

# **Supporting Human Rights Defenders in the area of Land-related Rights, Indigenous Peoples in the Context of Inter Alia 'Land Grabbing' and Climate Change**

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## **END OF PROJECT EVALUATION REPORT**

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## Table of Contents

List of Tables .....	iii
List of Figures.....	iii
List of Abbreviations .....	iv
Executive Summary .....	v
<b>Section One: Introduction .....</b>	<b>1</b>
1.0. Background and Rationale for the Project .....	1
1.1. Objectives of the Project .....	1
1.2. Objectives of the End-term Evaluation.....	1
1.3. Scope of the Evaluation .....	1
1.4. Methodology .....	2
1.5. Limitations of the End-term Evaluation .....	3
<b>Section Two: Results of the Project at End-term.....</b>	<b>5</b>
2.0. Introduction.....	5
2.1. Attainment of Outcomes & Outputs .....	5
2.2. Pointers to Impact .....	12
<b>Section Three: Relevance of the Project .....</b>	<b>14</b>
3.0. Overall finding on Relevance .....	14
3.1. Consultation and involvement of targeted communities in project design:.....	14
3.2. Demonstrated need and benefits to targeted communities: .....	15
3.3. Relevance of capacity development interventions:.....	15
<b>Section Four: Effectiveness and Efficiency .....</b>	<b>17</b>
4.0. Overall Finding on effectiveness and efficiency of the project.....	17
4.1. Attainment of Project Results.....	17
4.2. Drivers of Effectiveness and Efficiency .....	18
4.3. Adaptation to Context and implications on effectiveness and efficiency .....	20
4.4. Coordination and Engagements with Project Stakeholders.....	23
<b>Section Five: Sustainability .....</b>	<b>24</b>
5.0. Overall finding on Sustainability .....	24
5.1. Capacity improvements.....	24
5.2. Networks and collaborative arrangements.....	25
5.3. Resources for sustainability .....	25
5.4. Sustainability Strategy .....	26
<b>Section Six: Emerging Issues &amp; Lessons for MRG .....</b>	<b>27</b>
6.0. Introduction.....	27
6.1. Emerging issues and Lessons .....	27
<b>Section Seven: Conclusion &amp; Recommendations.....</b>	<b>29</b>
7.0. Conclusion.....	29
7.1. Recommendations .....	29
7.2. Elaboration of Recommendations .....	30

## List of Tables

Table 1: Distribution of LRDs Trained by Country and Gender .....	6
Table 2: LRD Networks Established .....	7
Table 3: Network Meetings by Project Partners.....	7
Table 4: Urgent Response Mechanisms Established by the Project .....	8
Table 5: Cases Addressed through Established Urgent Response Mechanisms .....	8
Table 6: Cases Handled through Established Legal Clinics .....	9
Table 7: Regional and International Advocacy Efforts.....	10
Table 8: Trainings for Judicial Officer across the Project Countries .....	11
Table 9: Law Enforcement Exchange Meetings Held.....	12

## List of Figures

Figure 1: Sampling by Country .....	3
Figure 2: Sampling by Stakeholders .....	3

## **List of Abbreviations**

<b>ACHPR</b>	African Commission on Human and Peoples' Rights
<b>AICM</b>	African International Christian Ministry
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination Against Women
<b>CSOs</b>	Civil Society Organizations
<b>DRC</b>	Democratic Republic of Congo
<b>EMRIP</b>	Expert Mechanism on the Rights of Indigenous Peoples
<b>ENAM</b>	National School of Administration and Magistracy
<b>ERND</b>	Institut Environnement Ressources Naturelles et Développement
<b>KHRC</b>	Kenya Human Rights Commission
<b>LRDs</b>	Land Rights Defenders
<b>M&amp;E</b>	Monitoring and Evaluation
<b>MRG</b>	Minority Rights Group
<b>NGO</b>	Non-Governmental Organization
<b>OPDP</b>	Ogiek People's Development Program
<b>RECODH</b>	Réseau Camerounais des organisations des Droits de l'Homme
<b>UNDRIP</b>	United Nations Declaration on the Rights of Indigenous Peoples
<b>UNDROP</b>	UN Declaration on the Rights of Peasants and Other People Working in Rural Areas
<b>UWA</b>	Uganda Wildlife Authority

## Executive Summary

### 1.0. Background and Purpose of the Evaluation

The 'Supporting Human Rights Defenders in the Area of Land-Related Rights, Indigenous Peoples in the Context of Inter Alia 'Land Grabbing' and Climate Change' project stems from the longstanding history of denial of rights of indigenous persons of Cameroon, DRC, Uganda and Kenya. The project therefore aimed to guarantee the protection of indigenous peoples' rights to land & their role in conservation & the prevention of climate change in the East and Central African states by supporting Indigenous Land Rights Defenders (LRDs), their communities & representative organizations working on land and natural resources-related rights. It was implemented by Minority Rights Group (MRG) in partnership with the African International Christian Ministry (AICM) – Uganda, the Kenya Human Rights Commission (KHRC) – Kenya, the Institut Environnement Ressources Naturelles et Developpement (ERND Institute) – DRC and the Réseau Camerounais des organisations des Droits de l'Homme (RECODH) – Cameroon.

The end of project evaluation was commissioned to i) assess the relevance, efficiency, effectiveness, sustainability, and impact of the project in relation to the objectives and desired results, ii) provide MRG and partners with an opportunity for 'structured evaluative learning, iii) highlight key lessons learnt, and iv) develop recommendations for future interventions. The evaluation relied upon the logical framework, OECD DAC Evaluation Criteria and key evaluations questions highlighted in the ToR to assess the conduct of the project. It covered the entire project duration (January 2019 – June 2022) and examined project activities across the four project countries Kenya, Uganda, DRC and Cameroon. The evaluation consulted multiple data sources, including project documents, key informant interviews with different categories of stakeholders, including MRG, implementing partners, advocacy targets and law enforcement officers and Focus Group Discussions with community members.

### 2.0. Results and Impact of the Project

The evaluation noted that the project managed to implement most of the activities despite being disrupted by the occurrence of COVID-19 pandemic. It addressed long standing issues related to human rights violations of minority and indigenous communities. It facilitated necessary capacity development (targeting land rights defenders, judicial officers, and law enforcement agencies) and brokered multi-stakeholder engagements that have led to better documentation of evidence and increased reporting of cases of land/human rights violations. The evaluation also noted various outcomes that point to impactful change in the manner in which indigenous communities are afforded their rights, and how they engage with formal judicial and quasi-judicial structures. However, impact was significantly limited by the timing of the evaluation as the project had a 3-year duration which was considered short and further constrained by COVID-19.

Whilst there were notable results, the evaluation could not strictly measure and report on two outcomes due to unavailability of complete monitoring data. These outcomes include, i) Number of trained judges and law enforcement officials reporting use of acquired knowledge and ii) Number of national/regional/international stakeholders engaged who assert commitment to positive action. The table below summarises results of the project highlighting planned target results against actual end term value for each indicator.

Project Results	Indicator	Baseline value	Planned Target	End-term value
70% of the 210 trained LRDs (including 50% of women) state that they employ their newly acquired knowledge and skills in collection land rights abuses evidences and in key dialogue with	No of trained LRDs who indicate to have employed acquired knowledge	NN	70%	137 LRDs (79 males and 58 females) indicate employing acquired knowledge.

local, national and/or international decision-makers				This translates to 70% of total LRDs trained.
70% of the 500 LRDs and CSOs members benefiting from capacity building (training, networks, response mechanisms, legal clinics & advocacy meetings - including at least 50% of women) declare being able to securely monitor and document land rights violations, and being able to collaboratively engage with stakeholders at different levels.	Number of LRDs and CSO members to declare ability to securely monitor and document land rights violation, and engage with various stakeholders	NN	70%	196 LRDs attended training (113 males, 83 females)  Declaration by 91% of LRDs (36% being women) <sup>1</sup>
At least 10 pieces of land rights abuses evidence collected in legal clinics projects are used by participating LRDs and CSOs members in strategic litigation or to inform judgment implementation & advocacy efforts.	Number of land right abuses evidence collected in legal clinics used to inform judgement implementation and advocacy efforts	NN	NN	3 cases collected used in advocacy efforts (Uganda, DRC and Kenya)
At least 3 of the 5 cases/ judgments (3 litigation cases & 2 IP LR regional judgements implementation) investigated/ pursued demonstrate significant progress achieved and/or increased access to remedies for victims supported by LRDs and CSOs members	Number of Cases/judgements pursued that demonstrate progress in increased access to remedies for victims supported by LRDs and CSO members	NN	3 cases	1 case
70% of trained judges and Law Enforcement Officials report they employ new knowledge, engage more easily with LRDs & demonstrate more understanding of the role of Indigenous Peoples in conservation and climate change mitigation/prevention actions	Number of trained judges and law enforcement officials reporting use of acquired knowledge			Not able to measure due to lack of monitoring data
At least 60 national/ regional or international stakeholders engaged with during the action assert their commitment to overcome the lack of access to judicial and non-judicial remedies in land rights cases and the non-recognition of the role of indigenous peoples in preventing climate change.	Number of national/regional/international stakeholders engaged who assert commitment to positive action			There was insufficient data to report on this indicator. Nonetheless, from project documents there was evidence on collaboration and commitment from stakeholders to overcome the lack of access to judicial and non-judicial remedies

<sup>1</sup> These values are solely based on analysis of Uganda LRDs' post training questionnaires that assess the extent of acquisition of knowledge to identify key human rights challenges and ability to network with various actors (CSOs, activists & fellow LRDs).

				through the passing of the DRC Bill on the protection of the indigenous people among others.
<b>Output 1</b>				
Output 1.1. 210 LRDs from 4 target countries (including at least 50% of women) are trained on indigenous land rights, conservations standards, monitoring and advocacy skills, to improve their local capacities to take action for the assertion and implementation of IPs land rights.	Number of LRDs trained (Including at least 50% women)	61 (Uganda, DRC, Kenya)	210	196 LRDs trained (42.3% women)
Output 1.2 Establishment of 16 LRD national networks to break down isolation/foster support struggle/undertake joint work (with 106 national and 2 regional meetings between networks)	Number of LRD national networks implemented in 4 countries	NN	16	17 LRDs networks established
Number of network meetings conducted in project duration	Number of network meetings conducted	1 in country (DRC) and 1 regional meeting conducted	80 in country and 2 regional meetings conducted	57 in country meetings and 2 regional meetings conducted
Output 1.3 Establishment of 24 urgent response mechanisms in 4 states to respond to emergencies faced by LRDs.	Number of Urgent response mechanisms established in 4 countries	NN	24	23 Urgent response mechanisms established
Output 1.4 16 National advocacy meetings between 250 national network members with national and local authorities and non-state actors (including organisations involved in conservation and climate change) in 4 states.	Number of advocacy meetings carried out	NN	16	21 advocacy meetings carried out
<b>Output 2</b>				
Output 2.1 16 legal clinic projects established in the 4 target countries to collect and analyse data on abuses and assist with cases and emergency human rights situations.	Number of legal clinics established in 4 countries	No major functioning legal clinic projects  Difficulties to collect and compile data about land rights	16	17 legal clinics established
Activity 1.2.2 Strategic Litigation	Number of regional land rights and conservation	NN	3 cases pursued (DRC,	1 case is being pursued (in DRC) before Africa

	cases investigated and pursued		Uganda & Cameroon)	Commission on Human and People's Rights.
Activity 1.2.3 Implementation of Successful Judgments	Number of successful cases/judgements on regional indigenous peoples land rights.	NN	2 successful cases	2 Cases are currently being pursued (Ogiek and Benet cases in Kenya and Uganda respectively) though judgement is yet to be successfully implemented
Activity 1.2.4 Regional and International Advocacy	Number of international and regional advocacy visits conducted; number of shadow reports submitted	NN	12 advocacy trips to be conducted; submission of 4 shadow reports	4 advocacy trips conducted; 7 shadow reports submitted to regional and international bodies
<b>Output 3</b>				
Activity 1.3.1 Judicial Training Workshop	Number of judges trained	NN	60 judges from the 4 countries trained	62 judges trained on indigenous land rights and conservation standards
Activity 1.3.2 Law Enforcement exchange meetings	Number of law enforcement officials trained	NN	80 law enforcement officials from the 4 countries officials trained	57 law enforcement officials from the 4 countries trained

### 3.0. Conduct of the Project

Overall, the evaluation found the project to be relevant as it addressed long standing issues related to human rights violations of minority and indigenous communities. The project conducted partner consultations, to understand needs of targeted beneficiaries during project design that ensured the project's relevance and was tailored to address the needs and challenges of targeted communities. The project also recruited strong partners at country level with substantive experience, credibility, reach and sufficient capacity that buoyed implementation and increased effectiveness and efficiency. Further, the approach to capacity development adopted by the project was effective and suitable for tackling the inherent human/land rights violations faced by the indigenous communities. The overall findings of the conduct of the program are summarized below, together with the qualitative grading.

