ENHANCING GOOD GOVERNANCE AND HUMAN RIGHTS PROTECTION LEARNING PAPER

The Programme adopted an innovative approach to address identified root causes of torture, cruel, inhuman and degrading treatment or punishment by law enforcement, security agencies and criminal justice actors. Through projects designed by criminal justice actors and security officers (CJA&SOs) themselves, participating workstations from the Nepal Police, Armed Police Force and Ministry of Forest and Soil Conservation addressed thematic problems identified at local level by implementing individual projects across the country in 28 districts.

This paper provides an overview of key learning from the implementation of the Enhancing Good Governance and Human Rights 'EGHR' Programme including documented changes, challenges, and recommendations for sustainability and replication for future like-minded initiatives.

KEY LESSONS LEARNED

- **Institutional ownership as well as individual leadership** is essential to ensuring positive human rights change.
- An **active and engaged steering committee** with members committed to long-term participation is conducive to the success of a programme.
- The programme's **ability to provide CJA&SOs a framework to develop workstation projects** empowered them to identify contextual challenges and develop practical solutions and positive changes for workstations.
- Strength of **police peer-to-peer learning and mutual exchange** – valuable sharing of good practices and solutions to challenges between Danish Police, Nepal Police and Armed Police, including practical knowledge and insights gained on study tours to Denmark, was highlighted by CJA&SOs as a key programme strength.
- **Value-added of complementary technical expertise** from national and international partners – Kathmandu School of Law, Danish Institute for Human Rights and Danish Police – this included project management, human rights and law enforcement expertise, as well as developing new thinking and motivating cooperation.
- **Importance of documentation and monitoring** – this applied two-fold to the programme: CJA&SOs' documenting their daily work, as well as the importance of project monitoring and documenting results.
- Programming **ability to adapt to changes in the context**, resources and operational conditions. Donor flexibility also contributed to the programme's ability to adapt and learn during the course of implementation.

KEY CHANGES

- *Changes in attitude:* the internalisation that individual officers are able to make a difference within their workstations and for their staff. Through narrative evaluations, many officers document their awareness of how making incremental positive changes in their institutions can make a real difference in daily work, as well as the importance of maintaining good relations with the public and being service-minded.
- *Changes in practice:* the introduction of work tools and processes that improve human rights compliance; this included developing monitoring frameworks and introducing new oversight mechanisms. CJA&SOs who participated in study tours to Denmark benefited from exposure to new thinking/ tools.
- *Changes in knowledge and awareness* of torture and improper use of force. Pre/post questionnaires show improved understanding of how human rights can help rather than hinder law enforcement work and improve relations with the public to whom they serve.

KEY CHALLENGES

- High rate of CJA&SO transfers and promotions at the respective agencies had a negative impact on implementation and continuity of workstation projects and activities affected by such staff transfers.
- Change in leadership in the within security agencies, as well as external factors such as local elections and a fluid political context, required regular adjustments in programming.
- Implementing workstation projects, in addition to the difficult and demanding daily work of CJA&SOs' daily was a main challenge; some officers were more motivated than others to bring about change in their workstation and for their staff. Additionally, a reduced implementation timeframe meant that the project cycle period for workstations was too short to ensure clear project outcomes and longer-term sustainability.

PROGRAMMATIC LEARNING

Mid-ranking officers from Nepal Police, Armed Police and Ministry of Forest and Soil Conservation representing 57 workstations in 28 districts across Nepal, conducted a needs analysis and developed a problem tree for their local context and identified project area. Research assistants from Kathmandu School of Law (KSL) were primarily responsible for overseeing monitoring the implementation of the projects and facilitating reporting by CJA&SOs. KSL, Danish Police and the Danish Institute for Human Rights (DIHR) provided project support and technical expertise.

➤ **Needs analysis and baseline**

Baseline and needs analysis should, as much as possible, include quantitative data on the existing situation nationally and at local level in order to serve as a useful programme reference as well as directly measure change.

➤ **Project design**

Projects were designed by the CJA&SOs themselves, which meant activities were well matched with the local context. Some projects were innovative in their approach and activities. Indicators and means of verification were created, but documentation could have been improved to better capture human rights changes on the ground.

