

United Nations Development Programme

Project Document



Empowered lives.
Resilient nations.

Project Title: Consolidating the Democratic Rule of Law and Peace through a strong Justice System in Timor-Leste (Revised Justice System Programme)

women, children and vulnerable groups

Executing Entity: Government of Timor-Leste

Implementing Agencies: UNDP Timor-Leste

Responsible Parties: Ministry of Justice, Court of Appeal, Office of the Prosecutor General and Office of Public Defender.

Brief Description

Throughout a decade of support, UNDP's Justice System Programme (JSP) has focused on supporting the justice sector to develop institutional and human capacity. It has worked with all the key institutions: the Courts, Prosecution, Public Defenders, the Ministry of Justice (including the Corrections component) and the Legal Training Centre. Building on the positive results achieved to date, the new project phase (JSP Phase IV) will **systematize and improve mechanisms for policy-making, coordination, and strategic planning**. This means more focus on consultative law-making practices, improved planning, management and administration, with a more evidence-based approach. This will be complemented by introducing a new **"district pilot" approach** where innovative solutions for improving the management and access to justice can be tested. This "district pilot" approach will target **interventions that can contribute to better administration of criminal justice between agencies and stakeholders such as the District Prosecutor's Office, National Police (PNTL) and local communities**. On the demand side, innovative approaches will be tested to increasing peoples' awareness of, and ability to access their rights. With a particular focus on the most vulnerable populations, successfully demonstrated innovations and lessons will inform national planning and policy making for wider application scale up or institutionalization.

After 10 years of supporting delivery of front-line justice services in the country JSP will now need to develop and **implement an exit strategy for internationals performing line functions**, with a view to start substantial reductions as early as 2015. The exit strategy will be based on an assessment of resource needs and an agreed, detailed plan on how the institutions will fill them. The overriding objective of this current phase is to systematize and consolidate capacities of the justice sector to support the rule of law in particular for a new phase of development and transformation. For this purpose the project will consist of four outputs:

Output 1 - Coordination, management and oversight capacities of justice institutions enhanced for more effective and efficient formulation and implementation of laws, plans and overall administration of justice;

Output 2 – Capacity of justice sector strengthened and expanded to provide quality services and uphold the rule of law;

Output 3 – Improved access to justice and dispute resolution mechanisms for all with a focus on women and more vulnerable populations;

Output 4 - Coordination, co-operation and integrated systems between justice, police, communities and corrections supported in a "pilot – scale up access to justice district model";

Programme Period:	2014-2018
Strategic Plan result area:	Democratic Governance
Atlas Award ID:	XX
PAC Meeting Date :	01 October 2013
Management arrangements:	DIM

Total resources required:	US\$ 13,089,191
Total allocated resources:	US\$ 4,063,000 (Trac , Japan, Carry forward JSP fund)
Unfunded budget:	US\$ 9,026,191
Contributions:	

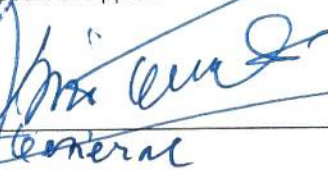
Agreed by:

 13/12/2013
(Date)
UNDP Resident Representative

 29/11/13
(Date)
Minister of Justice

 13-12-13
(Date)
President of the Court of Appeal

 13-12-13
(Date)
Prosecutor General

 13-12-13
(Date)
Public Defender General

NOTE : Part of the allocated resources will be managed under the previous JSP project (Atlas # 000 14955)  12/12/2013

1. SITUATION ANALYSIS

1.1. Justice System Programme Background

The Strengthening the Justice System Programme (JSP) is a comprehensive capacity development initiative that was initially developed by the Government of Timor-Leste and UNDP in late 2003 to support the nascent justice system building in the country. The programme was aligned with the country's National Development Plan 2002-2007 and the Stability Programme 2003, and provided technical assistance and resources to establish the infrastructure and develop human and institutional capacities for the justice system. A major result of this first phase was the creation of the Legal Training Centre (LTC) as the formal national institution to train and accredit Timorese professionals working in the justice sector. It was revised in late 2005 to reflect the priorities of the Timor-Leste National Justice Policy 2005-2010. The revised program was designed to improve the institutional capacity of the judiciary, the Ministry of Justice (MoJ) and its subsidiary institutions and the Office of the Prosecutor General (OPG). To address the shortage of qualified human resources within the sector, international advisers were engaged to perform line-functions in the courts and provide on-the-job training for the national colleagues. JSP envisioned the gradual phasing-out of international personnel from line-functions by 2009. However, the crisis in April 2006 adversely impacted JSP's ability to realize its goals as attention and resources were diverted to address priorities arising from the conflict. In July-August 2007, an external evaluation team recommended significant changes to the scope, structure and size of the program. Following this recommendation a new and enlarged programme was agreed between the CoC and UNDP in November 2008, with five major components and an increased budget focusing on 1) Capacity Development; 2) Justice Decentralization; 3) Support to Prosecution; 4) Support to Corrections; 5) Access to Justice.

In August 2011, the JSP underwent an Independent Mid-Term Evaluation (IMEM) to assess the relevance, sustainability and effectiveness of JSP outcomes and activities, and alignment with the Justice Sector Strategic Plan (JSSP)¹. In general, the evaluation found that the outcomes of the current Project Document remained relevant and "provide an appropriate description of the priority areas for continued JSP support". JSP outcomes were also appropriately aligned with national priorities set out in the JSSP and the Independent Country Needs Assessment (ICNA). The team concluded that the JSP should build on its demonstrated strengths, and provided a series of recommendations that have been gradually addressed in JSP Work Plans 2012 and 2013, with a stronger focus on the demand side of justice.

The Norwegian-led 2012 appraisal found that JSP had incorporated the five priorities recommended by the mid-term evaluation but also noted the need to consider the following:

- finding an effective way to address the language barrier in building human resources capacities in the justice sector (including in the LTC) and ensuring access to justice;

¹Published by the Government of Timor-Leste in 2011.

- developing a plan to reduce the dependence on internationals for the performance of line-functions, use international technical assistance to fulfill mentoring and teaching roles, and increase the role and numbers of nationals at the LTC and justice institutions²; and
- using existing national resources in civil society (for example, the traditional system and legal aid organisations) to improve access to justice.

In 2012, UNMIT, the last of the UN missions mandated under the UN Security Council that accompanied Timor-Leste from 1999, drew down following successful national elections. The justice sector was one of the areas of the Joint Transition Plan 2012-2014 signed between the Government of Timor-Leste and UNMIT where the UN Country Team was recommended to continue assisting to consolidate peace and stability. The Roadmap recommended the reform in the following areas:

- Under the leadership of the Ministry of Justice (MoJ), a comprehensive legal aid framework that secures access to justice for all should be developed – possibly by the end of 2013.
- The role of the informal/local justice processes, and their relation to formal justice should be regulated by law in a way which ensures that they comply with the constitution and human rights standards.
- Increasing public awareness and access to information about the formal justice system, laws and citizen's rights and remedies should continue to be a priority for the MoJ and other justice institutions.
- The Government and the MoJ should re-double efforts to remedy language barriers to access to justice.

Against this backdrop and within a country context of increasing economic growth and development combined with shifting priorities, implementation modalities and shrinking resources from the international community, a reformulation mission was commissioned by UNDP in agreement with Council of Coordination (CoC) to consider the direction of UNDP support to the justice sector for the next five years (2014-2018). The mission was specifically requested to design a new phase of programme of assistance to meet the current country contexts, considering UNDP strategic comparative advantages for a more focused support to the sector, in full alignment with the Program of the Fifth Constitutional Government 2012-2017 and JSSP.

1.2 Results in Justice Sector 2008-2013

- The LTC, established in 2004 with UNDP support, provides professional qualification courses for a variety of justice actors. UNDP supported the development and implementation of long-term training programmes for justice actors including a two and a half year compulsory professional training for graduates who wish to practice as judges, prosecutors and public defenders was established. The total number of justice actors is now 51 (13 women), from a start of zero.
- UNDP supports international prosecutors, judges and public defenders who both mentor and train national counterparts and also assist in more complex cases. National officials are now generally able to run all straightforward criminal cases without international input, and are beginning to take over sole responsibility for civil cases too.