### 4.0. Qualitative Grading of the Conduct of the Project

The overall findings on the conduct of the project are summarised on the qualitative grading in the table below and further discussed as follows. **GREEN** represents areas where the project appeared to largely answer positively the questions in the evaluation criteria. **AMBER** represents where performance was satisfactory but with gaps that need to be addressed to assure attainment of results of better-quality. **RED**



represents areas where there were substantive weaknesses that threaten implementation, attainment of results and sustainability of progress.

Evaluation criteria		Grading
Impact		
Relevance		
Effectiveness		
Efficiency		
Sustainability		
Legend		
Green		Excellent performance
Amber		Satisfactory Performance with room for improvement in strategy, approaches and implementation methodologies
Red		Substantive weaknesses that impacted smooth implementation, attainment of results and/or sustainability of program

**Relevance:** The evaluation found the project largely relevant as it targeted to address real challenges faced by indigenous communities in specific locations known for high incidence of human rights violations in the four targeted countries. The project was anchored on international instruments, regional and national level laws and policy that aim to ensure inclusion of minority populations and promote respect and protection of their rights – socio-cultural, economic and political rights. The project was cognisant of gender as the capacity development sessions included training on promotion, respect and protection of rights of all community members (including women who have been marginalised due to gender norms within African communities). It conducted pre-project consultations with partners that ensured information on contextual realities in implementation countries, immediate needs of targeted beneficiaries were infused into the design of the intervention. Further, the project contributed to capacity building of paralegals, LRDs, judicial officers that was reported to be crucial in improving knowledge and attitudes of how individuals handle issues of minority and indigenous communities. As such the evaluation grades the project having performed excellently in terms of relevance.

**Effectiveness:** The evaluation found the project to be substantively effective in realizing its set objectives and targets and grades it excellent. The strategies and approaches applied were sound, and this is best demonstrated by the results and outcomes realized. Further, despite the context evolving over the duration of the intervention, necessary measures were taken to improve effectiveness of the project and facilitate implementation of planned activities. These included capacity development, establishment of platforms to facilitate dialogue, effective communication amongst partners, use of ICT for trainings among others. Further, particularly related to COVID-19, implementing partners and the MRG team demonstrated strong capacity to adjust accordingly and pursue intended objectives using a myriad of strategies that proved to be effective. A combination of these efforts were noted to have significantly contributed to an increase in the number in which cases of land rights violations were reported. Whilst the project excelled in adaptive management ensuring that Covid-19 pandemic related disruptions were avoided, some aspects of the project, like physical attendance in international advocacy, were out of our control when they were completely suspended during the pandemic.

**Efficiency:** The evaluation found that with available resources, the project was able to realise the desired outcomes and meet most of the target results. However, the project was constrained by various internal factors such as limited resources (inadequate human personnel, inadequate project budget and limited time) that hampered project efficiency and acted as barriers to implementation. Further, occurrence

of COVID-19 in the second year of project implementation ate into project time and disrupted planned activities. Weaknesses in efficiency manifested as absence of a robust M&E framework, which had significant influence on the nature of operations and limited human capacity at country level, which resulted in poor coordination of country activities. This therefore, results in the evaluation grading the project's efficiency to be satisfactory. The project would have benefitted from more project management capacity in terms of human resources available, adequate budget and longer project duration. These offer lessons for future programming and delivery of similar interventions.

**Sustainability: The general observation was that there were notable elements and considerations in the conduct of the project that shall be instrumental in achieving sustainability.** This is reflected in: i) capacities developed that stakeholders argue will be instrumental into the future, ii) partnerships and networks developed among LRDs; and (iii) improved awareness of the plight and rights of indigenous communities by government officers and openness to engage. There was nonetheless no indication of an overt, deliberate strategy/plan for ensuring sustainability of project outcomes – developed at the beginning or during the life of the project. This points to missed opportunities for a stronger focus on sustainability and as such the evaluation grades the project's sustainability as satisfactory.

## **5.0. Conclusion and Recommendations**

The evaluation found substantive evidence pointing to effectiveness of the project in translating resources availed into significant outcomes that have improved the circumstances of targeted indigenous communities in Kenya, DRC, Cameroon and Uganda. Despite challenges during implementation, particularly related to COVID-19, implementing partners and the MRG team demonstrated strong capacity to adjust accordingly and pursue intended objectives using a myriad of strategies that proved to be effective. There were however notable challenges associated with the design of the project and resources available for implementation, that impinged on its effectiveness and limited opportunities for ensuring sustainability of progress attained and scale up of change. Moving forward, below are some recommendations emerging from the evaluation, that MRG, EU and implementing partners can pursue to improve opportunities for success in the future.

1. Consider the added value of research and evidence generation (Political Economy Analysis, Needs Assessments, Baseline studies) to planning and formative stages of future interventions;
2. Ensure, in future interventions, that project design provides sufficient resources for recruiting and retaining adequate staffs (for project management and auxiliary support functions like M&E) to support implementation;
3. Prioritize the Monitoring, Evaluation and Learning Function of interventions to ensure prudent collection of monitoring data and documentation of progress towards targets. Consider augmenting MEAL framework with more qualitative progress documentation techniques like outcome harvesting and most significant change stories collection;
4. Leverage influence and networks of the strong national partners engaged in the project to enhance reach, amplify impact and buttress sustainability of interventions;
5. Invest more in ICTs and other suitable communication tools to augment direct engagements among project stakeholders, and particularly overcome challenges related to language barriers;
6. Explore collaboration and partnership opportunities with other organizations and institutions working on similar themes and domains to enhance the scope and impact of interventions;
7. Leverage the influence of donor/funding agencies such as the European Union to influence policy and enhance the effectiveness of advocacy efforts at national and regional levels; and
8. Consider exploring opportunities for long-term funding to support interventions with longer implementation duration (considering time necessary to effect change) in order to amplify impact and assure sustainability.

## **Section One: Introduction**

### **1.0. Background and Rationale for the Project**

The 'Supporting Human Rights Defenders in The Area of Land-Related Rights, Indigenous Peoples, In The Context of Inter Alia 'Land Grabbing' And Climate Change' project stems from the longstanding history of denial of rights of indigenous persons of Cameroon, DRC, Uganda and Kenya. Although being quite a heterogeneous group, indigenous persons of these countries share a similar and longstanding history of denial of their rights to land and natural resources.

The project thus aimed to guarantee the protection of indigenous peoples' rights to land & their role in conservation & the prevention of climate change in the East and Central African states by supporting Indigenous Land Rights Defenders (LRDs), their communities & representative organizations working on land and natural resources-related rights. The project was implemented Minority Rights Group in partnership with 4 implementing partners in East and Central Africa. These organizations include: The African International Christian Ministry (AICM)-Uganda, the Kenya Human Rights Commission (KHRC)-Kenya, the Institut Environnement Ressources Naturelles et Developpement (ERND Institute)-DRC and the Reseau Camerounais des organisations des Droits de l'Homme (RECODH)- Cameroon.

### **1.1. Objectives of the Project**

Specifically, the project sought to empower indigenous Land Rights Defenders (LRDs) and their representative organizations to overcome the lack of access to judicial and non-judicial remedies and the non-recognition of the role of indigenous peoples in preventing climate change.

Key planned results of the intervention included:

- Increased short- and long-term capacities and protection of 500 LRDs (50% women).
- Increased number of cases of land rights violations taken to existing international and regional domestic judicial and non-judicial mechanisms and associated increased of access to remedies secured for victims by supported LRDs.
- Increased commitment of 260 key stakeholders from target countries to ensure the respect of rights and standards LRDs are campaigning for in order to overcome impunity and secure access to remedies for victims.

### **1.2. Objectives of the End-term Evaluation**

With the project concluding, MRG and partners sought to conduct an end-term evaluation. The key objectives of the evaluation, as outlined in the ToR, included to:

- Assess the relevance, efficiency, effectiveness, sustainability, and impact of the project in relation to the objectives desired results, planned activities and supporting outputs set out in the proposal documentation and any amendments during the project (whilst respecting security and risk avoidance protocols).
- Provide MRG and partners with an opportunity for 'structured evaluative learning', with the aim of learning from the design and implementation process.
- Based on the findings of the evaluation, highlight key lessons learnt, develop a set of suggestions and key recommendations for future and continued MRG and partners' activities.
- Also make recommendations to any stakeholder groups as appropriate.

### **1.3. Scope of the Evaluation**

The evaluation covered the entire duration of programme implementation from January 2019 – June 2022. It examined all project activities implemented across all four project countries – Kenya, Uganda, DRC and

Cameroon. At the inception stage of the endline evaluation, field visits were scheduled to take place in Kenya and DRC. However, due to ongoing conflict during the program evaluation period in the South Kivu region in DRC, (where the project was implemented), government travel restrictions limited travel in and out of the area thus field visits only happened in Kenya. As part of the contextualization and substantiation of the programme results, the evaluation consulted multiple data sources, including collecting data from different categories of stakeholders, including MRG, implementing partners, advocacy targets and other relevant stakeholders.

## **1.4. Methodology**

### **1.4.1. How we did it – Approaches to the Study**

In examining the conduct of the project, the evaluation relied upon the i) Logical Framework, ii) OECD Evaluation Criteria and iii) key evaluation questions specified in the Terms of Reference.

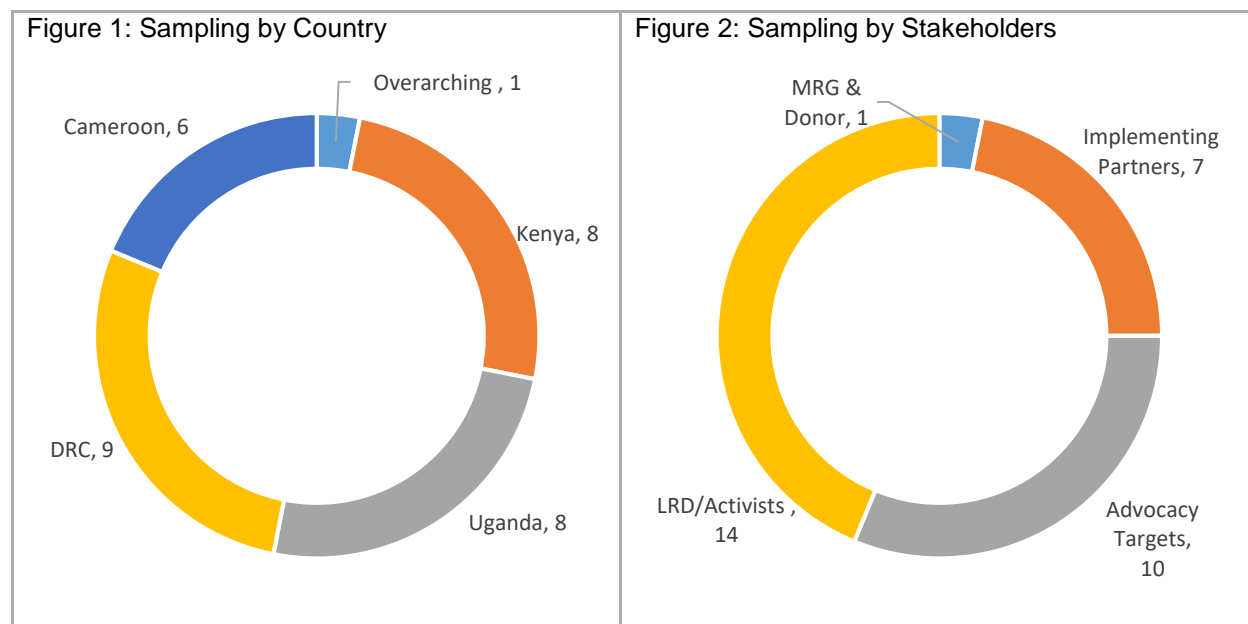
- **Logical Framework:** The first layer of the evaluation assessed the results of the project at end term against set targets. The project's logical framework formed the main reference point in measuring results, assessing progress toward meeting objectives against project timelines. Focus was placed on assessing how changes resulting from COVID-19-related restrictions impacted project plans, the resulting challenges and whether the adaptive measures were taken in a timely manner.
- **OECD DAC Criteria:** The project was further subjected to the OECD DAC evaluation criteria. The evaluation questions focused on interrogating the project's relevance, effectiveness, efficiency, sustainability, coherence and impact. The approach facilitated assessment of the cogence and effectiveness of processes/activities undertaken throughout the tenure of the project since its inception in 2016. Additionally, the method has also provided an indication of whether the project results achieved over the years are likely, over the longer term, to achieve or contribute to the achievement of desired impact sustainably.
- **Key Evaluation Questions:** Lastly, the evaluation provided a unique focus to the additional evaluation questions specified in the Terms of Reference. These focused on gauging the effectiveness of capacity development in realising project success, partnerships developed and how they were harnessed, how gender considerations were mainstreamed during implementation, the extent to which grassroots communities benefited from the project, and explored the utility of knowledge products (publications) to the attainment of project results.

