



USAID | **WEST BANK/GAZA**
FROM THE AMERICAN PEOPLE

PERFORMANCE MONITORING PLAN REPORT

ARKAN'S KEY FINDINGS, RESULTS, AND IMPACT

SEPTEMBER 2007

This publication was produced for review by the United States Agency for International Development. It was prepared by Chemonics International Inc.

PERFORMANCE MONITORING PLAN REPORT

ARKAN'S KEY FINDINGS, RESULTS, AND IMPACT

Contract No. DFD-I-800-04-00171-00

Supporting Rule of Law Reform Project, Arkan

CONTENTS

Introduction.....	iv
Data Collection and Analysis.....	iv
Overview of Project Results	v
PMP Table	6

INTRODUCTION

The Arkan Performance Monitoring Plan was developed to help measure impact and to be used as a tool to identify new areas for focus. The project is a three-year USAID-financed activity designed to contribute to USAID/West Bank and Gaza's Strategic Objective (SO) 11 of building and strengthening key democratic institutions. While a number of USAID/WBG activities and programs work together to achieve SO 11 results, Arkan focuses on achieving IR 3 and sub-intermediate result (Sub IR) 3.1 that together aim to strengthen key democratic institutions by increasing adherence to and respect for ROL and strengthening the role of CSOs in the formulation of legal public policy.

Due to the technical design of Arkan, all indicators are at the task level and designed to show progress toward achieving component goals and, in turn, the overall project objective. This approach ensures that Arkan's M&E system serves the needs of both the project and USAID/WBG. Two kinds of indicators were tracked, impact and performance. Impact indicators, such as number of law faculty using Arkan-introduced teaching methodologies, measure the effects, or results, of project output. Impact indicators contribute directly to USAID/WBG's SO 11 reporting. Performance indicators track the immediate inputs and outputs of the project. These products are directly attributed to Arkan activities, such as, the number of legal practitioners receiving practical skills training. Performance indicators provide the means for monitoring project progress. They also provide feedback to managers on project performance and help identify areas where implementation strategies may need to be adjusted. Performance indicators for the M&E system are selected based on the overall strategic approach to the project and closely reflect the work plan, capturing the main activities of the project. Several of the indicators designed for Arkan are of the performance type. Performance indicators are especially useful when it is determined that overall impact of project activities are influenced by other variables largely outside of the manageable interests of the project.

DATA COLLECTION AND ANALYSIS

Arkan used three primary methods for collecting data for selected indicators that include: surveys and focus groups with project stakeholders, mini- Knowledge Attitude and Perception (KAP) studies, tracking of project activities, and rapid appraisal and review of key partners and strategic alliances. Arkan also consulted USAID and other donor reports and NGO reports and records as additional sources of information and data as needed. Data collection was spearheaded by legal reform coordinators, supervised by team leaders of the technical components, and coordinated by the Assistant for Program and Communications who is charged with managing the overall M&E system.

The Arkan team also worked with primary stakeholders to collect data on the impact of project activities. Primary stakeholders are:

- Law professors
- Law students
- Civil society organizations (CSO) working towards adherence and respect for the rule of law and independence of the judiciary

- Palestinian Bar Association (PBA)
- Practicing and training lawyers
- General public

OVERVIEW OF PROJECT RESULTS

Overall, indicators show improved skills, resources, and performance amongst institutions and actors fundamental to increased respect for the rule of law. Surveys also show increased awareness amongst children and youth for respect for the law. The legal education component of the project made significant strides to increase the use of interactive teaching methods, help increase student participation in their own education, and assist law schools in reforming and improving curriculum offered. Under component two, 25 Continuing Legal Education courses were delivered in the West Bank and Gaza and organizational development assessments were conducted of both Musawa and the PBA. Finally, component three helped raise awareness through training 109 facilitators in either mock trial or children/youth manuals in the West Bank and Gaza. It was also clear from the pre and post-manual surveys that children's awareness of rule of law issues increased. For more detailed reporting on each indicator, please refer to the below table.