² Including a detailed sector-wide human resource plan that adopts a less formalistic approach to capacity development and puts greater reliance on national human resources in terms of skills development, building knowledge, criteria for training selection, and training at LTC

- UNDP supports national legislative drafters, and international mentors, to improve the quality of law-making and to complete essential laws such as the Law on Legal Aid, the Customary Law, the Juvenile Code, Court of Audit Law, Criminal Investigation Police Law, etc. and JSP-funded advisors continue to support the Ministry of Justice in preparing these laws.
- The long-outstanding and highly sensitive Land Law, has been opened up to public consultation and amendment to incorporate stronger gender considerations as a direct result of UNDP's involvement. The Secretary of State for the Promotion of Equality commended the Minister for the process and outcome. The Land Law consultation process was concluded in April 2013, and included a series of meetings related to land and gender which contributed to changes to the law. The package of three laws related to land was sent to the Council of Ministers and approved; it is due to be discussed in Parliament soon.
- In order to increase access to justice, JSP has supported mobile justice. 17 sessions have been held to date in Suai Judicial district covering Covalima, Bobonaro, Manufahi and Ainaro districts, which have dealt with cases which had been delayed due to the inability of witnesses to attend court. Support resulted in a reduction in case backlogs and enhanced legal awareness and knowledge among citizens on the role and function of the formal justice system. Cases were initially 'simple', meaning minor cases with minimal potential prison terms, requiring only a single-judge to attend; however, eventually multiple judges were included in the sessions, thereby enabling the formation of a 3-judge panels necessary to try the most serious cases (e.g. rape and murder).
- Since 2008, JSP has been working with the Ministry of Justice's National Prisons and Parole Directorate to improve security and prison facilities, and to ensure that the treatment of prisoners conforms with international human rights standards. Since 2011, UNDP-supported prison advisors helped draft a strategic plan for parole services; a law on the implementation of criminal sentences; helped prepare standard operating procedures, and strengthened prison structures and procedures, through the revision of numerous other policies and regulations.
- In 2012, through UNDP-supported cooperation between the PDO and the MoJ's National Directorate for Prisons and Parole, Timor-Leste's 35 prison guards received training on prisoners' rights to legal advice, domestic violence etc. UNDP has also supported the recruitment and training of prison psychologists and social workers who will be instituting social reintegration programmes for prisoners. UNDP assisted the Ministry to establish a State-funded family visits programme with the result that, by the end of 2012, all prisoners had the opportunity to be visited by their families (not all families wished to participate). UNDP has also supported separate facilities for female prisoners, and a case management system (details below) for social reintegration.
- JSP has supported notable progress in infrastructure development and Information Technology. The JSP has supported the establishment of an Integrated Case Management System, started in 2010 that will allow tracking of cases through each stage of progress, from the Police arrest, through the prosecution and sentence, ending in the corrections service. This has necessitated the development of training for IT professionals in the Ministry of Justice so as to ensure skills to maintain and update the system; support for infrastructure such as cabling and internet

connections; training and coordination of all justice actors to ensure a common approach; and understanding of which elements of information can be shared in the Integrated System. This system – the Integrated Information Management System (IIMS) – is already aiding the efficient and timely administration of justice, as it is being rolled out across the sector with UNDP support. This project was undertaken jointly by UNDP and AusAID. This will, once fully operational, allow extensive data mining, resource planning and increased efficiency in case management. It is operational in the prosecution, PDHJ, PNTL, and corrections. The Courts remain at the final testing stage before ‘going live’.

1.3 Current Justice Sector Context

Timor-Leste has made remarkable strides in state-building since restoration of independence in 2002, being considered a success case within post-conflict developing countries. The overall government direction is moving beyond peace-building discourse to focus on development and economic growth – for example, the strategies and actions set out in the Timor-Leste’s Strategic Development Plan 2011-2030 aim to transition Timor-Leste from a low income to upper middle income country.³

The strategic vision and priorities for the justice sector development is articulated in the following national documents:

- Justice Sector Strategy for Timor-Leste 2011-2030 (‘JSSP’);
- Timor-Leste Strategic Development Plan 2011-2030 (‘SDP’);
- Program of the 5th Constitutional Government of Timor-Leste; and
- Development Policy Coordination Mechanism (DPCM) matrix for the governance and institutional strategic sector

JSSP highlights broadly 5 priority areas for the sector development: 1) institutional development; 2) legal reform and framework; 3) human resources development; 4) infrastructure and IT and 5) access to justice. The program of the 5th Constitutional Government places justice development within the broader goal of Peace, Stability and International Relations and calls for bringing justice services closer to the citizens, capacity building and specialization of staff, more legal security and improved criminal justice, regularized land and property and above all, promotion of rule of law that is based on democratic, ethical and just principles and values. In the forward outlook of the sector, due consideration must be given to the fact that the Fragility Assessment conducted in July-August 2012 under New Deal introduced by the g7+ fragile and conflict-affected states found justice was at stage two (‘Build and Reform’) of five stages (stage five being ‘Resilience’) and the least advanced alongside Economic Foundations of the five Peace-building and State-building goals against which Timor-Leste was assessed⁴. Investment for continued assistance to the justice sector is therefore critical to consolidating the state and peace in Timor-Leste.

³ See also the Program of the Fifth Constitutional Government 2012-2017; Government of Timor-Leste; 26 August 2012.

⁴ The five stages are ‘Crisis’, ‘Build and Reform’, ‘Transition’, ‘Transformation’ and ‘Resilience’. The five Peace-building and State-building goals are ‘Legitimate Politics’ – fosters inclusive political settlement and conflict resolution, ‘Security’ – establish and strengthen people’s security, ‘Justice’ – address and increase people’s access to justice, ‘Economic Foundation’ – generate employment and improve livelihoods, and ‘Revenue and Services’ – manage revenue and build capacity for accountable and fair services delivery. See Fragility Assessment in Timor-Leste (‘Fragility Assessment’); Fragility Assessment Team, Ministry of Finance; 26 February 2013. The assessment was conducted over a July-August 2012 and involved consultations with about 41 state institutions, development partners, civil society organisations, local authorities and universities

The next phase is thus built on the findings of the formulation mission, which aligns with other evaluations of the justice system. It recognizes that while the country has transitioned into a full development phase, as the Fragility Assessment in 2013 pointed out, the justice sector needs increased support to ensure that peace gains and dividends are maintained. Following is an overview of key mission findings and recommendations:

1. Access to Justice remains a challenge. Despite the progress noted, access to formal justice is a distant reality for a large part of the population due to a range of obstacles. Increased reach and improved functioning of the PDO and a state legal aid system which supports the needy and vulnerable in the population is essential. Gender remains an area requiring ongoing focus, not only on access to redress but also in terms of women's participation in the justice sector. As the confidence in, and accessibility of traditional informal dispute resolution systems make that the preferred approach for many Timorese, the intersection between formal and informal justice processes, and mediation systems needs to be strengthened and formalised.
2. Increased human resources capacity development in quality and quantity but more professional quality assurance, new methodologies and longer term strategy for legal education are required. Hence, a greater focus on revising and adapting the LTC curricula, increased numbers of Timorese trainers, and developing mandatory Professional Development Training with Superior Councils of each profession will be areas of focus
3. Some progress in coordination, policy-making and planning functions and legislative development, but in too many instances it remains ad hoc, and reliant on individuals. These areas will require more support in the next phase to ensure gains are systematised and sustained.
4. Notable progress in Infrastructure development and Information Technology – The IIMS initiative is a notable success with the potential for a step-change in efficiency and transparency once it is fully implemented. JSP phase IV should concentrate on completing this, with a sustainability strategy by mid-2014 and hand-over fully to national actors early in the next phase. Capacities need to be strengthened to use IIMS systematically across institutions and to use IIMS data for strategic analysis, planning, monitoring and public information.
5. Improved Infrastructure in Prisons and Capacity Development of the Prison Service. In light of the progress made in the area of corrections, and the need for more focused interventions in Phase IV, assistance to the prisons service should be phased out once the current commitments come to their natural conclusion in 2014.