### **1.4.2. Who we consulted – Respondents**

The evaluation consulted both existing and new data sources drawn from both primary and secondary sources. Secondary data sources largely included the project documents such as project's concept note, logical framework, annual narrative reports, and other relevant reports which provided more insights on the design, conduct and results of the project. The documents helped understand the design of the project, the results realised and the context within which the results were realized. Primary data sources entailed collection and analysis of data from key stakeholders involved in project implementation. Information from primary sources was obtained through Key Informant Interviews and Focus Group Discussions. Primary data was sought from MRG staff, representatives from implementing partner organizations, Land Rights Defenders, duty bearers and beneficiaries from the indigenous communities targeted by project activities.

The evaluation utilised multistage sampling criteria to identify specific respondents to be engaged during the data collection process across the four countries. The sampling criteria involved selecting respondents based on the country of implementation and the stakeholder categories. Using the two approaches, the evaluation consulted a total of 62 individuals – 32 respondents consulted through Key Informant Interviews

and 30 through Focus Group Discussions. Focus Group Discussions were conducted in Kenya and DRC. Figure 1 and 2 show the composition of respondents by country and stakeholder configuration respectively.



### 1.4.3. Analysis and Presentation of Findings

Considering that the evaluation mainly relied on qualitative data, the main approach utilised was manual/ content analysis guided by the key objectives of the program and other prominent issues that emerged from desk research. Audio records from Key Informant Interviews and Focus Group Discussions were transcribed, with the resulting text transcripts forming the core portfolio of qualitative evaluation data. Data analysis was guided by the established evaluation framework, with key reference to the evaluation objectives outlined in the ToR. The findings have been reported in form of descriptive text and augmented by relevant verbatim quotes, tables and charts where applicable.

### 1.4.4. Ethical Considerations during the Evaluation

The team adhered to a specific set of codes of conduct throughout the processes of data collection, handling, analysis and documentation of evaluation findings. These principles included transparency, honesty and integrity, accountability and confidentiality. Internal project documents shared by MRG project staff and implementing partners were kept confidential and only availed to the evaluation team. During data collection, respondents were informed about the purpose of the evaluation and interviews/discussions only conducted after obtaining consent from the informants. Data collected during the evaluation – audio recordings and transcripts – was stored in protected electronic hard drives and back up securely. This data was made accessible only to the evaluation team to ensure security and confidentiality. The evaluation also ensured anonymity of respondents during reporting.

### 1.5. Limitations of the End-term Evaluation

- **Travel restrictions limiting field visits:** The evaluation was to carry out field visits on contested land areas in Kenya and DRC. However, due to the ongoing conflict in DRC at the time of project evaluation, the evaluation team was unable to travel to DRC. Nevertheless, the evaluation team liaised with its partners from DRC who conducted the physical data collection through Key Informant Interviews and Focus Group Discussions.

- **Data Challenges:** Effective evaluations are pegged on the availability of data that provide an understanding of the conduct of implementation of a project. This helps to gauge the extent of success of a project. The evaluation team noted some inconsistencies in the projects M&E reporting structure. There was also no defined reporting structure for the implementing partners considering the project was implemented by different organizations across different countries. This presented a challenge in trying to establish key patterns across the implementing countries. Additionally, there was challenges in accessing some documents with information on project implementation. Nevertheless, the evaluation team was able to make use of available information to effectively assess the conduct of project implementation.

## Section Two: Results of the Project at End-term

### 2.0. Introduction

This section presents findings on assessment of the project based on results realized at end term. It reflects on performance of the project against set objectives and output targets outlined in the logical framework. This provides a picture of whether the project has attained its objectives and outcomes at end-term. The evaluation, however could not fully assess the impact of the project and thus documents pointers of impact that emerged from conversations with the target beneficiaries.

### 2.1. Attainment of Outcomes & Outputs

The evaluation reviewed project's success by assessing whether all planned activities were implemented as planned and within the timeframe of the project and that the intended outcomes were generated. This sub-section explores the results and activities that were implemented during the implementation period, highlighting the planned target against the actual value for each indicator.

**Outcomes: To empower indigenous Land Rights Defenders and their representative organizations to overcome the lack of access to judicial and non-judicial remedies and the non-recognition of the role of indigenous peoples in preventing climate change.**

The overall objective of the project was to guarantee the protection of indigenous peoples' rights to land and their role in conservation and the prevention of climate change. This was primarily done through capacity building trainings of indigenous communities to enable them advocate for their rights, and capacity building of legal officials and other duty bearers to better understand their obligations towards indigenous communities. The project also supported the creation of platforms for continued engagement between all stakeholders.

- **70% of the 210 trained LRDs (including 50% of women) state that they employ their newly acquired knowledge and skills in collection land rights abuses evidences and in key dialogue with local, national and/or international decision-makers**

70% of the LRDs (137 LRDs – 79 males and 58 females) who were trained indicated to have acquired knowledge and understanding of indigenous people's rights. This translates to declaration by 42% of trained women.

- **70% of the 500 LRDs and CSOs members benefiting from capacity building (training, networks, response mechanisms, legal clinics & advocacy meetings - including at least 50% of women) declare being able to securely monitor and document land rights violations, and being able to collaboratively engage with stakeholders at different levels.**

The evaluation notes that LRDs and civil society benefitted from the capacity building initiatives. The post-training evaluations for LRDs however only document implicit information pertaining to declarations on ability to securely monitor and document land rights violations and ability to engage with various stakeholders). An analysis on the post-training evaluation of Uganda LRDs point to 91% of LRDs (36% women) declaring their ability to securely monitor and document human rights violations, and to collaboratively engage with stakeholders and different levels.

- **At least 10 pieces of land rights abuses evidence collected in legal clinics projects are used by participating LRDs and CSOs members in strategic litigation or to inform judgment implementation & advocacy efforts.**

Various cases on land and human rights violations were collected by LRDs in the legal clinics. At end term, only **3 cases** among those collected have been used in advocacy efforts. These include a community

dialogue forum held in Uganda, advocacy efforts in DRC that led to the release of accused LRDs and efforts in Kenya that led to the signing of petitions by the LRDs in defenders advocating for the land rights of the communities in Kajiado.

- **At least 3 of the 5 cases/ judgments (3 litigation cases & 2 IP LR regional judgements implementation) investigated/ pursued demonstrate significant progress achieved and/or increased access to remedies for victims supported by LRDs and CSOs members**

At end term, only **1 case** was submitted to the African Commission on Human and People's Rights by MRG and its partner ERND on behalf of the Batwa from the Kahuzi-Biega National Park against the Democratic Republic of Congo (DRC) government.

- **70% of trained judges and Law Enforcement Officials report they employ new knowledge, engage more easily with LRDs & demonstrate more understanding of the role of Indigenous Peoples in conservation and climate change mitigation/prevention actions.**

There is evidence that project partners conducted a series of trainings that involved Judges and Law enforcement officials from all the 4 countries. The trainings covered indigenous land rights and conservation standards. Nonetheless, measurement of progress on this outcome required, according to the project's results framework, information generated from post training reviews/assessment reports documenting perspectives of judges and law enforcement officials especially on improvement of knowledge and application of acquired knowledge. Due to technical challenges, this monitoring data was not available to the End Term Evaluation. As such, the evaluation lacks monitoring data to strictly and robustly measure and report on this indicator. Nonetheless, respondents interviewed, especially community members engaged in FGDs, during the evaluation noted a change in attitude and improved engagement with law enforcement officials which pointed to improved understanding of law enforcement officials on the role of Indigenous Peoples in conservation and climate change mitigation/prevention actions.

- **At least 60 national/ regional or international stakeholders engaged with during the action assert their commitment to overcome the lack of access to judicial and non-judicial remedies in land rights cases and the non-recognition of the role of indigenous peoples in preventing climate change.**

Various stakeholders were engaged at national and regional levels during implementation of project activities. Monitoring data available to the evaluation however did not include documented commitments made by these stakeholders to overcome the lack of access to judicial and non-judicial remedies in land rights cases and the non-recognition of the role of indigenous peoples in preventing climate change. The evaluation is thus unable to measure and strictly report on this indicator.

**Output 1: Increased short & longer term capacities and protection of 500 LRDs (50% women).**

- **Output 1.1 210 LRDs from 4 target countries (including at least 50% of women) are trained on indigenous land rights, conservations standards, monitoring and advocacy skills, to improve their local capacities to take action for the assertion and implementation of IPs land rights.**

**A total of 196 LRDs (42% women) from the 4 implementing countries were trained during the duration of program implementation.**

Table 1: Distribution of LRDs Trained by Country and Gender

Country	Year 1 (1 <sup>st</sup> Training)		Year 2 (Refresher Training)		Year 3 (Refresher Training)	
	Male	Female	Male	Female	Male	Female
Uganda	35	29	20	14	9	2



DRC	21	13	–	–	31	22
Kenya	38	20	20	15	18	17
Cameroon	19	21	14	21	29	17
<b>Total</b>	<b>113</b>	<b>83</b>	<b>54</b>	<b>50</b>	<b>87</b>	<b>58</b>

During the 1<sup>st</sup> year of implementation, 196 land rights defenders were trained across the implementing countries. These were trained on indigenous land rights, conservation standards, monitoring and advocacy skills and the role of indigenous people in conservation of the environment. There was a 42.3% female participation rate against target of 50%. COVID-19 restrictions and gender norms prominent among some of the communities contributed to the lower number of women participation in the trainings as compared to men. Refresher trainings were in the 2<sup>nd</sup> and 3<sup>rd</sup> years of implementation where 104 and 145 LRDs were trained respectively. This is illustrated in table 1. The refresher training sessions sought to assess the utility of trainings conducted in Year 1, identify how the trained LRDs have utilized the knowledge dispensed during the trainings, assess challenges faced by LRDs, share good practices and lessons, and equip the LRDs with further knowledge on human rights.

In the 3<sup>rd</sup> year of implementation, 5 LRD trainings were carried out; 2 of the trainings were conducted in DRC to cater for the lack of a training in Year 2. The overall participation in the training in the 3<sup>rd</sup> year was affected by COVID-19 mitigation guidelines established by the Ministry of Health across the countries.

- **Output 1.2 Establishment of 16 LRD national networks to break down isolation/foster support struggle/undertake joint work (with 106 national and 2 regional meetings between networks)**  
**A total of 17 Land rights defenders' national networks were implemented during the duration of project implementation.** These were established in the 1<sup>st</sup> year of project implementation and sustained in the subsequent years. The networks were to facilitate peer-to-peer learning and strengthen action impact.

Table 2: LRD Networks Established

<b>Country &amp; Networks Established</b>	<b>Gender of Participants</b>		<b>Total Membership</b>
	<b>Male</b>	<b>Female</b>	
Uganda (4)	32	22	<b>54</b>
DRC (4)	21	13	<b>34</b>
Cameroon (5)	19	21	<b>40</b>

In Kenya, the implementing partner (KHRC) reconstituted their networks in Year 2 to bring on board the communities that had initially been proposed at the conceptualization stage of this project.

**57 in country meetings and 2 regional meetings were conducted during the implementation period.** These were conducted during the 2<sup>nd</sup> and 3<sup>rd</sup> years of project implementation. The regional meeting was conducted virtually due to COVID-19 restrictions.