PMP TABLE

ENHANCING LAW FACULTY CONTRIBUTION TO LEGAL REFORM

Impact – Indicator	Rationale for indicator	Current Results
<p>Impact/result: Teaching of legal education improved</p> <p><i>Indicator:</i> <i>No. of faculty using interactive teaching methods</i></p> <p>Disaggregate data by:</p> <ul style="list-style-type: none"> • Interactive teaching methods, such as case studies, Socratic method, simulation/role playing, mock trials, etc. • Law schools using interactive teaching methods 	<p>Teaching styles in Palestinian law faculties are fairly traditional, with great emphasis on lectures and memorization. New teaching techniques that would develop law student's critical thinking skills need to be introduced to improve quality of education. New techniques include interactive tools such as in-class simulations and discussions, case studies, and moot court competitions.</p> <p>For this indicator, the term “faculty” refers to law professors, law librarians, and other staff with whom <i>Arkan</i> collaborates. This group is considered key to impacting the legal community. A number of faculty members from partner law schools were trained and received manuals on interactive teaching methods. Participants were expected to share their experience with their colleagues, in order to encourage the use of these methods. By tracking the number of professors using <i>Arkan</i>-introduced teaching methodologies, the project is able to monitor its impact in providing law faculty with pedagogical tools and improving legal education.</p>	<p>A total of 28 law professors from 5 partner law schools participated in <i>Arkan</i>'s Training of Trainers workshops on interactive teaching and legal research. It is estimated that more than 350 law students benefited from integration of practical skills courses into law school curriculum.</p> <p><i>Arkan</i> conducted a follow-up survey to assess the impact of this intervention. The project received responses from 19 of the professors and deans trained; there were responses from professors at all 5 partner law schools, broken down as follows:</p> <ul style="list-style-type: none"> 5 – Al Azhar University 6 – An Najah University 3 – Al Quds University 3 – Birzeit University 2 – Arab American University of Jenin (AAUJ) <p>The results of the survey were very encouraging; professors indicated that they are applying the new methods that they have learned, although to varying degrees.</p> <p>Half of the respondents indicated that they use interactive teaching methods in every class, with the other half indicating that they use these methods on a weekly basis. The tools employed most frequently are case studies, followed by the Socratic method, in-class simulation, and finally legal research. Case studies appear to be the easiest form of interactive teaching to integrate into existing courses as they require minor modification to the lecture format. However, the Socratic method, in-class simulation, and legal research call for greater student involvement. This makes them less likely to be used, as they are time consuming and difficult to manage in most classes where the professor-student ratio is relatively low. Additionally, the legal research method appears to be the least used as it increases the work burden on professors, who must grade the papers they assign their students.</p>

Impact – Indicator	Rationale for indicator	Current Results
		<p>Of the 19 respondents, 17 indicated that they had received the <i>Interactive Teaching and Learning Training Manual</i> and gave it a rating of 7.3 out of 10 in terms of usefulness. A quarter of professors said they use the manual on a daily basis, with the remainder using it on a weekly or monthly basis. Only 11 out of 19 respondents indicated that they have received the second manual, <i>Legal Research and Writing Manual</i> and rated it 8.3 out of 10 in terms of usefulness. Half of the respondents stated that they use the manual on a monthly or bi-monthly basis, approximately a third use it in each class or on a weekly basis, and the remainder of respondents said they use the manual on an as-needed basis.</p> <p>Al Quds and other partner universities have made significant advancements in the introduction of interactive teaching methods. Many professors have even taken the initiative to apply what they learned in the workshops organized by <i>Arkan</i>.</p>
<p>Impact/result: Engagement of Students in their educational development improvement</p> <p><i>Indicator:</i> No. of students engaged in educational development activities</p> <p>Disaggregate data by:</p> <ul style="list-style-type: none"> • Type of activity, such as mock trial training with comp. 3, externship program, personal action plan, student association. • Law School level 	<p>Engaging students is an important part of the law education reform process. Student associations are one of the best ways to ensure active participation in education system reform. Giving students the tools to improve their own individual learning, through participation in mock trials or development of personal action plans, is also critical. While the externship program, personal action plans, and mock trials are measured quantitatively, the project felt that qualitative documentation of student associations was the best way to measure engagement in this activity.</p> <p>Law schools have an important role to play in engaging students in the development of legal education in Palestinian universities. This indicator is intended to measure not only student involvement, but deans and faculty members' receptiveness to student involvement. It is anticipated that the success of the above activities is due, in part, to the support of law faculty. This indicator compliments the one above, as we anticipate that the increased use of interactive teaching techniques will also increase student's involvement in their education.</p>	<p><i>Externship program</i> A total of 10 students, 2 from each partner university, participated in the pilot externship program that was developed by <i>Arkan</i>. The students were placed in various organizations, including private law offices, legal departments in private companies and CSOs. Students completed an average of 43.5 hours at their respective placements. While their experiences varied a great deal based on their placement, they all indicated that they benefited from the experience, on a personal and professional level.</p> <p><i>Mock Trials</i> In an effort to encourage interactive teaching techniques, <i>Arkan</i> helped donate approximately \$13,000 worth of equipment and furniture, part of which went to establishing a mock trial court room for students. The students have already performed three mock trials in the short time that they've had the furniture, which will increase as the school year begins.</p> <p><i>Personal Action Plan</i> <i>Arkan</i> provided students from all participating partner law schools with forms to develop personal action plans. While students were introduced to the idea of an action</p>