1.4 UNDP Comparative Advantage

Through 10 years of active engagement, UNDP has been the Government of Timor-Leste's main development partner in the justice sector. The JSP has notably contributed to the establishment and institutionalizing of a cadre of judicial actors, professional certified training, systems and processes for more effective case management and administration of justice and overall legal and judicial mechanisms to protect rights. The top policy making and coordination body, the Council of Coordination, was supported and established by law with the support of JSP. The JSP has contributed to strengthening the

capacity of justice institutions, has built an excellent network with the various stakeholders, and provided upstream support to policy and planning, for example, the Justice Sector Strategic Plan (JSSP). It has been a decade of accompanying all actors in building and strengthening Timor-Leste's justice system for ensuring delivery of core functions as required in a peace building and state building phase.

UNDP also works in capacity building of other institutions related to the rule of law such as the National Parliament, the Provedoria for Human Rights and Justice and the National Police of Timor-Leste (PNTL). The support to the Ministry of Social Solidarity in peacebuilding through informal community dispute resolution mechanisms forms a potential bridge between formal and informal systems. Synergies with these other programmes should be further strengthened.

2. PROGRAMME STRATEGY

Past JSP phases have largely focused on international technical assistance to individual institutions for their respective competencies, with a few cross-institutional interventions such as the LTC, mobile justice, JSSP and the Council of Coordination. The next phase of the JSP will ensure that these gains are consolidated and expanded, and that institutional blockages hampering improved decision making are overcome. JSP should now move to promoting more sector-wide/more coordinated strategies, and increased co-operation across the sector with the ultimate goal of reducing reliance on international actors to the minimum. While doing so, JSP will maintain its emphasis on advocating for and supporting the promotion of policies and mechanisms that are inclusive and promote equal access to remedies in particular in areas that are potential drivers of conflict and social tension.

Fully aligned with the JSSP's five thematic goals⁵, support will no longer be broken down per institution as in former phases of JSP but designed to ensure that better justice results are achieved by the sector working as a whole. As such the next phase moves from an 'institutions' approach to a coordinated, sector wide approach anchored around consolidating and improving national capacities. This can foster more coherence across the different institutions (IIMS being a good example of this) and also more vertical coordination between decisions taken at central level and the regions/districts. A more holistic approach to the administration of justice process can help reducing the backlog of cases and justice delays, facilitating access to justice and increasing the overall efficiency of the system.

The thematic focus of the JSP will not change substantially (JSP will continue to be a human resources and institutional capacity development initiative focusing on improving access to justice) but there will be different implementation modalities, different priorities, and a new focus on strengthening capacities to plan and manage work programs in a coordinated and strategic manner.

There will be a gradual phase-out of interventions of lesser priority to the development of the justice sector and/or where operations are functional and the need for JSP is less important, such as prison support.

The five year objective of JSP IV is to systematize and consolidate institutional and human capacities in the justice sector so that justice is administered in an effective, efficient and accessible manner and worthy of the confidence of all citizens of Timor-Leste. This overarching objective will be implemented through four main components:

⁵ Given the big investment and achievements attained by the sector during former JSP editions, JSP IV will place much lesser emphasis on Thematic Area 4 related to Infrastructures and ICT.

1. *Coordination, management and oversight capacities of justice institutions enhanced for more effective and efficient formulation and implementation of laws, plans and overall administration of justice;*
2. *Capacity of justice sector strengthened and expanded to provide quality services and uphold the rule of law;*
3. *Improved access to justice and dispute resolution mechanisms for all with a focus on women and more vulnerable populations;*
4. *Coordination, co-operation and integrated systems between justice, police, communities and corrections supported in a “pilot- scale up access to justice district model”;*

To achieve the desired results the Programme outputs will be implemented with a number of strategic approaches and cross-cutting principles. These are outlined below:

- Accelerating national human resource development

Timor-Leste’s judiciary started with international judges, prosecutors and public defenders in line function duties of delivering justice. In 2013, 51 Timorese professionals who graduated from the Legal Training Centre over the years are working in the three institutions at the center in Dili and four regional judicial districts covering the whole country. There are – internationals performing line judiciary functions. According to the indicator for the capacity of justice institutions under the New Deal fragility assessment, Timor-Leste is currently in Phase 3: Transition with “Timorese judicial actors begin to lead the justice process requiring some support from internationals”. Phase 4: Transformation requires that “Timorese judicial actors are capable of leading alone the justice process” and Phase 5 Resilience expects that “the Timorese justice sector is all run by qualified national actors”. The objective of this phase of the Programme is to reach Phase 4 Transformation.

The Programme will support the development of a Human Resources Plan to guide the planning and resourcing of the justice sector to achieve the goal of JSSP to have a full national system by 2030. The Human Resources Plan will set realistic targets for the increase of national personnel in all required functions in the justice sector (including private lawyers, legal drafters, etc) based on analysis of track record and future projections in the justice institutions and the Legal Training Centre. The Plan will also enable a realistic plan for the phase-out of internationals from line functional duties that will rigorously be pursued from 2015 (after the deployment of the next batch of graduates from the Legal Training Center). The Plan will further inform capacity building strategies for the Legal Training Center, technical assistance and other forms, as well as broader plans such as the expansion of district courts and prosecution and public defender services.

- Consolidating strategic management, oversight and coordination

The first ten years of technical assistance to the development of the justice sector primarily centered around the core technical capacities for judicial processes. The new Programme will help strengthen and consolidate management, oversight and coordination mechanisms and capacities. The Programme will strengthen management capacity in institutions in using evidence for more informed decisions, results-based planning and balanced distribution of resources across the sector. In the Ministry of Justice, support to the Planning Secretariat will be instrumental in this regard. The Programme will work closely with more technical groups and specialized committees on complex

legal issues and strengthen the use of the Integrated Information Management System to provide useful analysis for strategic policy and managerial decisions. The pilot district approach (see below) grounded on sub-national assessment of bottlenecks and local solutions will also bring a bottom-up dimension to inform policy and management decisions to make the justice system relevant and responsive to the needs of citizens, in particular the most vulnerable populations.

The Council of Coordination chaired by the Minister of Justice and consists of the Court of Appeal, the Office of the Prosecutor-General, and the Public Defender's Office (under MoJ) is the national policy consultative and coordination body in the justice sector. For the JSP, it serves as the Project Steering Committee (PSC) with the participation of UNDP, and ensures national ownership over the Programme. However, the inability of the CoC to meet regularly has somewhat undermined its effectiveness as a coordination mechanism. Providing support to the Planning Secretariat (which in the JSSP is the main vehicle for supporting CoC) would go a long way to improving this and the overall functioning of the CoC. The Planning Secretariat will also operationalize the coordination with other stakeholders such as civil society and development partners under the Government's Development Policy Coordination Mechanism.

For a credible and independent judiciary, it is vital to enhance accountability and oversight with stronger guarantees and safeguards for quality assurance, human rights standards and integrity. The Programme will strengthen the Superior Councils in all institutions. The fragility assessment shows that according to the PSG indicator for public confidence in the performance of the justice institutions, Timor-Leste is currently in Phase 2 Build and Reform where the "public community begin to have confidence in the justice system but in some cases, the interference of other sovereign body still exists". The objective is to move towards Phase 3 Transition where the "public community confidence in judicial system has increased and there is no interference of other sovereign body in the justice system" and eventually Phase 5 Resilience where "public community has full confidence in the judicial institution".

- **Introducing a district pilot approach**

Provide targeted integrated support to the whole justice chain between all relevant stakeholders in a pilot district to test innovative approaches to local problems and improve access to justice of citizens in general and the most vulnerable populations in particular. The district approach allows for a more holistic and coordinated perspective cutting across all the justice institutions in relation to citizens. Coordination with key partners working at district level in justice activities, such as New Zealand and PNTL on community policing and civil society organisations will also be key. While the Programme will promote more integrated and sector-wide approaches to justice development, it must ensure flexibility in sequencing and transition phases according to absorption capacity of the institutions concerned. Successfully demonstrated innovations and lessons will inform policy and programmes at the national level for scale-up or institutionalization.