Table 3: Network Meetings by Project Partners

<b>Country</b>	<b>In Country Network Meetings in Y2</b>	<b>In Country Network Meetings in Y3</b>
Kenya	6	4
Uganda	12	8
DRC	3	4
Cameroon	10	10
<b>Total</b>	<b>31</b>	<b>26</b>

- **Output 1.3 Establishment of 24 urgent response mechanisms in 4 states to respond to emergencies faced by LRDs.**

**A total of 23 urgent response mechanisms were established during the lifespan of the project.** These were established in the 1<sup>st</sup> year of implementation and were necessary for addressing threats and repression towards LRDs in the event of they occur in the course of work. The urgent response mechanisms targeted specific community members as shown in the table below:

Table 4: Urgent Response Mechanisms Established by the Project

Country	Urgent response mechanisms established	Communities reached
Uganda	6	Batwa (4), Benet (2)
DRC	4	Bunyakiri, Kalehe Littoral, Kabare, Mwenga
Kenya	8	Sengwer, Endorois, Ogiek, Maasai
Cameroon	5	Mbororo, Bagyeli, Baka, Bakola, Bedzang

The urgent response mechanisms helped in addressing various cases that arose. The table below indicates the number of cases that were handled as at the 3<sup>rd</sup> year of project implementation:

Table 5: Cases Addressed through Established Urgent Response Mechanisms

Country	Urgent response mechanisms established	Cases Handled
Uganda	6	30 cases collected from focal points, 10 cases escalated to Police and Legal clinics
DRC	4	8 threats against org supporting IPs documented, 13 threats against LRDs documented (11 referred to legal clinics)
Kenya	8	Pursuing cases in Kajiado, Lamu and Turkana Counties
Cameroon	5 – 10 focal points	29 cases registered from the focal points, 6 cases intervened

- **Output 1.4 16 National advocacy meetings between 250 national network members with national and local authorities and non-state actors (including organisations involved in conservation and climate change) in 4 states.**

**A total of 21 advocacy meetings were carried out in the duration of project implementation.** These were held between the 2<sup>nd</sup> and 3<sup>rd</sup> years of project implementation. 7 advocacy meetings were conducted during the 2<sup>nd</sup> year of project implementation while 14 advocacy meetings were held in the 3<sup>rd</sup> year.

**Output 2: Increased number of cases of land rights violations taken to existing international, regional and domestic judicial and non-judicial mechanisms and associated increased of access to remedies secured for victims by supported LRDs**

- **Output 2.1 16 legal clinic projects established in the 4 target countries to collect and analyse data on abuses and assist with cases and emergency human rights situations.**

**At end term, a total of 17 legal clinics had been established in the 4 target countries. These included, 6 in Uganda, 4 in Cameroon, 4 in DRC and 3 in Kenya.**

The legal clinics were established to deal with, among other things training and sensitization of the LRDs and communities' members on their rights, data collection of human rights abuses and collating cases of violations. In addition, the legal clinics assisted LRDs in the drafting of legal pleadings as and when the need arose. Through the trainings offered in Year 1 and the refresher trainings offered in Year 2 and Year 3 where the LRDs had their capacities built and their knowledge gaps reinforced, the LRDs were instrumental in recording cases of human rights violations and escalating them to the relevant authorities. The table below summarizes the implementation of this activity in the 4 target countries.

Table 6: Cases Handled through Established Legal Clinics

Country	Legal clinics established	Total No. of cases forwarded			Nature of cases
		Year 1	Year 2	Year 3	
Uganda	6	-	31	10	<ul style="list-style-type: none"> <li>- Land boundary dispute in Kokop in Kween District,</li> <li>- Assault and murder cases by UWA rangers and;</li> <li>- Child neglect cases which FIDA Uganda staff in Kabale Office offered Mediation and were resolved.</li> </ul>
Kenya	3	-	39	39	<ul style="list-style-type: none"> <li>- Land and Evictions Disputes</li> <li>- Sexual and Gender Based Violence cases</li> </ul>
Cameroon	4	-	9	29	<ul style="list-style-type: none"> <li>- Land rights and abuses cases</li> <li>- Cases of protection of land rights defenders in Kribi and Mintom, Bertoua and Abong Mbang communities</li> </ul>
DRC	4	-	8	11	<ul style="list-style-type: none"> <li>- Threats of intimidation against organizations supporting indigenous people were documented</li> <li>- Threats against land rights defenders were documented</li> </ul>

#### – Activity 1.2.2 Strategic Litigation

**At end-term, 1 case is before the African Commission on Human and People's Rights on behalf of the Batwa from the Kahuzi-Biega National Park against the Democratic Republic of Congo (DRC) government by MRG and its partner ERND**

The project aimed to have at least 3 regional land rights and conservation cases in 3 states investigated and pursued (DRC, Uganda, and Cameroon). At end term, however, there was only one case submitted to the African Commission on Human and People's Rights by MRG and its partner ERND on behalf of the Batwa from the Kahuzi-Biega National Park against the Democratic Republic of Congo (DRC) government. MRG together with the partner organisation remain committed to ensuring full restitution of the ancestral lands of the Batwa in the Kahuzi-Biega Parc, unrestricted access to the cultural sites, resources and traditional knowledge contained therein; adequate compensation for their loss of culture, and continuing

dialogue with the government of the Democratic Republic of Congo to ensure that their right to culture is respected, protected and fulfilled.

– **Activity 1.2.3 Implementation of Successful Judgments**

At end-term, successful implementation of the Ogiek and Benet cases (in Kenya and Uganda respectively) had not yet been achieved. MRG, however remained committed to work with local partners to pursue successful implementation of the two cases.

The project sought to pursue the implementation of at least 2 successful regional indigenous peoples land rights cases; Ogiek case in Kenya and Benet case in Uganda. The two indigenous communities hold positive but aging rulings from, respectively, a national Court (Benet 2005), and the more recent African court of human and people Rights (Ogiek 2017). During implementation of the project, MRG worked with local partners that is, Ogiek People's Development Program (OPDP) in Kenya and the AICM in Uganda to pursue the successful implementation of the two cases.

At end-term, both cases had not yet been successfully implemented. For the Ogiek case, the Government of Kenya lacked the political will to restore their ancestral lands but MRG remained committed to work closely with OPDP to engage a robust advocacy strategy pending progress before the African Court. In Uganda, the Benet community had obtained a favourable consent judgment in 2005 from the Ugandan authorities, but these authorities have since refused to implement the terms of the settlement agreement. MRG thus partnered with the Network of Public Interest Lawyers to draft a legal opinion and further partnered with the Centre for Food and Adequate Living Rights (CEFROHT) to gather evidence from victims of human rights abuses in the Benet community.

– **Activity 1.2.4 Regional and International Advocacy: 12 advocacy trips conducted and submission of 4 shadow reports**

**At end-term, only 4 advocacy trips happened in the first year of project implementation. Regional and international advocacy visits in year two and three were disrupted by COVID-19 pandemic.** In the year one of project implementation, all implementing partners managed to carry out one regional advocacy visit. Cameroon attended the NGO Forum from the 15th -21st of October 2019 while Kenya, DRC and Uganda attended the African Commission 65th Ordinary Session in Banjul from the 21st - 24th October 2019. There were no advocacy visits in year two and three due to COVID-19 but implementing partners were able to take part in virtual sessions such as i) the African Commission for Human and People Rights 67th Session held between 11<sup>th</sup> November – 3<sup>rd</sup> December 2020, Banjul, ii) 20th UN Permanent Forum on Indigenous Issues Side event organized in partnership between MRG and ERND on April 29th 2021 and iii) Webinar to commemorate World Indigenous Peoples' Day organized on the 11th of August 2021 bringing together paralegals from Kenya, DRC, Uganda and Cameroon.

**As part of the advocacy efforts, implementing partners also submitted 7 shadow reports to regional and international bodies** (3 in year 2 and 4 in year 3). A summary of the submissions is highlighted on the table below.

Table 7: Regional and International Advocacy Efforts

Year of implementation	Shadow report submissions
Year 2 1 <sup>st</sup> Jan 2020 -28 <sup>th</sup> Feb 2021	<ul style="list-style-type: none"> <li>– Submission to the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) on its Annual Study on the Rights of Indigenous People in the Context of Land Rights</li> <li>– Submission to the Special Rapporteur on the Rights of Indigenous Peoples.</li> <li>– Submission to the 67th ACPHR Session</li> </ul>

Year 3 1 <sup>st</sup> Jan 2021 -28 <sup>th</sup> Feb 2022	<ul style="list-style-type: none"> <li>- 2 submissions made before the 68th Session of the African Commission. One submission by MRG on behalf of AICM and one submission by ERND</li> <li>- 2 submissions made before the 69th Session of the African Commission. One submission by MRG and one submission by ERND</li> <li>- Submission responding to the call for CEDAW General comments on the rights of Indigenous Women and girls</li> <li>- Shadow report to the African Commission on the 12th and 13th periodic report of Kenya's implementation of the African Charter</li> </ul>
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**Output 3: Increased commitment of 260 key stakeholders from target countries to ensure the respect of the rights & standards LRDs are campaigning for in order to overcome impunity and secure access to remedies for victims.**

– **Activity 1.3.1 Judicial Training Workshop: 60 judges from the 4 countries trained**

**At end-term a total of 62 judges had been trained in the four implementing countries on indigenous land rights, conservations standards.**

The project sought to equip judicial officers with the relevant skills and knowledge for enhanced recognitions and protections of the rights of indigenous people. As such judicial training workshops were carried out in each of the implementing countries in year 2 in Kenya and DRC and in year 3 in Uganda and Cameroon. This is summarised in the table below.

Table 8: Trainings for Judicial Officer across the Project Countries

Country	Judicial Training Workshop	Attendance
Kenya	KHRC carried out a two-day virtual training for judicial officers in partnership with the Kenya Magistrates and Judges Association on the 4th and 5th September 2020.	15 (8M, 7F)
DRC	ERND implemented this activity on the 10th and 11th of August 2020 in Bukavu where judges were trained on land rights and conservation standards	14 (13M, 1F)
Uganda	This activity was implemented on the 25th of October 2021 in Kampala Uganda in partnership with the Judiciary Training Institute (JTI)	18 (9M, 9F)
Cameroon	RECODH, carried out a two-day training session on the 26th and 27th June, 2021 in Doula. This was done in partnership with the Advanced National School of Administration and Magistracy (ENAM).	15 (10M, 5F)
<b>Total</b>		<b>62 (40M, 22F)</b>

– **Activity 1.3.2 Law Enforcement exchange meetings: 80 law enforcement officials from the 4 countries officials trained**

**At end-term, 57 law enforcement official were in the 4 implementing countries were trained on indigenous land rights and conservation standards & given an opportunity to directly engage with community members.**

Due to the high rates of violence between law enforcement officials and community members, the project sought to train law enforcement officials on indigenous land rights and conservations standards and were given an opportunity to directly engage with community members. Law enforcement exchange meetings

happened in year 2 in Kenya and DRC and in year 3 in Uganda and Cameroon. The attendance for each of the countries is summarised in the table below.

Table 9: Law Enforcement Exchange Meetings Held

Country	Law Enforcement exchange meetings	Attendance
Kenya	KHRC conducted a two- day training for the law enforcement officers on the 13th and 14th of November 2020	12 (11M, 1F)
DRC	ERND implemented this activity	18 (17M, 1F)
Uganda	The Law enforcement exchange meeting was carried out on the 18th and 19th November 2021.	14 (11M, 3F)
Cameroon	RECODH carried out a two-day training for the law enforcement officers on the 26th and 27th June 2021 in Doula. This activity was done jointly with the judges training workshop	13 (11M, 2F)
<b>Total</b>		<b>57 (50M, 7F)</b>

## 2.2. Pointers to Impact

The evaluation was also tasked to assess the impact of the project on the target beneficiaries' post-implementation. More precisely, the evaluation was tasked to explore the extent to which the project contributed to the promotion and protection of the land rights of the target communities, examine whether there has been increased institutional capacity within local institutions to handle and prosecute disputes related to land rights, and explore the extent to which communities and LRDs are capable of pursuing avenues for justice by themselves.