Impact – Indicator	Rationale for indicator	Current Results
		<p>plan and taught personal planning skills, the constraints of the current academic system, like a small offering of elective courses, limited their options.</p> <p><i>Students' Association</i> Al Azhar University law students have been pioneers in establishing a student association: bylaws are drafted and elections for executive committee positions have taken place. These bylaws have been distributed as a resource to students in other partner schools. Students have faced challenges, including opposition from the student-wide university association and lack of support from the law school dean and faculty members (after several meetings, the students gained the latter group's support.) Founding members include 22 students and some 250 students are now members. The association organized a number of field trips to local CSOs working in the field of law and to the Ministry of Justice. In addition, they worked with NGOs to organize training programs for law students. The association also established a magazine, held workshops, and conducted the first moot court activity in the court room furnished by the Arkan project.</p> <p>Birzeit University law students also recently held elections for their newly established law student association and is now working towards implementing activities. There are approximately 15 committee members and 100 active members of this student association.</p> <p>Law students from the various universities who met through Arkan are now working on forming an association that would represent law students and training lawyers throughout the West Bank and Gaza.</p> <p>The project was unable to work with other partner law schools as they were not vetted at the time of this activity.</p> <p><i>Law School</i> Law Schools have been fairly hesitant to involve students in educational developments. While the administrative structures and decision making powers vary from university to university, most still have a centralized system where curriculum and program decisions are made at the administration level, which leaves little room for student involvement. Despite this, it is estimated that</p>

Impact – Indicator	Rationale for indicator	Current Results
		more than 350 law students benefited from integration of practical skills courses into law school curriculum.
<p>Impact/result: Legal Education curriculum and academic plans improved</p> <p><i>Indicator: Changes/additions in curriculum & course offerings</i></p> <p>Disaggregate data by:</p> <ul style="list-style-type: none"> • Courses introduced, such as practical skills courses, clinical legal education, legal research. • Externship program at the school level • Mock trials at the school level 	<p>This measure compliments the other two measures for this component. By tracking changes and addition in curriculum and course offerings, <i>Arkan</i> is able to monitor the impact of its activities in providing law faculty with pedagogical tools, as well as monitor overall improvement in course offerings through diversified curricula and improved teaching techniques.</p>	<p><i>New Courses</i> Al Quds University is the pioneer in implementing recommendations proposed in the Curriculum Reform Review (CRR). Based on this report, the university drafted a new academic plan emphasizing development of practical skills. The plan went into effect in February 2007. Part of this plan included the introduction of a mandatory legal research course, which will employ, in part, Arkan's legal research manual. In addition, faculty members have been implementing interactive teaching skills that they learned through the <i>Arkan</i> workshops.</p> <p>As a result of Arkan's efforts legal research has become a core course at at least two law schools. Al Quds used the legal research manual to develop and pilot two legal research elective courses: 56 undergraduate law students are enrolled in the B.A. level course; 19 graduate students are enrolled in the LL.M. level course.</p> <p>It should be noted that the introduction of a legal research course requires resources that may not be available at all universities. <i>Arkan</i> consultant, Suzanne Morrison, who carried out an assessment of the library facilities at the partner law schools, found that resources vary significantly with Birzeit University Institute of Law having the most comprehensive collection, followed by Al Quds University. The lack of resources is further compounded by the fact that there is currently no system for inter-library borrowing. No other law schools have implemented a legal research course at this time.</p> <p><i>Externship Program</i> As <i>Arkan</i> implemented the externship program, the project found that there were more organizations willing to host students than the pilot program was able to accommodate. The project provided the names of the interested organizations to partner universities in an effort to support a continued externship program. An Najah University took the initiative to develop its own externship program and to arrange the placement of two students.</p>