➤ **Implementation**

During the implementation period, it became clear that experiences and lessons from one project could usefully inform other. Increased opportunities for CJA&SOs to communicate and cooperate across workstation projects and learn from each other would have improved effectiveness.
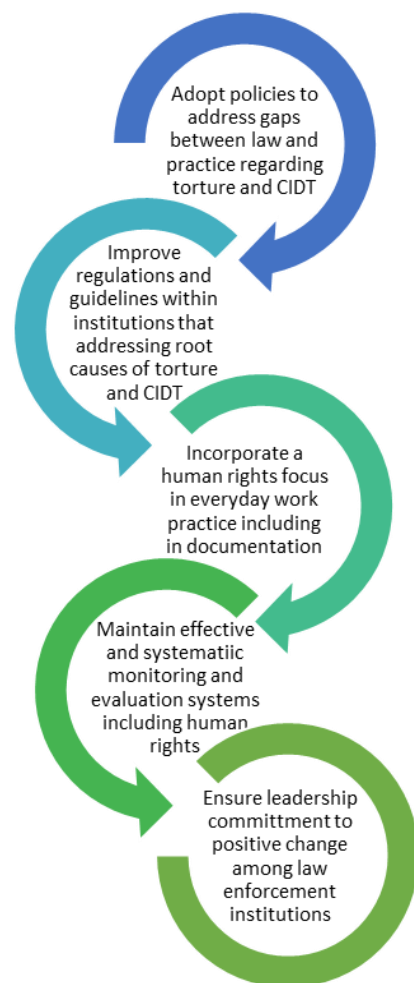
Reduced implementation time due to donor constraints presented a challenge, particularly in measuring and attributing the impact of project activities within a short period. Project implementation was limited to six months.

➤ **Documentation and monitoring**

Understanding the importance of monitoring, documenting activities and results takes time, as does incorporating new knowledge learned into daily practice. Capacity building on project management, documentation and reporting would have be useful in this process as these were new concepts and practices for many CJA&SOs.

Development of a programme monitoring and evaluation tool was an important tool to ensuring oversight of the 57 projects in the programme.

Policy, Regulation, Implementation, Monitoring and Evaluation ('PRIME') – the programme aimed to assess gaps, address legal and policy frameworks, promote the rights of service seekers and duties of police and law enforcement personnel, as well as monitor and evaluate law enforcement and security services practice at local level.

Adopt policies to address gaps between law and practice regarding torture and CIDT

Improve regulations and guidelines within institutions that addressing root causes of torture and CIDT

Incorporate a human rights focus in everyday work practice including in documentation

Maintain effective and systematiic monitoring and evaluation systems including human rights

Ensure leadership committment to positive change among law enforcement institutions

RECOMMENDATIONS - SUSTAINABILITY

- Ownership among institutions remains key; leadership should draw upon the learning and recommendations proposed by the CJA&SOs for the various thematic areas to develop guidelines and regulations that will ensure sustained application of new methods and tools.
- Improve anchorage of workstation projects within the institutions, including sharing programme management responsibilities with leadership of Nepal Police, Armed Police force and Ministry of Forest and Soil.
- Maintain effective monitoring and evaluation systems, including incorporating human rights as part of professional conduct and assessment.
- Develop increased opportunities for cross-workstation cooperation and learning, especially those related to similar thematic focuses. Refresher trainings on specific topics would also reinforce CJA&SO and institutional learning.
- Strengthen national government agencies involvement and endorsement of the programme so that it is less reliant on donor support and external actors. Involve and engage local municipalities at workstation level.
- Ensure internal resource allocation and external funding – resources need to be allocated for workstation level and additional funding sought to address the need for on-going training.
- Increase participation of women CJA&SOs in projects and promote gender inclusivity among male CJA&SOs.

RECOMMENDATIONS - REPLICATION

- Selection of workstations and participating CJA&SOs should have a more defined set of criteria, specifically to identify CJA&SOs with the best skills and professional attitude to manage projects. A more concentrated number of projects at workstations would ensure that there is more opportunity to work in depth with selected CJA&SOs.
- Provide more guidance to officers in the early stages of project design so that they develop projects that are more focused on practice and directly linked to addressing the issue of torture and cruel, inhuman and degrading treatment. Provide regular feedback to the CJA&SO project managers.
- Project researchers and assistant should have some capacity building skills development, especially in relation to baseline research, project design, monitoring, documentation and evaluation.
- Trainings for CJA&SO should be mainstreamed and include practical and on-the-job training and effect of the training should be documented and monitored. Basic training on what constitutes torture, cruel, inhuman and degrading treatment at the beginning of the project cycle would be useful. As well as leadership training.
- Workstation projects should focus on inter-sectoral exchange and cooperation, especially on themes and geographies where CJA&SOs collaborate - e.g. police and forest officials on arrest and detention in rural areas.
- In project implementation, there is a need to ensure that both senior and junior officers are part of the project in various ways in order to create and broader level of ownership of the projects.
- In order to keep CJA&SOs committed and motived, improved line of communication between officers and their leadership in the organisations is needed. Diverse incentives (career enhancement and skills building) are needed in the organisational leadership of the law enforcement and security agencies.
- Increased emphasis on assuring the support (in words and action) of strategic top management among the Nepal Police, Armed Police and Ministry of Forest and Soil so that they give CJA&SOs necessary support, space/ time to deliver the best results for their projects, and to create a broader ownership of results.
- Increased collaboration across institutions (not limited to programme workshops) as well as including and engaging with civil society would further strengthen the programme.
- Continue to draw upon police peer-to-peer learning and mutual exchange, and complementary technical expertise from national and international partner organisations.

This learning paper draws from narrative evaluations from workstation projects as well as a learning workshop with respective law enforcement and security agencies. Additionally, discussions and consolidated feedback from the Danish Police, KSL team members, including research assistants, and DIHR informed lessons learned and recommendations, as did an independent