Regarding the promotion and protection of the land rights of the target indigenous communities across the four countries, the evaluation noted that:

- There was a significant increase in the number of land rights issues raised, addressed and prosecuted. Across all the jurisdictions, numerous cases were raised and prosecuted through the project. Evaluation respondents noted that the capacity development and sensitization efforts were instrumental in enhancing awareness of the land rights issues facing indigenous communities. Further, the LRDs and community members were also supported on how to leverage the existing judicial and quasi-judicial mechanisms to pursue justice in relation to the protection of their land rights. It was notable that the workshop and trainings were instrumental in supporting LRDs to adopt more effective strategies for addressing their issues. It emerged that, through the project, indigenous communities demonstrated an increased capacity to organize themselves and confront the government on various issues, and using various approaches such as peaceful assembly, demonstrations, media action, legal action and L&A among others.
- Linked to this was also the notable change in behaviors and attitudes of the target communities. It was established that there was a gradual shift in behavior and attitude of the indigenous communities towards the government officials and structures. This is best demonstrated by the increased appreciation and utilization of urgent response mechanisms to document and report threats and incidents of land rights violations. Overall, the project facilitated the establishment and improvement of relationships between indigenous communities and government structures and agencies at national and subnational levels. This has allowed indigenous communities to recognize and demand for their rights. It has also provided a mechanism for indigenous and marginalized communities to engage and utilize existing governance structures, particularly the justice system, security agencies and environmental conservation groups.

- The shift in attitude and modes of engagement between formal institutions and structures, and indigenous communities also led to increased knowledge and consciousness of the role of indigenous people in supporting and complementing efforts related to conservation and climate change adaptation. As such, indigenous communities and their way of life are considered and leveraged in designing and implementing efforts by government institutions on these two fronts.

Regarding the capacities of local institutions to handle and prosecute disputes related to land rights, the evaluation noted that the project achieved three major milestones in this regard:

- Firstly, the engagements and sensitization of judicial officers and other actors working within formal government structures were instrumental in contributing to a paradigm shift, particularly with regard to how they perceive indigenous communities. Respondents noted that unlike in the past where these officers were “ignorant” and unaware of the issues affecting indigenous communities, the engagements facilitated through the project were useful in narrowing this limitation. As a result, the local institutions were more accommodating of the indigenous communities.
- The local institutions and relevant officers such as judicial officers were subjected to capacity strengthening and enhancement on how to address cases related to land rights for indigenous communities. Initial trainings were accompanied by follow-up trainings to cement the skills and knowledge relayed. This component was instrumental in facilitating the prosecution of land rights cases fronted by indigenous communities, thus pushing them closer to formal justice structures.
- The establishment of networks (17 in total) and multi-stakeholder platforms for dialogues that included LRDs, duty bearers and other relevant stakeholders have also been instrumental in the improvement of the capacities of local institutions to handle and prosecute disputes related to land rights violations. More precisely, these platforms have been useful in harmonizing the nature of engagements between LRDs and communities, and the relevant duty bearers. In this way, cases can be packed and forwarded to the relevant judicial platforms in the right manner.

Some progress was also realized on the policy front toward acknowledging and protecting the rights of indigenous communities. For instance, in Taita Taveta, Kenya, LRDs pushed for the formulation of policy to address critical gaps related to the sustainability of conservation efforts. Similarly, the statement by the African Commission at the continental level was instrumental and forms a basis for policy reforms at country level.

In general, various outcomes of the intervention point to impactful change in the manner in which indigenous communities are afforded their rights, and how they engage with formal judicial and quasi-judicial structures. However, impact was significantly limited by the timing of the evaluation. The 3-year duration of the project was significantly short to translate to more significant impact. For instance, in DRC, respondents pointed out that many cases were yet to be addressed by the end of the project’s tenure. Nonetheless, these reflections point to the fact the project realized significant success and the outcomes translated to noteworthy impact on both the indigenous communities and the relevant targeted institutions and structures.

## Section Three: Relevance of the Project

**Relevance<sup>2</sup> is construed in this evaluation as:** “the extent to which an intervention’s objectives and design respond to beneficiaries, global, country, and partner/institution needs, policies, and priorities, and continue to do so if circumstances change.”

The evaluation assessed the extent to which the project benefited targeted grassroots communities in the four countries. It also explored MRG’s contribution to capacity development, the value MRG added and whether improvements in capacity translated into benefits for the communities.

### 3.0. Overall finding on Relevance

**The evaluation found the project largely relevant as it targeted to address real challenges faced by indigenous communities in specific locations known for high incidence of human rights violations in the four targeted countries.** The project is anchored on international instruments, regional and national level laws and policy that aim to ensure inclusion of minority populations and promote respect and protection of their rights – socio-cultural, economic and political rights.<sup>3</sup> These include: (i) Indigenous and Tribal Peoples Convention (ILO C169) , (ii) United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Articles 5 and 17 of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) and (iv) African Charter - Working Group on Indigenous Populations/Communities in Africa.<sup>4567</sup> Further, it conducted pre-project consultations with partners that ensured information on contextual realities in implementation countries, immediate needs of targeted beneficiaries were infused into the design of the intervention.

#### 3.1. Consultation and involvement of targeted communities in project design:

The project conducted partner consultations, to understand specific needs, when responding to the call for proposals that mobilised funding. This aided MRG and partners, during proposal development, to design a project that addresses immediate needs of indigenous communities. Nonetheless, the evaluation is of the view that more structured formative research, in the form of a baseline study and or political economy study would generate complementary information about the context, ecosystem of actors/stakeholders necessary to intervene effectively and address needs of beneficiaries. This may have further enriched project design and increased relevance.

“Before the beginning of the intervention, MRG reached out to potential partners and shared the proposed project which was then followed by rigorous consultations in order to agree of how the project would be implemented. The project was timely as it met immediate needs of indigenous communities” – **KII, MRG Staff**

“There was a deadline in 2021 to file historical land injustice claims. We were given assistance in filing a claim emphasizing restitution. We have a copy of the claim filed on the people's behalf.” – **FGD Participant, Kenya**

<sup>2</sup> <https://www.oecd.org/dac/evaluation/daccriteriaforevaluatingdevelopmentassistance.htm>

<sup>3</sup> <https://www.fao.org/tenure/voluntary-guidelines/en/>

<sup>4</sup> <https://social.desa.un.org/issues/indigenous-peoples/united-nations-declaration-on-the-rights-of-indigenous-peoples>

<sup>5</sup> -

[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0::NO::P55\\_TYPE,P55\\_LANG,P55\\_DOCUMENT,P55\\_NODE:REV,en,C169,Document](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0::NO::P55_TYPE,P55_LANG,P55_DOCUMENT,P55_NODE:REV,en,C169,Document)

<sup>6</sup> <https://digitallibrary.un.org/record/1650694>

<sup>7</sup> <https://www.iwgia.org/en/iwgia-partners/67-african-commission-on-human-and-indigenous-peoples-rights-achpr-working-group-on-indigenous-peoples-wqip.html>



### 3.2. Demonstrated need and benefits to targeted communities:

The incidence of human rights violations remains high among communities targeted by the project. Laws in targeted communities (countries) exclude indigenous communities from ownership of land hence limiting their socio-cultural and economic rights and livelihoods. Communal lands, occupied by such indigenous populations, remain largely unregistered (control by government) and expose communities to exploitation by private developers, political interest and government programmes that fail to acknowledge their rights to such lands. For instance, the creation of Kahuzi Biega National Park (PNKB) in eastern DRC impinged on land rights of the Batwa excluding them from utilization of the land and forest resources for their livelihoods and cultural appropriation.<sup>8</sup> In Kenya, the Pare people in Taita Taveta County grapple with national registration challenges, resulting from their cross-border heritage/history with Tanzania that limits their ability to own land. This has ensured that individuals have to go through arduous vetting processes, rife with corruption to get national identity cards that are required for land registration and ownership. In Uganda, the Benet are excluded from Mount Elgon due to designation as national park, limiting their ability to use the forest and land for their livelihoods.

“As Pare, we are not recognised as citizens and hence not in the government’s plan. When the census is carried out, we are not among the tribes of Kenya. These nationality and citizenship problems deprives us a lot of property and socioeconomic rights. That is why we are fighting for our rights.” – *KII, Land Rights Defender, Kenya*

The project facilitated multi-stakeholder dialogue on the plight of indigenous communities and their role in environmental conservation through involving duty bearers, and creating platforms to dialogue between such communities and government. This contributed to reduced tensions between Benet and UWA in Mt Elgon forest where there has been a lot of conflict between communities and law enforcement agencies. It also contributed to establishment of networks of LRDs/paralegals that facilitated provision of support, protection and assistance to LRDs.<sup>9</sup> As a result, there has been increased reporting of Human rights cases from community levels – better documentation of cases. For instance, in DRC, four (4) clinics set up, with support from MRG and the project, to document cases of indigenous peoples' land rights violations identified over 20 cases of rights violations which were subject of several advocacy meetings with both national and local authorities.

“34 human rights defenders have been trained (in DRC) on land rights and national, regional and international instruments on the rights of indigenous pygmy peoples are now constituted as a network of defenders of indigenous peoples' rights to land, natural resources and their role in the fight against climate change.” – *KII, Implementing Partner DRC*

### 3.3. Relevance of capacity development interventions:

**Improvements in capacity generated from interventions by MRG have translated into benefits for indigenous communities across all the four targeted countries.** There remain capacity limitations among judiciary and law enforcement actors/agencies on rights of indigenous communities and on laws and international instruments that buttress the rights of indigenous populations. This limits fair adjudication of human/land rights cases and denial of fundamental rights of indigenous populations. It also fuels negative attitudes and treatment of indigenous and minority groups by law enforcement agencies and other local government officials that interact with such communities like public administration, place, immigration officials, land adjudicators, registrars of persons among others. These issues provide the basis for relevance of the work done by the project.

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<sup>8</sup> <https://www.wrm.org.uy/bulletin-articles/democratic-republic-of-the-congo-the-batwa-and-their-return-to-ancestral-lands-in-the-kahuzi-biega>

<sup>9</sup> <https://defenderscoalition.org/taita-taveta-land-rights-activists-jailed-for-mobilizing-community-members/>

Notably, the project contributed to capacity building of paralegals/LRDs, judiciary officers (like judges) and law enforcement among other government that interact with the targeted communities. The project complemented this with cross-learning activities facilitated to promote engagements between LRDs of indigenous communities across countries – *Ogiek* (Kenya), *Batwa* and *Benet* (Uganda – DRC). These capacity building activities – mainly trainings and knowledge sharing platforms contributed to improvements in knowledge and attitudes of individuals and agencies targeted that was reportedly crucial in improving how they handle issue of minority and indigenous communities in all four countries.

“Training of law enforcement was useful because interventions at community levels finally go to these duty bearers and law enforcement. So when they have the necessary knowledge it becomes easier to understand issues as they come to them. When we trained judges, most of them were ignorant of issues of ethnic indigenous minorities. I believe they are now able to handle these issues when presented to them.” – ***KII, Implementing Partner, Uganda***

Many LRDs consulted indicated that there is growing awareness (among government officers – judges and law enforcement) around land rights of indigenous communities and that there is greater appreciation of the issues and open mindedness. It was also reported, in FGDs with beneficiary communities that government actors have shown improved knowledge of indigenous peoples' land rights and nature conservation which has significantly reduced tension and altercations with indigenous communities.

Capacity development activities conducted, through support from MRG, contributed to an increase in reporting of human rights cases from community levels and better documentation of cases – collection and curation of evidence. Further, this improved ability of paralegals and human rights defenders involved in the project to highlight human rights issues, initiate and participate in advocacy targeting duty bearers to dialogue with communities and address issues. Legal clinics organised through the project provided pro-bono services and facilitated escalation of emerging issues on a timely manner.

“The project has had a real impact in terms of sensitization, especially in land advocacy, and on the denunciation of abuses. The activities carried out led to the judicial defenders being sufficiently equipped in the matter and allowed the indigenous peoples to also have access to land and to participate in the fight against climate change and others saw the importance of advocating on behalf of others.” – ***KII, Implementing Partner DRC***

“The people empowered in the fields did legal clinics to identify cases from the community, nature of the case, share with the focal point, send to the organization, and link them to the authority required. They used a tool that ensured the cases were reported. They had functional networks and worked together with the communities.” – ***KII, Implementing Partner, Cameroon***

“Previously, when we reported problems, they were not taken into account. However, we are now being heard by the right people and bodies.” – ***FGD Participant, Kenya***

The choice of trainees targeted for capacity building, contents of trainings and engagement opportunities offered by the capacity building activities were instrumental in improving capacity and demonstrated relevance and understanding of the needs of targeted beneficiaries. Nonetheless, some of the trainings appeared short in duration without sufficient time for follow up and adequate assessments to ensure knowledge is effectively imparted and utilized. The evaluation also got the indication that the timing of some of the trainings meant that they would not return measurable outcomes/impact by the end of the life of the project. It was also notable that trainings were significantly impacted by Covid-19 which limited physical meetings. As such many trainings were conducted virtually and faced challenges related to poor connectivity to broadband and missed out on rigour achieved through physical trainings.