Impact – Indicator	Rationale for indicator	Current Results
		<p><i>Mock Trials</i></p> <p>The project was only able to supply equipment to two law schools because of ATC requirements. These two law schools, Al Azhar University and Al Quds University, have fully equipped mock trials rooms. Al Azhar University Law School has already begun to utilize their facilities, having already conducted several mock trial activities. Al Quds University Law School is still preparing the room that will house the mock trial facilities and anticipates holding several after the room is completed.</p>

BUILDING PUBLIC AND PROFESSIONAL CONSTITUENCIES FOR REFORM

Impact - Indicator	Rationale for indicator	Current Results
<p>Impact/result: CLE Program implemented</p> <p><i>Indicator:</i> <i>Number of CLE program courses delivered</i></p> <p>Disaggregate data by:</p> <ul style="list-style-type: none"> • West Bank • Gaza 	<p>A continuing legal education (CLE) program is an important part of the legal profession's continued development. Having better lawyers will ultimately build constituencies for reform who will help the formal judiciary sector improve. This quantitative indicator will enable Arkan to assess the number of sessions delivered to legal professions who are both members and non-members of the PBA. From a management perspective, this indicator measures the impact of capacity building activities delivered by <i>Arkan</i> to key partners.</p> <p>Given the physical separation between Gaza and the West Bank, which effectively requires the administration of two separate programs, the data will be disaggregated by region.</p>	<p><i>Arkan</i>, in cooperation with the PBA in the West Bank, planned to conduct 25 CLE sessions on a number of topics. Due to discussions regarding branding issues, there was a significant delay in the implementation of the CLE program. The PBA Board was concerned that it would appear that they were receiving direct funds from USAID and that this perception would influence the outcome of the board elections in April 2007. Taking this issue into account, a compromise regarding the branding issue was reached and sessions began.</p> <p>A total of 13 out of the planned 25 CLE sessions were completed before the PBA held their board elections in April 2007. The sessions were attended by 258 legal professionals, both members and non-members of the PBA. The remaining 12 sessions were put on hold until the vetting came through for the newly elected PBA board.</p> <p>In the Gaza Strip, <i>Arkan</i> has been working with Al Azhar University to implement the CLE sessions. A total of 12 CLE sessions were conducted. The sessions were attended by 471 legal professionals and students.</p>
<p>Impact/result: Organizational capacity of PBA and Musawa to provide member services enhanced</p> <p><i>Indicator:</i> <i>Key PONAT recommendations (including staffing) adopted/implemented by PBA and Musawa</i></p> <p>Disaggregate data by:</p> <ul style="list-style-type: none"> • Recommendations 	<p>Improving the performance of NGOs that are working in the rule of law field will ultimately improve the quality and responsiveness of their interventions and contribute to rule of law reform. An important first step in organizational development is to conduct an initial assessment of the organization to identify strengths, weaknesses and potential areas for development. <i>Arkan</i> has conducted an analysis using the PONAT tool, which includes both quantitative and qualitative data collection. Following the assessment, a number of recommendations are made that are intended to enable the organization to achieve its stated mission and vision. The assessment is then used in the development of a strategic plan.</p> <p>By identifying the recommendations that are implemented by the PBA and Musawa, <i>Arkan</i> can assess the impact its work had on the development of local organizations working in the rule of law field.</p>	<p>Due to delays in the re-vetting process, <i>Arkan</i> has not been able to provide the PBA with a copy of the PONAT report. Hence, there has been no opportunity for the PBA to implement any changes.</p> <p>Musawa developed a strategic plan based on PONAT recommendations that has been approved by its board. This is a major accomplishment, as it has helped the organization to focus its work on those programs that fit within its mandate and strategic plan. Because of this renewed focus, the organization has been able to secure \$780,000 of core funding for three years, providing it financial stability.</p> <p>Musawa has improved its administration/management and finance systems based on PONAT recommendations. The organization has adopted more transparent accounting standards that better fit the organization's needs. In addition, Musawa has developed a personnel</p>