- **Using evidence-based approaches**

The Programme will promote a more systematic use of information and analysis as evidence to adapt the justice system, services and capacities to better respond to local realities and needs. The Integrated Information Management System is installed in all the justice institutions and PNTL and as part of the consolidation of the systematic application of the system, the Programme will also help extract data for strategic analysis to plan and monitor the administration of justice. Successful innovations and useful lessons from the district model approach will be another source of evidence

to inform policy making and management. Use of evidence will also enhance transparency and public understanding of the work and results of the justice sector, thereby potentially contributing to public confidence.

Studies may also be supported by the Programme in specific subject areas. From the perspective of peacebuilding and statebuilding to which the justice sector contributes, the Programme will look into possible drivers of tension between communities and the state and explore mitigation measures through the justice system. It may focus on issues such as land and property dispute resolution, domestic violence and incest, better policing-justice linkages, rights of women and vulnerable persons and language barriers that remain an exclusion factor. The Programme will also take stock of lessons and good practices of public consultation processes in drafting and applying laws.

- **Gender and protecting the rights of vulnerable populations**

Since independence, serious efforts have been made to promote gender equality and equity through policy reform, legislation, institutional mechanisms and public awareness campaigns. Milestones in legislation were the LADV, changes to the Electoral Law to increase the number of women candidates for the National Parliament and a resolution to officially support the designation of Gender Focal Points in ministries and local administrations. The vision for the country, as articulated in the SDP 2011-2030, is that by 2030 Timor-Leste will be a gender-fair society where human dignity and women's rights are valued, protected and promoted by our laws and culture.⁶

JSP will support efforts to promote gender equality and equity through activities under the four program outcomes and / or gender-specific activities, in stronger cooperation with: UNWOMEN, SEPI, MSS and civil society organisations who support women (and in addition to current initiatives) by:

- prioritising women, especially victims of domestic and gender-based violence, for legal aid services and access to justice initiatives;
- promoting gender sensitivity and mainstreaming across policies, programs, processes and budgets of justice institutions – for example, gender sensitive training at the LTC and / or in the continuing professional development programs discussed above;
- ensuring gender responsive laws at national and local levels – for example, through applying a gender lens in any technical assistance provided in drafting laws;
- supporting services to protect women victims of domestic and gender-based violence;
- supporting the employment and retention of women at justice institutions;
- promoting policies, training and leadership programs to support women in taking on decision-making roles in justice institutions.

A major issue affecting women that needs to be considered is the processing of domestic violence cases which come before the courts. Consultations have revealed that the acquittal rate is high, partly due to poor investigative techniques, and cases are frequently delayed; women are misinformed as to likely penalties and receive little or no support (economic, medical, or legal) despite clear provisions in the LADV. The recent research by JSP “Breaking the Cycle of Domestic Violence” delves into the issues and makes recommendations for the justice and other institutions to enable more effective implementation

⁶SDP 2011-2030; pages 39-40.

of the LADV and more broadly to stop domestic violence. While there are a number of international and national organizations active in this area, JSP should consider whether and where it can add value through specific justice-sector initiatives, such as through the continuing professional development programs referred to above.

There are other population groups that are vulnerable or marginalized and require special attention to ensure equal and fair access to justice. Examples are citizens in poverty and remote locations, disabled persons, citizens with language and literacy restrictions, juveniles and elderly. In collaboration with agencies such as OHCHR, UNICEF, civil society organizations, the Provedoria for Justice and Human Rights and legal aid providers, the Programme will help the justice institutions to understand and address specific needs of these populations through the four outcome areas.

2.1 Partnerships and Coordination

As stated above, UNDP will ensure mainstreaming of justice and gender in all its components. For this purpose, it should improve synergies with other agencies such as UNICEF, UNWOMEN and OHCHR in particular in areas such as child rights and gender justice and other vulnerable population groups LADV where joint programming or close collaboration should be considered to maximize the systems approach element (each agency planning and working together with Ministry of Social Solidarity, MoH, MoE, MoJ, Judiciary and other vulnerable population groups for better prevention and redress) to optimize both resources and the scope of action.

The same to be said internally, i.e. JSP working closer with UNDP's police project and other related projects, as well as with external partners supporting key areas of the sector such as New Zealand, Asia Foundation, Australia and Portugal on the policing side. Despite not having a dedicated component to support civil society and national CSOs, JSP will consider their potential in selected activities as well in its pilot district approach where cooperation and working with CSOs will be pivotal for the implementation of output 4 in regards to access to justice. For output 4, JSP will also coordinate with Programmes that include support to justice and police activities at the district level, namely USAID and community policing activities with Asia Foundation and New Zealand that are being implemented in several districts.

The Programme will moreover assist and facilitate the government to establish and improve relations with the justice sub-sector working group under DPCM's including mechanisms for development partners' coordination such as DPCM.

3. PROGRAMME OUTPUTS AND KEY RESULTS

The Programme goal is aligned with JSSP vision and mission: Justice Sector capacities systematized and consolidated for more effective, efficient and accessible justice, deserving of the confidence of citizens. To achieve this goal, the Programme is designed around four key outputs and several sub-outputs (key results). Below is a brief overview of the key outputs:

Output 1 - Coordination, management and oversight capacities of justice institutions enhanced for more effective and efficient formulation and implementation of laws, plans and overall administration of justice

This output is in line with Thematic area 1 of the Justice Sector Strategic Plan related to institutional development and its overall aim is to support operationalize the JSSP by supporting the MoJ in the development of adequate systems and processes to ensure the necessary communication and coordination between sector institutions. Considering the autonomy /independence of justice institutions there is a need to support the establishment and adequate functioning of the mechanisms planned in the JSSP to ensure cross-sectoral links between all institutions and stakeholders involved in the justice system. JSP will provide operational and technical support for the implementation of CoC policies and the JSSP. Under this output JSP will support analysis of systems and procedures for more informed decision making, key institutional reforms and strategic management and planning in the justice sector. Additionally, it will support MoJ to build capacities for monitoring progress in the sector, measure effectiveness, perform benchmarking exercises, and report progress against indicators to improve confidence in the sector.

For this purpose, the output 1 has a number of sub-outputs/key results, described and summarized below:

Result 1.1 Management and coordination capacities of justice sector institutions strengthened with systematic use of data for evidence based and gender-sensitive planning and budgeting

The Ministry of Justice including the Public Defender's Office and the Courts have requested support to improve planning and management practices. This will include assessment of current planning and managerial capacities and systems, development of SoPs and guidelines for improving systems, in-house practical capacity development interventions for planning, management and leadership. The Planning Secretariat in the Ministry of Justice will play an important in strategic planning and management in the Ministry and the overall justice sector. As such, this unit will be strengthened in data collection and analysis to be used as evidence for coherent results-based planning and budgeting to meet Strategic Development Plan and JSSP goals. MoJ is committed to ensure gender mainstreaming in its policies, plans and targets and JSP will help improve gender-related and sex-disaggregated information for improved gender planning and budgeting. Leadership and management skills will be strengthened to enable effective implementation of plans and achievement of results. The same for continuing support to non-judicial personnel for the overall improvement of administration of justice.

The JSSP foresees the development of a comprehensive system of coordination and cooperation among justice institutions. The Planning Secretariat in MoJ will be strengthened to facilitate the regular holding of the Council of Coordination composed of all justice institutions and to operationalize the newly established Development Policy Coordination Mechanism that promotes coordination between ministries and with development partners . An Access to Justice Dialogue (AJD) Forum is also envisaged as a monitoring and consultative body to the CoC, with membership from all stakeholders in the justice sector. These mechanisms are key to ensure that JSSP is adequately operationalized and resourced.