## Section Four: Effectiveness and Efficiency

**Effectiveness is construed in this evaluation as:** “the extent to which an intervention achieved its objectives and results, including any differential results”

**Efficiency is construed in this evaluation as:** “the extent to which an intervention delivers results in an economic and timely way”.

The evaluation assessed and gauged the effectiveness and efficiency of the project based on the extent to which it was able to utilise internal and external factors in pursuit of its set goals and objectives, and to what extent the project succeeded in this regard. In this section, the assessment reflects on: i) the extent to which results were realized, ii) the drivers to effectiveness and efficiency, iii) associated strategies, and iv) barriers to project success.

### 4.0. Overall Finding on effectiveness and efficiency of the project

Overall, the evaluation found the project to be substantively effective and efficient in realizing its set objectives and targets. The strategies and approaches applied were sound, and this is best demonstrated by the results and outcomes realized. Further, despite the context evolving over the duration of the intervention, necessary measures were taken to improve effectiveness of the project and facilitate implementation of planned activities. A combination of these efforts were noted to have significantly contributed to an improvement in the nature in which cases of land rights violations were handled. There also emerged several challenges that acted as barriers to implementation, despite efforts to navigate them. Such aspects as limited resources, rigidity of the project budget, COVID-19 restrictions and absence of a robust M&E framework had significant influence on the nature of operations. These offer lessons for future programming and delivery of similar interventions in future.

### 4.1. Attainment of Project Results

**It is notable that the implementing partners delivered on most of the planned activities across the four implementation sites.** As illustrated in section two, to a great extent, the project realized the targets set at the onset. This points to the degree of effectiveness and efficiency in the utilization and translation of resources into activities, outputs and outcomes. This is also an affirmation of the relevance of the intervention to the target beneficiaries across the different contexts.

**Several challenges emerged throughout the course of the project that impacted the attainment of results, with COVID-19 being the most significant.** The onset of the pandemic and the resulting containment measures across the four countries resulted in a delay in implementation of some interventions. It also forced the project partners and the wide programme to revise its strategy and approach to delivering planned interventions. Whilst the shift was successful, the disruption in continuity and a departure from the earlier strategy had implications on the programme resources and the quality of activities. Consequently, there were notable gaps in the attainment of results. For instance, planned paralegals refresher training in year 2 was disrupted and had to be conducted virtually. This had implications on costs and the quality of the training.

**In Kenya, internal capacity limitations within KHRC, particularly with regards to high staff turnover and moments of misalignment with MRG impacted implementation.** It was noted that during the first year, most activities planned in Kenya had not been implemented at the end of the reporting period. Further, there exist discrepancies in accounting reports between MRG and KHRC that also partially eroded the relationship between the two entities, and ultimately, implementation in Kenya.

Nonetheless, the scope of results realized point to the program being largely effective. This success was largely driven by the investment and commitment by project partners to navigate their individual country context and collaborate towards implementing planned activities.

#### 4.2. Drivers of Effectiveness and Efficiency

The effectiveness and efficiency of the project were facilitated and buttressed by a number of factors, internal and external to the project. This section reflects on these factors, with a keenness to explore strategies that contributed to the attainment of results and capacity development strategies that were of uttermost utility in enhancing the competencies of the targeted stakeholders.

- **Recruitment of strong partners at country level with substantive experience, credibility, reach and sufficient capacity:** The evaluation established that the partners recruited at country level were well-established organizations with extensive histories and reputations of supporting human rights and justice causes in their respective countries. The partners had well-established internal structures, knowledge of local context, and networks with other stakeholders and institutions in the respective countries that were leveraged during implementation of the project. Across Uganda, DRC and Cameroon, the evaluation noted that there were cordial relations between MRG and partners, which was useful in facilitating smooth implementation of the project and navigating the contexts as they evolved.

“We have been in existence for about 40 years and have worked on a number of projects. We had a program coordinator, program assistant, accountant, capacity oversight and necessary resources such as laptops, vehicles and motorcycles. We had all that was required to implement the project.”

– ***KII, Implementing Partner, Uganda***

- **Relevance to the needs of target beneficiary communities:** The project was noted to be of uttermost relevance to the needs of indigenous communities across the four countries. It responded effectively to the needs of targeted communities, who, for a long time, felt estranged, detached and alienated from formal justice structures. The relevance of the project to their needs promoted ownership and receptiveness of the project among target beneficiaries.

“The adopted approach was effective and comprehensive since it targeted all stakeholders involved in land issues around indigenous communities, that is, women, men, government, community, civil society, law enforcement agencies. Also, the approach was good considering adoption of trainings and litigation.” – ***KII, Implementing Partner, Kenya***

- **Establishment of a platform and network for LRDs and administrators to dialogue:** A key strategy that facilitated the realization of results and progress of the project was the establishment of a platform that brought together LRDs, judicial officers and other administrators from the government to dialogue and engage towards addressing key issues and concerns related to human and land rights of the indigenous communities. This was noted to have significantly contributed to an increase in the number of land right violation cases reported. Additionally, the platforms provided an entry point for the indigenous communities to engage with the formal justice system and established government institutions and structures.

“The project put LRD networks in a platform that brought in administrators of justice in the district. LRDs were thus able to report cases directly to the administrators and follow up on the cases directly. From these, some of the cases were able to be addressed.” – ***KII, Implementing Partner, Uganda***

“The interlinkages really helped in sharing experiences and learning from each other during project implementation. There were opportunities for networks from Kenya to interact with other networks

in Uganda and share information and experiences and this is a very good approach since having a platform to share gives people hope and encouragement during the struggle to address different issues.” – ***KII, Implementing Partner, Kenya***

“The establishment of the platforms that brought various stakeholders together enabled raising awareness of human rights abuses which for the most part had not been previously vocalised. The networks also functioned to break the isolation in which different stakeholders worked in and created platforms that enabled them to share their achievements and challenges in dealing with land right issues.” – ***KII, MRG Staff.***

- **Capacity Development:** Capacity development was at the core of the project and the associated results realized. Throughout the tenure of the project, partners offered targeted capacity development and trainings to LRDs, judiciary official and paralegals directly involved in the cases being pursued and other related cases which were targeted. Through these efforts, LRDs adopted more effective ways of packaging and fronting their issues and concerns to formal justice structures. The most profound was a departure from confrontational approaches to more effective approaches such as seeking a dialogue. Similarly, the training of judicial officers was useful in enhancing their understanding of the challenges faced by indigenous communities. Whilst not directly targeted with training and capacity development, security officials in charge of protecting nature reserves where the indigenous communities reside were also actively engaged in project activities, particularly in the meetings and convening at country-level. Consequently, there was notable improvement in the manner in which the security officials and the indigenous communities interacted.

“Building capacities and mobilising communities on their rights and linking them with justice actors was a key strength in this project as the empowered communities are now able to take up their issues even when support of KHRC or MRG is unavailable.” – ***KII, Implementing Partner, Kenya***

“Initially, our cases yielded no results. Nobody was ever charged or prosecuted. However, we learned through the project that, despite the occurrences of human rights violations, we did not have to stand by and simply watch. I had never been to court or used a legal aid provider before. Through the project, I was also able to speak for some people who were unable to speak for themselves. So, in my opinion, the resources were channelled in the right direction because our community was empowered.” – ***KII Land Right Defender Uganda***

“There has been progress; for example, when we go to the DCC office to present our problems and concerns, he listens. However, we are still challenged because we, the Pare people are not recognized as citizens of this country, thereby limiting our land rights.” – ***FGD Participant, Kenya***

“We have now been accepted as community volunteers, and the people are no longer afraid of us. When we ask leaders for help, they respond and intervene in cases. We also had the opportunity to engage with other networks that shared ideas with us, particularly those from Kenya, and as a result of this engagement, some of us were able to learn and apply some of the advocacy methods used in other countries.” – ***KII Land Right Defender, Uganda***

- **Goodwill from Government Agencies:** There was notable goodwill from government agencies that contributed, to a great extent, to the success of the project. The engagements and dialogue with government officials, targeting them with capacity development initiatives helped build trust and buy-in on the overall purpose and objective of the intervention. The case for the goodwill of government is best demonstrated in Uganda where, despite the restrictions instituted to help contain the COVID-19 pandemic, project partners were allowed to carry out some activities. This could be linked directly to the good relations developed between project partners and government.

- **Effective Communication and Responsiveness of the MRG Team:** Partners noted that the MRG team was very efficient and effective in terms of communication and addressing concerns raised. The overall flexibility of the core project partners was noted to have significantly facilitated implementation of activities, particularly in responding to the different needs of the partners as they navigated the different contexts. This ensured that any challenges emerging from the MRG team, particularly with regards to funding, and from the partners with regards to the barriers they encountered as they implemented activities, were communicated to all relevant stakeholders and a way forward established in earnest.
- **Coordination between Project Management and Implementing Partners:** The project leveraged monitoring visits to ensure implementation is on track and that there is progress toward meeting desired goals and targets. Reviews and a mid-term evaluation of the project which took the form of a reflection meeting, were also undertaken. These facilitated reflections on the progress of implementation, assessment of effectiveness of approaches and harvesting of learnings to be adopted in subsequent project activities. Further, the project developed annual progress reports, which also facilitated accountability and learning. The project would have however benefited more from systematic review of data collected to ensure there are no gaps in monitoring data.

“The MRG legal officer would integrate and share experiences of national and regional stakeholder meetings through email. Feedback was also shared as comments in our reports or lessons learnt. I must say we learnt a lot from these.” – *KII, Implementing Partner, Uganda*

- **Use of ICT for training:** The COVID-19 pandemic had a significant impact on the implementation of key project activities, particularly in the training of paralegals and judicial officers. The restrictions set limited the extent to which partners were able to engage with the different stakeholders, and hold planned activities such as training. However, the project partners were able to quickly pivot to leveraging ICTs and online platforms to administer the training and continue with the engagements. Whilst not entirely effective considering challenges related to network and access to power, ICT was significant in facilitating the continuity of the project in the context of the pandemic. ICT also facilitated cross-country learning and among partners where the partners were able to convene and reflect on their experiences in implementing activities in the context of COVID-19.

#### 4.3. Adaptation to Context and implications on effectiveness and efficiency

The changes in the context and environment within which the project was implemented has substantive implications on the conduct and effectiveness of implementation. These shifts demanded that the project and partners shift their approaches and adapt to the changing environment. Among the most prominent external factors that impacted effectiveness of implementation and its overall efficiency in attainment of results are discussed below:

- **Covid-19 pandemic:** Movement restrictions, social distancing restriction and the implications of covid-19 pandemic had significant implications on project implementation. It hampered physical activities, and limited engagements necessary for project success. In response to the pandemic, and to facilitate continuity of the project and planned activities, MRG and partners at national level made efforts to pursue and utilise ICTs to continue to implement activities. Meetings and trainings for the different stakeholders were conducted virtually.
- **Access to and Rotation, relocation/transfers of advocacy targets (critical government officers):** A significant component of the project targeted to promote engagements between indigenous communities, LRDs and government. Rotation and transfers of government officers in some cases frustrated engagements as this necessitated fresh engagements and longevity of partnerships/collaborative arrangements that were critical for attainment of some outcomes. Also, scheduling of trainings and meetings with judges and law enforcement officer was challenging

considering their busy schedules – this affected work plan and implementation of some activities on time.

- **Language diversity and interoperability limitations:** The project was implemented in two francophone and two Anglophone countries. As such, communication, engagements and learning was hampered by the French-English divide. Whilst Francophone project partners had designated staff with substantive understanding of English, Anglophone partners lacked FR language capability. The project lacked effective mechanisms and human resource capability (resource investments) to facilitate cross-language engagements gauging by the limited evidence of resource investments in translation and interpretation services and for facilitation of joint review meetings. Language interoperability may have also limited interactions between LRDs/paralegals from the various countries. This limited cross-learning.
- **Remoteness and difficult to reach/access targeted implementation sites:** Due to characteristic remoteness, security challenges and difficult terrain, implementing partners faced challenges in implementing some activities and accessing beneficiaries. In some areas like Lamu (Kenya) and Bukavu (DRC), implementation was hamstrung by terrain issues, notably insecurity and violent conflict incidents or threats that slowed progress and sometimes prevented timely implementation of activities altogether. This was also evident in implementation of remedial mechanisms during Covid-19 where some areas could not utilise ICTs to complement as a result of poor network coverage.