Impact - Indicator	Rationale for indicator	Current Results
		<p>manual and procedures.</p> <p>Other key PONAT recommendations that have been implemented include:</p> <ul style="list-style-type: none"> - Alliances developed with other relevant NGOs in order to more effectively advocate for judicial independence and rule of law; - Two new members added to the General Assembly to diversify the organization's leadership; - Monitoring and evaluation abilities increased; - Technical director hired to improve linkages between staff and the Director General; - Publications' quality improved through better trained staff.
<p>Impact/result: Bar Exam Training Program enhanced</p> <p><i>Indicator:</i> <i>Number of course outlines adopted by PBA</i></p> <p>Data not disaggregated</p>	<p><i>Arkan</i>, in cooperation with PBA, developed a Bar Exam training program to ensure that all training lawyers have access to a standardized set of courses and improve performance on the bar exam. The number of course outlines adopted by the PBA measures <i>Arkan's</i> contribution to enhancing and improving bar exam preparation, which will in turn produce better trained lawyers.</p>	<p>Due to delay in the re-vetting process, <i>Arkan</i> has been unable to provide PBA with a copy of the Bar Exam Outlines. Hence, there has not been an opportunity to adopt them.</p>

INCULCATING A CULTURE OF RESPECT FOR RULE OF LAW

Impact - Indicator	Rationale for indicator	Current Results
<p>Impact/result: Rule of law awareness education programs increased</p> <p><i>Indicator:</i> <i>Number of Facilitators trained</i></p> <p>Disaggregate data by:</p> <ul style="list-style-type: none"> • Geographic area • Tool (manual, mock trial) 	<p>Facilitators work for organizations including CSOs, community groups, schools, and universities around WBG. As such, <i>Arkan</i> thought they were a strategic group, as their contact with many actors makes them an effective means of spreading information on rule of law. By empowering this group and building their capacity, this indicator allows <i>Arkan</i> to measure the impact of its activities under task two of component three. Data was collected by surveying facilitators who worked with and/or received training from <i>Arkan</i> and is disaggregated by gender.</p>	<p>In Gaza 35 facilitators were trained in the youth rule of law awareness manual and mock trial methods. Of this group 22 participants were male and 13 were female. 41 facilitators were trained in how to implement mock trials and rule of law awareness manuals for children. Of these facilitators 27 were male and 14 were female.</p> <p>In West Bank 33 trainers learned how to use both the youth and children's rule of law awareness manual, in addition to the mock trial method. Of this group 23 were males and 10 were females.</p>
<p>Impact/result: Knowledge increased, attitudes changed, and perceptions improved on rule of law</p> <p><i>Indicator:</i> <i>Knowledge, attitude, and perceptions of participants in rule of law awareness programs</i></p> <p>Disaggregate data by:</p> <ul style="list-style-type: none"> • School children (ages 12-17) • Youth (18-25) 	<p>The key goal of the Rule of Law awareness program is to increase school children's and youth's knowledge of rule of law issues, in order make them more aware and effective citizens. A survey measuring knowledge, attitudes, and perceptions was distributed prior to each training as a baseline. Another survey was distributed after the training to measure attitude changes.</p>	<p>The children's survey was developed by <i>Arkan</i> staff with the assistance of a colleague from CARE experienced in survey development. It was revised based on a test-run on 36 children as well as based on facilitators' comments.</p> <p>For children ages 12-17, facilitators were asked to distribute surveys before and after training. The project received 707 pre-training surveys and 813 post-training surveys. The likely reason for this discrepancy is that some children did not turn in pre-training surveys and/or they were not present the day of pre-training. Despite this discrepancy, survey results help us understand how children's attitudes changed.</p> <p>Data show a change in knowledge, attitude, and perception of children. In examining their responses, it was clear that there was already a strong base knowledge of rule of law issues and that the training helped to increase knowledge. The first question tested children's understanding of the general concept of rule of law. Children showed a high understanding of this term from the beginning, with 91% correct responses in both pre and post surveys. Students knowledge of appropriate actors in the court also increased, with an increase of 25.6% and 21.4% respectively of children knowing that both a police officer and a prosecutor were part of the judicial process. In addition there was a 7.1% decrease in the number of children who that a community elder (<i>Mukhtar</i>) was part of the formal judicial process. There was a 3.4% increase in awareness about the children's rights law, as well as a 6.5% increase in the number of children who chose the</p>

Impact - Indicator	Rationale for indicator	Current Results
		<p>formal legal process as the best way to settle disputes. The survey also revealed a 4.4% increase in the number of children that thought violence was never an appropriate way to resolve problems.</p> <p>We were unable to implement the youth facilitator's manual due to delays in vetting for our potential CSOs that would have been subcontracted to carry out the program.</p>