Result 1.2 – Justice sector capacities improved for more inclusive and evidence-based policy and law making processes

The participation of citizens, either directly or through representative groups and civil society organizations, and research of Timor-Leste's needs and socio-cultural context are critical inputs into ensuring that policies and laws are relevant and responsive to the particularities of Timorese society.

The recent research⁷ undertaken by JSP on the implementation of the Law against Domestic Violence illustrates the complexities of applying formal justice in a largely traditional and informal social system. The Land Laws underwent two rounds of drafting and public consultations and have been submitted for the second time this year by Government to National Parliament. Land ownership is another complex and conflict-sensitive matter in Timor-Leste's history and socio-cultural context, but needs to be resolved for peace and development. Most of these areas that touch upon people's fundamental rights should be preceded by informed and consulted policies before being put in law.

JSP will support MoJ in setting up mechanisms, based on good comparative practices, for the formulation and public consultation of policies preceding legal drafting in order to garner the needed social political consensus. JSP will work with the planning and the legislative units and other relevant sections to support the development of guidelines to help determine when and how consultations on policies and draft-legislation should take place, how to ensure consultative processes that are sensitive to gender and other vulnerable population groups, including mandatory periods for public comments for legislation and transparent follow-up mechanisms. Other areas that will also be supported include measures to improve harmonization of the legal framework, monitoring and improving the implementation of laws, policy formulation support to more complex issues such as domestic violence, language, land, etc.

Result 1.3 – Increased capacities for monitoring and oversight of justice sector institutions including more public access to information on justice sector progress

There generally appears to be a positive perception of the justice sector in terms of accountability and integrity, with some exceptions. However, overall public confidence is still low, particularly from the perspective of access to and efficient delivery of justice. For such perceptions to be overcome there is a need to enhance the transparency of administrative acts as well as monitoring and oversight capacities of the various ministry departments and of the judiciary. Similarly, the Superior Councils of the Court, OPG and OPD need to be institutionally strengthened and resourced to be able to perform their oversight and inspection roles while also ensuring the adequate engagement with the sector professionals and execution of its secretariat functions. UNDP will support measures for improving coordination and sharing of information and reporting through systems like the IT-based Integrated Information Management System (IIMS) and support justice institutions to gather and publicise statistics and information on justice sector activities and progress. Building capacity to improve monitoring will also be supported through support to the Superior Councils of all justice institutions (with an emphasis on OPD), formulation of Codes of Conduct and Ethics and specialized training on ethics, deontology and transparency for all relevant staff.

Output 2 – Capacity of justice sector strengthened and expanded to provide quality services and uphold the rule of law

The preparation, training, and professional development of actors within the justice system depends largely on legal education in the academic institutions in the country, the Legal Training Centre and "on-the job" capacity building programming done primarily through international advisors placed in various justice institutions. However, managerial and pedagogic capacities still require continued support in order to ensure quality standards. UNDP support to the human resource development for the sector

⁷ "Breaking the Cycle of Domestic Violence in Timor-Leste: Access to Justice Options, Barriers and Decision Making Processes in the Context of Legal Pluralism" – UNDP 2013

will continue to target LTC and will place more emphasis on legal education, for the short, medium and long term.

JSP will upscale its support to building scientific and pedagogic capacities as well as managerial to ensure higher standards in the quality of LTC professional training and longer term plans for legal education. Progress has been made in transitioning line functions from internationals to Timorese but continued capacity building is still required for the latter to take effective ownership of the justice process. UNDP will support an accurate assessment of judicial human resources needs and capacity gaps so that GoTL is better positioned to plan strategies for nationalizing the sector. Support will be focusing on strategic planning and pedagogical senior advisory services to systematize curriculums, methodologies, introduce measures for more tailored made approaches to capacity development, according to each profession needs, looking into strategies for full “sector” nationalization, with more specialized training and grounded on principles of ethics and deontology.

To achieve the targets under output 2, interventions for continued capacity development of human resources on one hand and strengthening of LTC will be as follows:

Result 2.1 – Justice Sector staffed with qualified national human resources with the necessary competencies, ethics, skills and knowledge to perform their functions

The sustainability of the Timorese justice system will depend on Timorese nationals fully performing all line functions. All JSP evaluations have demanded a withdrawal from international line function support. Under this output JSP will engage justice human resources specialist/analysts to conduct assessments mapping the short and long term staffing needs, capacity requirements and a strategy for phasing out international line functions.

A Human Resources Plan (HRP) will provide an accurate basis for estimating and projecting the number of LTC graduates with gender balance that are required to serve the public. Based on this, there will be a more clear direction to determine which international line functions can be pulled out as of 2015 and the critical areas and institutions that will still require international expertise to deliver justice while giving directions and time lines for an exit strategy of international assistance.

Once there is a clear overview of the sector gaps and needs, the Programme will provide support to implement the human resources plan. Specialized training and capacity development plans will be implemented for critical areas such as ethics, judicial deontology, accountability, transparency, corruption and other specialized areas decided together with sector professionals and Superior Councils.

Result 2.2 – Technical, management and pedagogical skills of the Legal Training Centre strengthened for the delivery of high quality legal education including language improvement strategies

The Legal Training Centre is the institution mandated and tasked to prepare almost all legal and judicial professionals for Timor-Leste. There has been limited attempt in the past to assess and develop learning methodologies suitable to the learning styles of Timorese students. It needs to address a number of areas including the standard of the curriculum, use of more advanced training methodologies, feedback loop of lessons from on-the-ground realities, more flexibility and adaptation according to each profession needs and intake needs for the sector, quality assurance, language obstacles and limited training materials.

Under this output JSP will support a thorough analysis of management and pedagogic needs to improve and standardize quality of the curriculum of the LTC. JSP has recruited a Curriculum Development Advisor who will prepare recommendations for institutional strategy, training methodologies and improvement of the curriculum. In 2014 these recommendations will be implemented and supported by a Senior Pedagogic Adviser supporting management of the institution, promote greater coordination between LTC and justice institutions and plan for a curriculum that can meet needs both in terms of numbers and quality. JSP will also advise on institutionalize procedures to ensure the increase intake of women candidates in all LTC training courses and language improvement measures, as this remains a difficulty in terms of access and completion of LTC courses.

Result 2.3 – “Timorisation” of LTC with capacities enhanced to become an Institute of Advanced Legal Studies capable of ensuring continuous professional development

The LTC currently has seven full-time internationals on its staff, six of whom are trainers. There are no Timorese trainers apart from the once-a-week legal Tetum class, usually taught by a senior national judge. The Ministry of Justice and the LTC seriously acknowledges the need for more national trainers and the eventual transition of all teaching responsibilities away from internationals in due course.

Under this component, JSP will support LTC’s progressive "Timorisation". JSP will support the development and implementation of a training Programme to prepare a pool of national trainers, who will be phased-in to support and then take over international trainers’ roles **so that by the end of 2015 LTC can have a minimum of two national trainers teaching civil and criminal law in the magistrates’ course, with a number of additional national guest lecturers.**

The Senior Pedagogic Advisor will support a detailed assessment and work with the justice sector institutions and LTC on a plan for systematic and mandatory continued professional education (this requires cooperation with the Council of Coordination or the Superior Councils).

Additionally, at a more institutional level, strategies for the planning, budgeting, management and staffing of the LTC need to be improved. This means putting in place systematic monitoring and evaluation mechanisms of training Programmes, as well as impact assessments (e.g. through field surveys) once LTC trainees enter the workplace.

Output 3 –Improved access to justice and equitable dispute resolution mechanisms for all with a focus on women and more vulnerable populations

JSP will support state efforts to increase free legal assistance through more public defense and legal aid mechanisms and certified dispute resolution options for certain areas such as mediation of land and property cases. Simultaneously it will mainstream in all its access to justice targets measures to improve capacities and to better respond to women’s rights including domestic and gender-based violence. JSP will support policy and legislative national efforts on access to justice as well as targeted implementation support to ensure that citizens have more availability of services at sub national level, through mobile justice, more public defenders and legal assistance and information.