There were also several internal factors that significantly impacted the effectiveness and efficiency of the intervention but were not sufficiently addressed or navigated. These include:

- **Human capital limitations at MRG level:** The evaluation documented one designated staff attached to the project with support from auxiliary staffer at London office and global level. These were occasionally supported by interns recruited in the course of the project. Whilst these staff, led by the Legal Officer led to successful coordination and implementation of the project, it may have benefited from additional human resources – programme officers or technical support to facilitate effective monitoring at national level and for crucial elements like MEL. This would have limited strain on individual staff and provided sufficient scope to address challenges and coordinate the partners at national level more effectively.

“Apart from me, the project had a program assistant in 2021 for a couple of months and one support staff from the London office working in finance’ – **KII, MRG Staff**

- **Resource limitations:** The time available for the project was arguably insufficient to facilitate realization of tangible impact, particularly considering outcomes that sought to address the structural issues that impact rights of indigenous communities – like attitudes and capacities of government agencies. This was compounded by Covid-19 pandemic that ate into project time. The movement restrictions and containment measures relayed limited physical activities like capacity development trainings and multi-stakeholder engagements. According to most stakeholders consulted, the projected needed 3 – 5 years.

“The time was not enough although we tried to fit within the designated time. Human rights and community work require more time since you have to train and follow up and you can’t rush because issues of human rights are chronological. We conducted the trainings but did not get time for better follow up.” – **KII, Implementing Partner, Uganda**

“The three years were not enough since we did not cover all settlements. To me it would have been like 4-5 years to realise results because we still have settlements that have not understood their land rights.” – **KII, Land Rights Defender, Uganda**

“From my experience on land issues, it takes time to achieve tangible results and a project may need to take around 5 years considering the activities such as identifying communities, mapping them, building trust and following up. This is also more technical with land especially in indigenous territories due to many vested interests. Advocacy efforts also need to be continuous and consistent hence when implementing a 3-year project, one may not get the ideal results but only the low hanging fruits.” – *KII, Implementing Partner, Kenya*

- **Budget available was outstripped by resource demands:** Further tied to the resource constraints was the aspect of funding shortfalls. The evaluation established that the financial resources available to implement the project were insufficient, considering the project focused on marginalised and hard to reach areas that require substantive resource outlays. This made it difficult for project partners to reach communities and engage effectively with LRDs and other direct targets. Further, the objectives tied to the project outcomes, in terms of scope and desired impact, point to a need for significant and long-term investment in terms of resources, to facilitate implementation of activities. However, budget flexibility to accommodate these dynamics was significantly limited.

“The budget was not enough compared to the geographical scope of the project. The project had a large scope whereas people targeted were scattered across the country. For example, the Batwa were around 500km away from the other group” – *KII, Implementing Partner, Uganda*

“Having budgeted for more resources could have been better because engaging with indigenous communities and consistently following up on them is resource intensive because they reside in very remote areas” – *KII, Implementing Partner, Kenya*

“The project also encountered budget constraints in terms of reimbursable costs. For instance, during the law enforcement and judges training, we did not anticipate certain costs such as facilitation of judges’ bodyguards and drivers. This is primarily because the government and public service guidelines on out of duty station costs that had not been anticipated by the project’s budget.” – *KII, MRG Staff*

- **Variance in strength/capacity of implementing partners:** It was established that there were notable variances in ability of partners to deliver on outputs and outcomes across the four implementation locations. Some partners were noted to be more capacitated to deliver the intervention as was the case for Uganda and DRC. However, in Kenya, there were indications of limited strength/investment by the partner in pursuing the objectives with similar vigour as was the case with other partners in other countries.
- **MEL capacity limitations:** The project had significant capacity limitations with regards to M&E. This is demonstrated by the absence of a project-specific M&E strategy and M&E plan that clearly outline the M&E functions and how they were to be undertaken in the project. This may have limited effective use of MEL to inform project implementation especially on adaptive management. There was also no designated MEL capacity attached to the project and the Project Manager doubled as MEL officer. Nonetheless, MEL activities were anchored on Results Framework annual reviews conducted and mid-term Evaluation done; EU (donor) involved in monitoring activities for accountability and learning. Some partners had internal MEL capacity. One M&E staff was on-boarded by MRG in March 2023 (after the end of this project and during the evaluation phase).
- **Limited Participation of Women in project activities:** The project purported to be gender-responsive, according both women and men equal opportunity to participate in the project activities. The project was cognisant of gender as the capacity development sessions included training on promotion, respect and protection of rights of all community members (including women who have been marginalised due to gender norms within African communities). There was also pursuit of cases on sexual and gender based



violence by the legal clinics in Kenya. However, the participation of women in project activities was noted to be limited. This was evident from the composition of participants involved in the trainings and outreach programmes. Male participation was often higher than that of women due to gender norms within the African communities that limit engagement of women in decision making processes. Consequently, this skewed the project's progress and success in relation to gender responsiveness. The evaluation notes nonetheless, that there were elements of the programme that were out of the control of implementers that limited achievement of gender balance in participation. For instance, the fact that judges and law enforcement agencies are heavily biased towards men, meant that the project would reach more men than women. There was room, nonetheless, for the project to achieve more equity among activists and paralegals trained; specifically targeting and engaging women activists and LRDs.

#### 4.4. Coordination and Engagements with Project Stakeholders

The evaluation was also tasked to assess the extent to which MRG was successful and effective in coordinating with internal and external stakeholders to the project, and the nature of partnerships developed out of these engagements. In this regard, the evaluation noted that:

- **A great deal of coordination among implementing partners was done by MRG:** The Legal Officer to the project acted at the point of contact and channel through which the partners at national level engaged with each other. This was particularly useful in allowing partners in Francophone countries to engage with those in Anglophone countries. MRG was instrumental in coordinating joint review meetings, direct engagements during monitoring visits and other engagements among partners. At country level, the local partners engaged directly with institutions of government and other stakeholders. Often the partners would leverage their individual networks and relations during outreaches.
- **Effective collaborations and partnerships:** The project endeavoured to pursue and establish collaborations and partnerships with various stakeholders, institutions and organizations across the four countries. The most profound of these collaborations and partnerships was working with the African Commission – a regional institution. However, country-level successes were also noted such as establishment and operationalization of legal clinics, as was the case with FIDA in Uganda.

“We had partnered with FIDA Uganda to offer these clinics which will be existing beyond the project duration. However, FIDA regional office was closed due to funding challenges but we had brought in Uganda Lawyers Society which continues to provide legal aid and services.” – ***KII, Implementing Partner, Uganda***

- **The establishment of a multi-stakeholder dialogue platform facilitated engagements and collaborations between stakeholders.** The platform created a friendly environment for the different stakeholders to engage, thus easing tensions between communities and government structures, and increasing awareness on the plight of indigenous communities among officials from government and associated institutions. These platforms also played a role in facilitating the documentation of issues affecting indigenous communities to be framed as evidence to support litigation. Overall, the platform was instrumental in amplifying the voice of LRDs and, at the same time, facilitated learning among the different stakeholders.

“The project facilitated dialogue as I and some others met with the District Commissioner and they started accommodating us. They realised there was some fishy business by some officers regarding the land distribution issue. They saw a lot of sense from us talking and putting our issues on the table. The DC also cooperated with us and we went to two villages to teach people on land rights.” – ***KII, Land Rights Defender, Kenya***

## Section Five: Sustainability

**Sustainability is construed in this evaluation as:** the continuation or likely continuation of an intervention's net benefits in the medium to longer term. This takes into account overall value of the project's continued benefits and resilience of capacities/systems underlying the continuation of benefits.

### 5.0. Overall finding on Sustainability

Sustainable projects identify and invest in approaches and strategies that ensure activities, results and impact outlive intended project period. The evaluation explored the likelihood of sustaining positive project results beyond the tenure of the project. **The general observation was that there were notable elements and considerations in the conduct of the project that shall be instrumental in achieving sustainability.** This is reflected in: i) capacities developed that stakeholders argue will be instrumental into the future, ii) partnerships and networks developed among LRDs; and (iii) improved awareness of the plight and rights of indigenous communities by government officers and openness to engage. There was nonetheless no indication of an overt, deliberate strategy/plan for ensuring sustainability of project outcomes – developed at the beginning or during the life of the project. This points to missed opportunities for a stronger focus on sustainability.

### 5.1. Capacity improvements

**A great deal of the project focused on capacity development – targeting LRDs and government officers and agencies – that is understood by project stakeholders to have improved awareness of the plight and rights of and improved capabilities of LRDs that is projected to remain and continue beyond the life of the project.** Capacity is crucial for sustaining achieved progress. It encompasses ability and knowledge of the intentions of an intervention by implementing partners and key relevant stakeholders. The evaluation examined whether elements in the design and conduct of implementation of the project put in a position to ensure longevity of positive results and outcomes. It emerged that the project substantively invested in developing capacities of partners and key stakeholders through trainings that improved their capacities in implementing project activities. Notably, the training of judges and magistrates across all four countries generally improved their understanding of the rights of indigenous communities and the legal framework that buttresses such rights. This is considered a strong outcome of the project as it contributed to judicial activism in some cases. Also, trainings targeting LRDs reportedly improved their capacity to collect information and better document cases that is projected to increase reporting of cases and quality of cases taken to court in the future. In Cameroon, for instance, legal clinics run by trained magistrates were set up and facilitated sensitization of locals on the importance of legal documents while helping magistrates understand exact issues of the locals. In Kenya, women from the *Awer* community were able to lead civic action demanding for their rights given as a result of awareness created by trainings conducted by the project. The overall outlook is that capacity development activities that the project invested in were not only critical for achieving targeted outcomes but also did the ground work for improving capabilities of government officers, LRDs and communities that is expected to last into the future beyond the life of the project.

“Trained magistrates are still working with local leaders from the communities and the legal clinics remain operational to date and continue to work on cases brought forward” – *KII, Advocacy Target*

“Squatter settlements were extremely difficult, and we were evicted from our lands without warning. Regardless of how difficult it still is, we now know how to engage the right people in order to have our voices heard.” – *FGD Participant, Taita Taveta*

## 5.2. Networks and collaborative arrangements

**The project facilitated substantive exploration effective collaborative arrangements that facilitated implementation of activities and also created platforms for future engagements among partners, among LRDs and between government agencies and indigenous communities that shall sustain some of the outcomes netted.** Partnerships and collaborative arrangements (i) bring with them positive lessons that partners and project stakeholders can learn from each other, (ii) facilitate pooling of capability and resources that can amplify voices and strengthen advocacy and increase reach, and (ii) establish structures or platforms that are critical for ensuring longevity of results – outcomes and impact. The evaluation noted that partnerships between various stakeholders including law enforcement agencies, local leaders and LRDs established good relationships and created a platform that continues to sustain project outcomes. Collaborative work among these stakeholders can be relied upon to continue some of the work done during implementation. It was notable that paralegals trained through the project were able to network and share experiences in all four targeted countries. Similarly, through established networks of LRDs, reaching communities in remote areas was made possible and enabled their direct involvement in the project. Moreover, the involvement and engagement of law enforcement agencies was substantially useful in sustaining results. In Kenya, for instance, working with the KWS officials facilitated their understanding of indigenous peoples needs and strengthened their relations with the communities. Most of the respondents acknowledged that the establishment of such collaborative arrangements was useful in ensuring continuity of achieved results. Nonetheless, effectiveness of partnerships and collaborative arrangements for sustainability depends on the extent to which they are resourced and kept alive and working. To this end, the evaluation didn't get the indication that the project facilitated clear plan or strategy for ensuring the network's and collaborative arrangements work and last.

"The existence of a good rapport between Land Rights Defenders, community leaders and law enforcement ensured that the concerns of the locals are taken up and dealt with the appropriate authority." – **KII, Implementing Partner**

"Continuity of the project has been achieved through the networks of Land Rights' Defenders who continue to support rights' awareness among indigenous communities" – **KII, Implementing Partner**

"As a result of the project, we collaborate with the Ministry of Gender, Labour, and Social Development. We were also able to discuss our advocacy issues during some engagements, and we were given a parliamentary committee that came to our area to investigate the report that we shared." – **KII, Land Right Defender, Uganda**

## 5.3. Resources for sustainability

Resources are crucial for ensuring continuity of positive results. The evaluation explored the extent to which available resources were sufficient to ensure attained project results were sustainable. **It emerged that while sufficient resources were put towards the project ensuring successful implementation of activities, there were no deliberate efforts to invest in sustaining activities and results beyond the tenure of the project.** Most of the respondents consulted indicated that working with indigenous communities is resource intensive thus needs continuous financial support to sustain results over the long term. Conclusively, while implementation of project activities and capabilities of partners reinforced sustainability, most of the respondents indicated that with the dynamic nature of land issues and changes in personnel every so often, there is need for continuous capacity building with some level of financial support to ensure consistency in addressing land rights of indigenous communities thus sustaining results.

