).</p> <p>I do not want to question your findings but it is important to clarify this point because of the following:</p> <p>UNITAR had hired international subject-matter experts (consultants) working on the training content for the courses on criminal procedure etc. Your statement here can be understood that UNITAR hired ONLY learning specialists with no subject matter knowledge/expertise. If this was the case, UNITAR did not respect the requirements as set in the project document where it clearly said that « 3 legal experts» would be hired.</p> <p>Please see in this context my comment in the list of interviewees. You mention Théo and Paterne as Trainers for TOT - but they were not conducting the ToTs; they were involved in content development.</p>	
Kerstin Bartsch	26	Par. 192	<p>Include details:</p> <p>Three additional learning specialists were engaged to do what and for how long? To meet which deadlines? What were their roles?</p> <p>The project document does not refer to the engagement of three learning specialists and, if your statement is correct, UNITAR would not have implemented the project as foreseen in the project document.</p>	Clarified/ adjusted
Kerstin Bartsch	27	Par 192	<p>Observation:</p> <p>UNITAR hired - over the course of the project - three international legal experts for content development. These were subject-matter experts and were supposed to work on the content.</p>	Adjusted



			<p>You write here that UNITAR hired three additional learning specialists and there was no sufficient funds for subject-matter experts.</p> <p>I do not want to contest your findings - but the way this is worded gives the impression that UNITAR hired more learning specialists that projected and then did not have funds to pay for subject-matter experts (which play an important role in the development of the content).</p>	
Kerstin Bartsch	28	Par. 197	<p>Correction:</p> <p>It should be noted that they did not discuss the conduct of mediation in ALL criminal cases but only minor criminal offenses where mediation would bring a solution and an overburden of the court is avoided.</p>	Adjusted
Kerstin Bartsch	29	Par. 222	<p>Clarification on acronym: Is PTF meant here - <i>Partenaires Techniques et Financiers</i> - Technical and Financial Partners</p>	Clarified
Kerstin Bartsch	30	Conclusions, effectiveness, limiting factors	<p>Clarification statement "familiarity UNITAR approach": UNITAR's approach to what?</p>	Clarified
Kerstin Bartsch	31	Conclusions, effectiveness, limiting factors	<p>Clarification statement "familiarity UNITAR approaches": «with UNITAR's approaches»... in relation to the preparation and conduct of training» ? more details are needed here - «UNITAR's approaches» seems too broad.</p>	Clarified
Kerstin Bartsch	32	Conclusions, effectiveness, limiting factors	<p>Clarification required:</p> <p>As mentioned above, I would need more clarification to understand the exact problem that forms the basis of this statement.</p>	Clarified
Kerstin Bartsch	33	Conclusions, efficiency	<p>Observation: I do not want to contest your findings, but looking at the budget, I am surprised to see that more funds would have needed to be set aside for subject-matter experts for content development.</p>	Clarified/ adjusted
Kerstin Bartsch	34	Recommendations, recommendation 3	<p>The recommendation is to «establish ... mechanisms» and my view is that this recommendation targets the</p>	Clarified that this is recommended for the project design and for implementing partners with UNITAR support

		<p>Ministry of justice and the INFJ mainly; UNITAR can only support such effort since UNITAR cannot establish these mechanisms; this is to be done by the relevant authorities. My suggestion would therefore be to address this recommendation to the Ministry of Justice and write «with the support of UNITAR».</p>	
Kerstin Bartsch	35	<p>Recommendations, recommendation 5</p> <p>Clarification:</p> <p>If you strengthen the development of qualitative training content you do not ensure a standardization of approaches. Rather you have a better training content.</p> <p>Below you write:</p> <p><i>What should be strengthened?</i></p> <p>Standardisation of approaches in the development of training content.</p> <p>There is a difference between these two statements.</p> <p>It is not clear what exactly should be “standardized” and why you recommend such standardization, or in different terms: Which findings in the evaluation exercise lead you to say that a standardization of XyZ is to be recommended?</p> <p>And the question that follows is whether a “standardization of XYZ” is doable? As I said before, a division of responsibility concerning the development of the content depends on the design and set up of the relevant project.</p>	Clarified & adjusted
Kerstin Bartsch	36	<p>Recommendations, recommendation 5</p> <p>Clarification on actions:</p> <p>The Division of responsibilities of parties in terms of content development depends in my view on the project design, to the set up of the project and the project partners in the concerned project. There should be flexibility. Could</p>	Clarified & adjusted

		<p>you explain the exact reason why you recommend a standardization?</p> <p>What is needed is that roles and responsibilities are clearly set out and determined in relevant agreements, in particular in agreements with the implementing partner, and in consultant contracts, for example, if an external subject-matter expert is contracted to develop content in his/her area of expertise. There is, in my view, no need to standardize the division of responsibilities - I would even say that a standardization is not possible since it depends on the concerned project set up. What is to be recommended is that there is a clear determination of who does what and that everyone is aware of his/her responsibility and the responsibility of the other before or at the start of the project.</p>		
Kerstin Bartsch	37	Recommendations, recommendation 5	<p>Clarification on actions:</p> <p>I was under the impression that the subject-matter experts / consultants were hired to develop the content. They SHOULD prepare content or oversee the processes. Also, considerable financial resources were allocated to the engagement of international subject-matter experts.</p>	Clarified & adjusted
Kerstin Bartsch	38	Recommendations, recommendation 5	<p>Observation on actions:</p> <p>This recommendation is valid as to the creation of Working Groups or Advisory Panels. However, it might be understood as if the project did not benefit from advice from external consultants. The subject-matter experts hired in the framework of the project were international consultants thus «external consultants» ... They provided input to content development</p>	Clarified
Kerstin Bartsch	39	Lessons learned, lesson 6	<p>Clarification:</p> <p>Sessions concerning training, evaluation etc? Could you be more specific here?</p>	Clarified

Kerstin Bartsch	40	Lessons learned, lesson 6	Clarification: could we be more specific? «UNITAR approaches» seems to vague.	Clarified
Kerstin Batch	41	Annex D	How do you define «project team» - I believe Macky, Boubakar, Amadou and Boubakar were local trained trainers. Not sure whether they qualify as «project team»	Revised