For this purpose, output 3 has two main sub-outputs/key results, described and summarized below

Result 3.1 - National legal aid framework and scheme established and increased availability of free legal assistance and access to justice

JSP will provide support to ensure that the Access to Courts Law is adopted through a participatory process. It will further support its implementation plans including through provision of comparative research and experiences to support GoTL development of a National Legal Aid scheme that fits the country context.

Emphasis will be given to OPD capacity to ensure improved skills for providing legal assistance, information and advice as well as defense on women's rights cases. This will include efforts to support dissemination of legal information and access to justice on women's social and economic rights, domestic violence and gender violence, in local languages.

As a bridging measure while justice institutions are physically not present in all districts, JSP will continue to support access to justice in gap districts through mobile services. JSP will support the development of internal standard operating procedures in OPD in relation to, providing services exclusively to low-income citizens, mobile and field services, prioritizing cases relating to vulnerable groups and systematising legal assistance to victims of domestic and gender based violence. Also in the interim, JSP will assess and discuss with GoTL and all relevant stakeholders' the possibility of establishing an interim Legal Aid Grant Facility to expand legal aid services in key districts (or at a minimum in the pilot district under output 4) through legal aid NGOS and legal internships.

Result 3.2 – Alternative dispute resolution mechanisms improved with priority focus on land, property and family disputes and interface between formal and informal justice enhanced

Land is widely recognized in Timor-Leste as one of the overarching concerns for stability. JSP has been supporting the process of development of land legislation with considerable success and will continue this support to ensure the finalization of the framework and respective regulations. It will also assist the implementation of the land law with a focus on improving capacity building for resolution of land disputes, through training, technical assistance and capacity building to OPD, public officials and Cadastral Commission. Most land disputes are currently addressed through a myriad of stakeholders implementing ad-hoc mediation practices. Capacity building on land and property mediation and dispute resolution will focus on OPD, Land Public Officers and mediators and also on judicial actors.

The JSP will focus its support on regulating and promoting alternative means for disputes solving, such as mediation or conciliation, particularly in matters concerning family or land issues. Care will be taken to ensure that the rights of women, children and other vulnerable populations are properly represented and protected in such alternative dispute resolution measures.

Output 4 - Coordination, co-operation and integrated systems between justice, police, communities and corrections supported in a "pilot –scale up access to justice district model."

Justice sector leaders can address structural problems by allowing experiments, provided that the experiments are clearly motivated by goals such as decreasing costs, preventing error, increasing procedural justice, or speeding up trials. Instead of stressing formal barriers to new solutions, justice

sector leaders can urge stakeholders to develop, try, and test new procedures and to ask for changes in the rules if necessary.

Under this output UNDP will assess bottlenecks in justice delivery and overall citizens access to justice in one pilot district (to be determined based on agreed criteria and in consultation with justice sector institutions) and support innovative and local solutions focusing on improved communication, coordination, referral systems, simplified managerial procedures within the broader justice sector chain, including local dispute resolution mechanisms, that can be tested, monitored and evaluated so that if they have good results the strategies can be taken to national planning and policy processes and can be adapted and scaled up to national level or replicated in other districts by the government. This will be anchored on solid coordination also with other development partners working on justice support activities in the selected district, in particular on areas of community policing and domestic violence.

While at national level the Programme will strive to demonstrate the need for policy reforms, in the pilot district the Programme will promote assessment of bottlenecks in terms of case registry, tracking and management systems, institutions and community coordination in order to adopt innovative and local solutions to address justice delay as a means of improving access to justice as models for institutional reform that can be adopted at national level.

In order to determine success and measurable performance of this pilot approach UNDP will support a number of mappings, baseline gathering, profiles, and satisfaction and impact surveys to be able to establish criteria and benchmarks that can be monitored and evaluated to determine potential scalability of reforms. Concrete activities and innovative approaches will be determined more accurately based on the inception phase of the pilot (2014).

Result 4.1: Reduced criminal justice delays through improved case management and pretrial procedural mechanisms between police, prosecution, public defense and courts

JSP will facilitate discussions among local level justice institutions and stakeholders involved in formal and informal justice to determine and implement measures to improve the efficiency and quality of judicial processes. The Access to Justice Forum envisaged in JSSP will be activated and function as a local project committee for this discussion. JSP will support the analysis of data from IIMS and other sources, studies to examine the nature and needs of vulnerable population groups for the justice sector, expansion of mobile courts, and implementation of other measures to clear case backlog and to improve efficiency in judicial processes.

Result 4.2 Service delivery improved for court users and communities at large to enable access to justice and increased confidence in the justice sector

JSP will support measures to improve court services to citizens. This includes legal aid and mediation services, increased representation for women, interpreters for local languages, accessible civic education, improved policies and processes such as alternative sentencing options.

Result 4.3 – Pilot Model evaluated and evidence based policy recommendations formulated for possible scaling up/replication

The district pilot interventions will be monitored regularly for improvement. In addition by 2016, the Pilot Model will be evaluated through citizen surveys and an independent assessment. Results from the

assessment of the pilot model and comparative analysis of information from other judicial districts will serve as evidence for the Government of Timor-Leste to propose institutional reforms and to scale-up good practices emerging from the pilot model.

UNDAF Outcome: Citizens' access to effective and efficient justice improved, particularly for women, children and vulnerable groups.

Indicators: # of backlog cases in the courts, prosecutor and public defender offices.

Baseline: TBD; *Target:* TBD

Indicator: Percentage of population (disaggregated by sex, age, location) with confidence in the formal justice system.

Baseline: *Target:*

Indicator: Percentage of people using formal justice mechanisms to settle disputes, including for GBV

Applicable Key Result Area from Strategic Plan

Project title and ID (Atlas Award ID)

Intended Outputs	Outputs Targets (Years)	Indicative Activities	Responsible Parties	Inputs
<p>Output 1 - Coordination, management and oversight capacities of justice institutions enhanced for more effective and efficient formulation and implementation of laws, plans and overall administration of justice</p> <p><i>Indicators:</i></p> <ul style="list-style-type: none"> Frequency of CoC and DPCM Justice sub-group meetings; Implementation rate of SDP justice annual plan and budget # of justice sector institutions with gender disaggregated M&E systems in place # of justice sector policies, plans and laws informed by research, data analysis and public 	<p>Targets Year 1:</p> <ul style="list-style-type: none"> Planning Secretariat (PS) in MoJ fully staffed, with clear ToRs 3 Justice Sector Institutions have Strategic Plans with costed annual plans Manual/SoPS on legislative development prepared, and relevant staff trained <p>Targets Year 2:</p> <ul style="list-style-type: none"> Ministry of Justice/PDO and courts develop SoPs to improve planning and management practices in justice administration Codes of Professional Conduct and Ethics approved for Judges, Prosecutors and Public Defenders 	<p>Activity Result 1.1 - Management and coordination capacities of justice sector institutions strengthened with systematic use of data for evidence based and gender-sensitive planning and budgeting</p> <ol style="list-style-type: none"> Support internal assessment of management and planning in MoJ and key justice institutions; Support national systems for data collection and analysis, policy and planning and M&E capacity (MoJ, OPD, Courts, OPG). Provide training and other forms of support to operationalize the Planning Secretariat coordinate DPCM mechanism and monitor implementation of JSSP; Support perception surveys and other data gathering exercises to monitor qualitative progress in the sector; Support planning secretariat to use the Statistical Data Centre to propose policy reforms to improve justice administrative processes; Provide technical assistance for improving administration, strategic planning and management across the sector; Support senior level officers to incorporate good practices on justice administration reform, planning 	<p>UNDP, CoC / Justice institutions,</p>	<p>Short term Intl. consultant (1 expert for 4 m each @ \$73,040 for 4 years (US\$292,160)</p> <p>M&E 1 Intl. advisor for 5 years, 50%) @4,000/m @ \$48,000 each year (Y3,Y4,Y5 only 6 months) (US\$240,000)</p> <p>MoJ Strategic/IIMS Intl. Planning Advisor X 1 @10,000. Y1 = \$120,000, Y2=\$120,000, Y3= \$60,000</p> <p>Natl. IT X1 @ \$3,000, Y2= 36,000, Y3= \$36,000, Y4=\$36,000,</p>