#### 5.4. Sustainability Strategy

**The project lacked a clearly outlined and overt strategy or plan to guide implementing partners and other stakeholders towards conducting activities that would ensure sustainability of the positive outcomes and longevity of some of the work started by the project with support from MRG and the European Union.** Sustainability strategies provide effective mechanisms for thinking deliberately about how to sustain outcomes of interventions – during project design, during implementation and at the end. They support implementers to think critically about what is necessary for long term change – resource wise and in terms of capacity, linkages, synergies and ownership and participation of beneficiaries. To this end, the project missed out on opportunity to establish a framework for partners to assure sustainability. There is still space for MRG to work with partners to piece together a strategy of some form considering capability and room available among partners.

## Section Six: Emerging Issues & Lessons for MRG

### 6.0. Introduction

The evaluation explored the extent to which project implementation allowed for opportunities for learning and adaptability towards drawing lessons to be infused into the project and for future considerations. This assessment was guided by three main questions: i) What were the key lessons learned through the course of the project? ii) Were the assumptions in the project realistic and justified considering the context within which the project was implemented? and iii) How can future interventions of similar nature be implemented better? Below is a discussion of the major findings around key lessons picked from project implementation.

### 6.1. Emerging issues and Lessons

#### – **Value of formative research and robust consultations with beneficiaries**

The project conducted partner consultations, to understand needs of targeted beneficiaries, during project design that ensured the project is substantively relevant and tailored to address the needs and challenges of targeted communities. The project, nonetheless, could have been enriched by structured formative research. Evidence generation (in the form of a baseline survey) provides an indication of the status of affairs before project implementation. This is vital for comparison at the end of a project to gauge a project's impact/accomplishments. Future interventions should consider the added value of evidence generation, in the form of a baseline study and or political economy analysis, in generating complementary information about the context, constellation of stakeholders necessary to intervene effectively and needs of beneficiaries.

#### – **Suitability and effectiveness of capacity development interventions**

The approach to capacity development adopted by the project was effective and suitable for tackling the inherent human/land rights violations faced by the indigenous communities targeted in the project. Targeting judicial officers, LRDs and law enforcement improved awareness and knowledge that was critical for tackling the root causes of the challenges faced by indigenous communities and for more documentation and reporting of cases. Future interventions should nonetheless, address duration of trainings, integrate suitable mechanisms for measuring impacts of trainings and provide for follow up activities to ensure knowledge is utilized and updated as much as possible.

#### – **Multi-stakeholder dialogue and platforms**

The project invested significantly in multi-stakeholder dialogue as a strategy, both for implementation of specific activities and for coordination and engagements internally within the project. The dialogue platforms and forums were useful for cultivating ideas and views of various stakeholders that facilitated effectiveness of the project. They were also useful for buy-in especially from government agencies and for obtaining support and involvement of targeted communities. This contributed to goodwill from government agencies and willingness of communities to participate in the project.

#### – **Strong Partnerships**

The project recruited strong partners at country level with substantive experience, credibility, reach and sufficient capacity that buoyed implementation and increased effectiveness and efficiency. Partners had well-established internal structures, knowledge of local context, and networks with other stakeholders and institutions in the respective countries that were leveraged during implementation of the project.

#### – **Coordination and collaborative approach to Project Management**

The project deployed various mechanisms to facilitate coordination, collaboration and inclusion of as many stakeholders as possible in its activities. This ensured ownership and buy-in that facilitated effective implementation and projected to assure longevity of outcomes. The mechanisms also helped navigate some of the challenges occasioned by COVID-19 Pandemic. Future interventions should continue to

provide time and resources for more regular engagements among partners, to inculcate trust, promote pursuit of synergies, learning and commonality of purpose.

– **Length, duration of progress considering goal (outcomes sought)**

Amount of time allowed to a project matters. It determines the scope of work: capacity development, engagements, partnerships and advocacy that can be done. The evaluation found the time available to the project – three years (pre-determined by the donor), inadequate to substantively achieve its stated objectives. This is considering the change targeted by the project – improving capacity of LRDs to document cases, improving capacities of judicial officer to appreciate rights of indigenous communities and laws that buttress their rights and improving relations between law enforcement and communities. The time constraint was further exacerbated by the Covid-19 pandemic that delayed and prevented some activities. Whilst the multi-year nature of the project is appreciated, the EU and other donors should ensure future interventions consider a longer span or successive phases that build on results of previous implementation periods.

– **Project implementation and management capacity**

The project would have benefitted from more project management capacity in terms of human resources available. Whilst project partners acknowledged and appreciated strong coordination and management capacity provided by the Legal Officer, the project needed auxiliary human resource support, especially at country level to support monitoring of activities and cross-country coordination of country partners. Future interventions, should consider, during project design to provide for sufficient project staffs.

– **Multi-country, lingual divide – implications on synergies, learning and experience sharing**

Communication, engagements and learning was hampered by language divide considering that the project was implemented in two francophone and two Anglophone countries. Lack of effective mechanisms and human resource capability to facilitate cross-language engagements due to language interoperability limited cross-learning and interactions between LRDs/paralegals from the various countries. Beyond on-boarding staffs with bilingual capability, future interventions should consider integrating resource investments in translation and interpretation services and for facilitation of joint review meetings.

– **Monitoring Evaluation and Learning (MEL) gaps – implications on measurement of progress**

MEL plays a crucial role in steering projects to implement activities as planned, within set timelines, focusing on pre-conceived theories of change and for measuring progress. Whilst the project conducted substantive MEL functions, there were limitations – in terms designated capacity to ensure development of a clear MEL strategy, suitable tools and mechanisms for monitoring activities and for overall progress measurement. Lack of designated MEL capacity put a strain on existing project management capacity as the Legal Officer doubled up in discharging MEL functions. MEL capacity limitations were also visible in the varying reporting formats adopted by the four implementing partners and the project's inadequate baseline information on indicators that limits the extent to which the project's targets are justifiable. Future interventions should deliberately integrate and provide sufficient framework and resources for MEL at both MRG and partner levels. Additionally, the project team should ensure a relevant project design that specifies elaborate ways of measuring project impact and change of attitude resulting from an intervention.

## **Section Seven: Conclusion & Recommendations**

### **7.0. Conclusion**

The evaluation assessed performance of the “Supporting Human Rights Defenders in The Area of Land-Related Rights, Indigenous Peoples, In The Context of Inter Alia ‘Land Grabbing’ And Climate Change project” also aiming to document learnings for future programming for MRG and partners.

It found substantive evidence pointing to effectiveness of the project in translating resources availed into significant outcomes that have improved the circumstances of targeted indigenous communities in Kenya, DRC, Cameroon and Uganda. It was notable that the project remained relevant as it addressed long standing issues related to human rights violations of minority and indigenous communities. It facilitated necessary capacity development (targeting land rights defenders, judicial officers and law enforcement agencies) and brokered multi-stakeholder engagements that have led to better documentation of evidence and increased reporting of cases of land/human rights violations. Whilst there emerged challenges during implementation, particularly related to COVID-19, implementing partners and the MRG team demonstrated strong capacity to adjust accordingly and pursue intended objectives using a myriad of strategies that proved to be effective.

There were notable challenges, associated with the design of the project, that impinged on its effectiveness and limited opportunities for ensuring sustainability of progress attained and scale up of change. Nonetheless, there is room for MRG and partners to reflect on and learn from the design of this project, in terms of internal processes, like project management, monitoring evaluation and learning and resource endowments to ensure future interventions are well resourced, better coordinated and empowered to sustain progress.

### **7.1. Recommendations**

1. Consider the added value of research and evidence generation (Political Economy Analysis, Needs Assessments, Baseline studies) to planning and formative stages of future interventions.
2. Ensure, in future interventions, that project design provides sufficient resources for recruiting and retaining adequate staffs (for project management and auxiliary support functions like M&E) to support implementation
3. Prioritize the Monitoring, Evaluation and Learning Function of interventions to ensure prudent collection of monitoring data and documentation of progress towards targets. Consider augmenting MEAL framework with more qualitative progress documentation techniques like outcome harvesting and most significant change stories collection.
4. Leverage influence and networks of the strong national partners engaged in the project to enhance reach, amplify impact and buttress sustainability of interventions.
5. Invest more in ICTs and other suitable communication tools to augment direct engagements among project stakeholders, and particularly overcome challenges related to language barriers.
6. Explore collaboration and partnership opportunities with other organizations and institutions working on similar themes and domains to enhance the scope and impact of interventions.
7. Leverage the influence of donor/funding agencies such as the European Union to influence policy and enhance the effectiveness of advocacy efforts at national and regional levels.
8. Consider exploring opportunities for long-term funding to support interventions with longer implementation duration (considering time necessary to effect change) in order to amplify impact and assure sustainability.

## 7.2. Elaboration of Recommendations

Learnings	Corresponding OECD-DAC Criteria theme	Recommendations	Actors to implement
<b>Value of formative research and robust consultations with beneficiaries:</b> Future interventions should allow for evidence generation in the form of a baseline study and or political economy analysis to generate complementary information about the context, constellation of stakeholders necessary to intervene effectively and needs of beneficiaries.	Relevance	1. Consider the added value of research and evidence generation (Political Economy Analysis, Needs Assessments, Baseline studies) to planning and formative stages of future interventions.	– MRG
<b>Project implementation and management capacity:</b> Future interventions, should consider, during project design to provide for sufficient project staffs.  <b>Monitoring Evaluation and Learning (MEL) gaps – implications on measurement of progress:</b> Future interventions should deliberately integrate and provide sufficient framework and resources for MEL at both MRG and partner levels.  <b>Multi-country, lingual divide – implications on synergies, learning and experience sharing:</b> Beyond on-boarding staffs with bilingual capability, future interventions should consider integrating resource investments in translation and interpretation services and for facilitation of joint review meetings.	Efficiency	2. Ensure, in future interventions, that project design provides sufficient resources for recruiting and retaining adequate staffs (for project management and auxiliary support functions like M&E) to support implementation	– MRG – Donor (EU) – Implementing Partners
	Efficiency	3. Prioritize the Monitoring, Evaluation and Learning Function of interventions to ensure prudent collection of monitoring data and documentation of progress towards targets. Consider augmenting MEAL framework with more qualitative progress documentation techniques like outcome harvesting and most significant change stories collection. Consider developing a standard M&E tool that can be used and/tweaked for different contexts to ensure uniformity in monitoring	
	Efficiency	4. Invest more in ICTs and other suitable communication tools to augment direct engagements among project stakeholders, and particularly overcome challenges related to language barriers.	
<b>Coordination and collaborative approach to Project Management:</b> Future interventions should provide time and	Effectiveness & Efficiency	5. Leverage influence and networks of the strong national partners engaged in the	– MRG



resources for more regular engagements among partners, to inculcate trust, promote pursuit of synergies, learning and commonality of purpose.		project to enhance reach, amplify impact and buttress sustainability of interventions.	– Implementing Partners
	Effectiveness & Efficiency	6. Explore collaboration and partnership opportunities with other organizations and institutions working on similar themes and domains to enhance the scope and impact of interventions.	
<b>Length, duration of progress considering goal (outcomes sought):</b> Future interventions should consider a longer span or successive phases that build on results of previous implementation periods.	Sustainability Effectiveness	7. Leverage the influence of donor/funding agencies such as the European Union to influence policy and enhance the effectiveness of advocacy efforts at national and regional levels.	– MRG – Implementing Partners
<b>Suitability and effectiveness of capacity development interventions:</b> Future interventions should nonetheless, address duration of trainings, integrate suitable mechanisms for measuring impacts of trainings and provide for follow up activities to ensure knowledge is utilized and updated as much as possible.	Sustainability Effectiveness	8. Consider exploring opportunities for long-term funding to support interventions with longer implementation duration (considering time necessary to effect change) in order to amplify impact and assure sustainability.	– Donor (EU)