<p>consultations inclusive of women groups and vulnerable groups</p> <ul style="list-style-type: none"> # of Superior Council actions/decisions on recommendations of JSI inspectors; <p>Baseline:</p> <ul style="list-style-type: none"> No regular schedule for CoC and DPCM Justice SG meetings; Justice SDP targets established without budget allocations; Limited coordinated and systematic collection of data and analysis for planning, budgeting and M&E No clear or systematic guidance for consultative legislative development; Limited monitoring and reporting of JSI inspection recommendations ??? <p>Targets:</p> <ul style="list-style-type: none"> DPCM meetings convened each quarter. CoC meetings calendar established and meetings convened according to established calendar. 70% of SDP/DPCM targets met and 100 % increase in justice sector budget execution by 2018; 70% laws, enacted by MoJ based on evidence and public consultation in line with 	<p>Targets Year 3:</p> <ul style="list-style-type: none"> 100% of relevant Justice Sector Institutions staff trained in Codes of Professional Conduct & Ethics National M&E systems in place in all Justice Sector Institutions and progress reports disseminated at least twice a year <p>Target Year 5:</p> <ul style="list-style-type: none"> Policies and plans for improving administration of justice adopted and timely executed by mandated institutions Gender recommendations mainstreamed in planning/policy documents 	<p>and budgeting ;</p> <p>8. Support mechanisms whereby civil society and other stakeholders can discuss justice issues with members of CoC</p> <p>Activity Result 1.2 –Justice sector capacities improved for more inclusive and participatory policy and law making processes</p> <ol style="list-style-type: none"> Support Planning Secretariat to analyse and implement key policy and legislative changes required to improve the sector performance, with a focus on access to justice (e.g. bilingual language policy, land and property, gender and justice etc); Support reviews of obstacles in implementation of laws with recommendations for improvements; Provide technical assistance and support for improving policy making and legal drafting capacities for the MoJ;(gender sensitive evidence based policy and law making); Support development of guidelines and tools for consultation and transparency in law making; Facilitate discussion on strategic justice sector policy and law issues with a focus on fundamental rights ; Provide support to translating and developing legal commentaries on key laws, and disseminate information <p>Activity Result 1.3 –Increased capacities for monitoring and oversight of justice sector institutions including more public access to information on justice sector progress</p> <ol style="list-style-type: none"> Support development of information sharing protocol and reporting through the IIMS between all justice 	<p>Y5=\$36,000 (US\$444,000)</p> <p>CTA/ (as CoC advisor) 25%@\$53,760 each year (US\$268,800)</p> <p>Technical support for training and planning skills = 2x trainers \$87,840 each year for 4 years (US\$351,360)</p> <p>Short term policy /legal advisor (1 x adviser each year @13,200/ month</p> <p>Year1= 3m=\$39,600 Year2=1m=\$13,200 Year3=1m=\$13,200 (US\$66,000)</p> <p>Legislative drafters Natl. x 6 x 12 m @\$500 each for 1 year (US\$36,000)</p> <p>Linguistics/translators (12 x 18 m @300/month) (US\$64,800)</p> <p>Intl. IT x 4@ \$417,000/year ; Natl. IT</p>
---	---	---	---

<p>Legislative Practice Guidelines (to be developed)</p> <ul style="list-style-type: none"> 100 % implementation of JSI inspection recommendations by 2018 		<p>sector institutions;</p> <ol style="list-style-type: none"> Support the use of electronic and written media to facilitate regular publication of statistics and information on justice sector activities; Support functioning of the Audit and Inspection capacities in all institutions; Provide technical assistance and capacity building for the Superior Councils of all justice institutions with an emphasis on the role of the Inspector especially in OPD; Support national institutions in formulation of Codes of Conduct and Ethics and related training; Support specialized training on ethics, deontology and transparency for all relevant staff of key sector institutions; Support the publication of annual reports from key justice sector institutions on administrative, programmatic activities and budgetary status; Provide technical assistance as required for ensuring measures that improve transparency and accountability in Justice Sector Institutions, such as M&E systems; 	<p>x1 @ \$ 6,000, logistics/maintenance @ \$9,300 (US\$432,300)</p> <p>IT infrastructure support miscellaneous (1 year) (US\$20,000)</p> <p>PDO inspector (1 Intl. x 4 years) @ \$44,652 each year (US\$178,608)</p> <p>Publishing materials \$10,000 each year (US\$50,000)</p> <p>International Programme Officer 25% @45,750 per year (US\$228,750)</p> <p>Communications/Media 0.5%. year (US\$58,255)</p> <p>Training costs \$10,000 each year (US\$50,000)</p>
TOTAL OUTPUT 1 US\$ 2,781,033			

<p>Output 2 – Capacity of justice sector strengthened and expanded to provide quality services and uphold the rule of law</p> <p>Indicators</p> <ul style="list-style-type: none"> # of national judges, prosecutors and public defenders (by sex); Implementation rate of HRD Plan # of qualified national trainers at LTC # of backlog in civil and criminal cases in the courts, OPG and OPD; Average time taken by courts, prosecutors and public defenders to process cases Citizens perception of the formal justice system; <p>Baseline</p> <ul style="list-style-type: none"> 51 qualified national judges (17), prosecutors (18) and public defenders 	<p>Target Year 1</p> <ul style="list-style-type: none"> Mechanisms in place for Public Defenders’ inspection and performance review. <p>Target Year 2</p> <ul style="list-style-type: none"> 20% increase of intake at LTC for national Justice Sector Institutions actors in line with HRD Plan (at least 50% women) At least 2 national trainers teaching substantive legal topics at LTC Human Resources Strategies with costed annual plans in place for 3 Justice Sector Institutions 100% of Public Defenders are inspected and performance reviewed. At least two Superior Councils adopt mandatory Continuous Professional Development requirement for their professional cadres 60% reduction on reliance of international line functions in the Courts and Prosecutors. <p>Target Year 3</p> <ul style="list-style-type: none"> 40% increase in number of students graduating from the LTC and recruited into positions within justice institutions over period (*baseline – year 1) 40% improve in perception of LTC 	<p>Activity result 2.1 – Justice sector staffed with qualified national human resources with the necessary competencies, ethics, skills and knowledge to perform their functions</p> <ol style="list-style-type: none"> Conduct human resources assessment and agree a human resources strategy for phasing out of international line functions Facilitate implementation of recommendation of the assessment with justice institutions; Design criteria for deployment of line-function advisors and support to critical line functions for service delivery in line with HR strategy Support tailor made on job training and mentoring to strengthen the capacity of national judges, prosecutors, public defenders and other selected justice professionals; OPG to appoint at least two national staff to be trained as inspectors by international inspector. Develop standards and procedures for monitoring and evaluation of advisors (line function / mentor) using functions, targets and capacity building objectives Conduct analysis of causes of case backlogs and provide support to courts, OPG and OPD to implement priority programs to reduce backlog Support training/workshops/debates in key justice institutions on specialized areas such as human right, and ethics Support clear policies and procedures for monitoring and evaluation linked to the human resources plan Enhance Justice institutions’ internal and external communications processes Support Superior Councils to implement obligatory Continuous Professional Development plans for Judges, Prosecutors and Public Defenders. 	<p>UNDP and CoC / justice institutions, LTC</p> <p>Human Resources Consultant for 3 m @10,000 per month (US\$30,000)</p> <p>CTA/ (as CoC advisor) 25% @\$53,760 each year (US\$268,800)</p> <p>Intl. Liaison Advisor and Natl. Secretary for CoA /line functions @\$87,600 each year (US\$438,000)</p> <p>Court Intl. Adv: 184m @\$3,660/m = \$673,440</p> <p>OPG Intl. Adv: 160m x @\$6,000/m = \$960,000;</p> <p>60m x @\$3,660/m x = \$219,600 = \$1,179,600</p> <p>OPD Intl. Adv: 84m x @\$3,721/m = \$312,564</p> <p>(US\$2,165,604)</p> <p>Scaling up training for 6 trainers</p>
--	---	--	---

<p>(16);</p> <ul style="list-style-type: none"> No HRD Plan for JSIs LTC functioning only with international trainers 487 civil cases and 1,815 criminal cases backlog (2012 district courts); OPG annual case intake of 3,680 and finalization rate 3,340 cases per year; OPD 2,638 civil cases and 1,622 civil cases backlog; Average case processing time (TBD) Justice sector rated low progress in Fragility Assessment Report <p>Targets</p> <ul style="list-style-type: none"> 50% increase in number of national judges, prosecutors and public defenders by 2018 60% of human resources needs for 3 Justice Sector Institutions and private lawyers as per HRD Plan met by 2018 80% reduction in line functions 	<p>services by Justice Sector Institutions and trainees</p> <p>Target Year 4</p> <ul style="list-style-type: none"> At least 6 national trainers teaching substantive legal topics at LTC Mechanisms introduced/improved to decrease time taken to finalize criminal and civil cases by courts. <p>Target Year 5</p> <ul style="list-style-type: none"> All three Superior Councils meet at least quarterly and review inspectors' reports. 	<p>Activity Result 2.2 – Technical, management and pedagogical skills of the Legal Training Centre strengthened for the delivery of high quality legal education programmes including strategies for language improvement</p> <ol style="list-style-type: none"> Support Senior Pedagogical advisor at the LTC to analyze management and pedagogic needs of LTC and implement steps to improve efficiency and effectiveness of the LTC.. Conduct LTC feedback surveys on a yearly basis amongst all relevant LTC stakeholders Conduct regular review of LTC curriculum and training methods / practices and update as needed. Support training of LTC senior staff in planning and management. Support LTC to continue training programs for magistrates and private lawyers to meet agreed numbers as per the HRP Support training for professional and support staff in the justice sector based on the needs of the institutions Support revision of LTC statutes and regulations as required Support systems within LTC for monitoring and evaluation performance of trainers and students. Support gender equality strategies within LTC Assess and support measures to facilitate linguistic access to the careers (Portuguese and Tetun) 	<p>UNDP, LTC and CoC / justice institutions/ universities, Ministry of Education</p> <p>@1,500X3=\$27,000, Travel @2,400X3=\$7,300</p> <p>Materials for workshops and training @60,000X3=\$180,000 (US\$214,200)</p> <p>Workshops/activities Costs (US\$55,000)</p> <p>Continuous Professional Development experts x 4.5 months @ \$15,000 per month (US\$45,000)</p> <p>Senior Pedagogical advisor \$120,00 each year for 3 years (US\$360,000)</p> <p>Specialist Curriculum Developers (1 Consultant x 3m) for year 2 and 4 @ \$66,000 each year (US\$132,000)</p> <p>Training of LTC</p>
---	--	--	--

<p>performed by internationals at the LTC, and in courts, prosecution and defense</p> <ul style="list-style-type: none"> • 50% of LTC trainers are national staff • 30 % reduction in backlogs in Prosecution and Courts • 30% reduction in average time taken by courts to process civil and criminal cases • 40% increase of public confidence in the formal justice system 		<p>Activity Result 2.3 – “Timorisation” of LTC with capacities enhanced to become Institute of Advanced Legal Studies</p> <ol style="list-style-type: none"> 1) Provide support to LTC to train and establish cadre of Timorese trainers and develop and implement teaching program for them 2) Create plans with Superior Councils for mandated Continuing Professional Education 3) Facilitate discussions and agreements between universities, LTC, justice institutions and international peer on legal education policy / strategy; 4) Support LTC and MoJ to develop and cost plan to enhance the LTC to become Institute of Advanced Legal Studies 5) Provide resources to support trainers improve research capacities in LTC, including publication of educational resources, legal syllabus, legal journals and publications 6) Support regular evaluation of training needs and curricula and improvement of courses based on feedback of trainees and sector professionals 	<p>senior staff in planning and management. (US\$20,000)</p> <p>Intl. LTC trainers and 1 Intr. social reinsertion trainer.</p> <p>Year1=7advisors \$251,460, Year2=6advisors \$209,460, Year 3=5 advisors\$177,840, Year4=3 advisors \$103,920; Year5=3 advisors \$103,920</p> <p>(US\$846,600)</p> <p>Gender equality/outreach activities (US\$30,000)</p> <p>Bi-annual training of trainers @ \$50,000/year for Y1,Y3 and Y5 (US\$150,000)</p>
TOTAL OUTPUT 2 US\$ 4,755,204			

<p>Output 3 –Improved access to justice and dispute resolution mechanisms for all with a focus on women and more vulnerable populations</p> <p>Indicators</p> <ul style="list-style-type: none"> # of national PDs in each District OPD case backlog # of women, GBV sufferers and rural citizens receiving PDO/free legal aid service outside Dili. Citizens awareness of formal legal system and free legal aid services. # of cases resolved through mobile courts Number of land disputes mediated and formally recorded Citizens’ perception of trust in PDO and quality of its service <p>Baseline:</p> <ul style="list-style-type: none"> 16 national public defenders OPD civil cases backlog of 1,622 and 	<p><u>Target Year 1</u></p> <ul style="list-style-type: none"> Legal aid law adopted Land Law package adopted, and implementation plan for cadastral commission adopted. <p><u>Target Year 2</u></p> <ul style="list-style-type: none"> 100% of relevant staff in MoJ Land and Property Department, and PDO trained in land mediation 100% of state public defense and legal aid staff trained in line with professional training plans (e.g. Human rights, gender, LADV, mediation etc.) Mechanisms improved/introduced for free legal representation from arrest until trial for persons without means <p><u>Target Year 3</u></p> <ul style="list-style-type: none"> 50%of staff trained in land mediation evaluated <p><u>Target Year 4</u></p> <ul style="list-style-type: none"> 30% increase in referral of cases between ADR, mediators, legal aid and justice and security institutions <p><u>Targets year 5</u></p>	<p>Activity Result 3.1 - National legal aid framework and scheme established for increased availability of free legal assistance and access to justice, particularly for women and vulnerable groups</p> <ol style="list-style-type: none"> Provide technical assistance for finalisation of legal framework/policy for national legal aid scheme. Support MoJ and other relevant entities (PDO, Bar Association, NGOs) in implementation of the Access to Courts/Legal Aid Law Assess and discuss with GoTL and all relevant stakeholders feasibility of establishing and interim Legal Aid Grant Facility to expand legal aid services in the districts through legal aid organizations/legal clinics etc Support measures for increased awareness and commitment of law students and LTC trainees to <i>pro bono</i> work and legal aid for indigent litigants Support legal aid district needs mapping Conduct capacity assessment of OPD and support formulation of an Institutional Capacity Plan Support specialized training (complementary to LTC) to strengthen the capacity of OPD on access to justice, legal aid, human rights, gender etc Support development of guidelines for measuring quality of service provision (e.g continuity of legal adviser throughout case; minimum number of meetings before case hearings etc.) Support socialization of women’s property rights. Support implementation of Justice Sector Institutions victim and witness protection measures especially in women’s/children rights cases Support monitoring of legal aid and access to justice services implementation <p>Activity Result 3.2 – Alternative dispute resolution mechanisms improved with priority focus on land, property and disputes and interface between formal and informal justice enhanced</p> <ol style="list-style-type: none"> Support finalization of land legislation and consequent regulations Support implementation of the land law with a focus on resolution 	<p>UNDP, MOJ, OPD</p>	<p>A2J and legal aid short term international experts @\$52,800 each year for 3 years (US\$158,400)</p> <p>CTA/ (as CoC advisor) 25% @\$53,760 (US\$268,800)</p> <p>OPD/Natl. Legal aid advisor 1 x 36 m @\$12,000 for Y1, Y3, Y5 (US\$36,000)</p> <p>OPD Intl. capacity building advisor (24 months) @\$84,000 per year (US\$168,000)</p> <p>Public information campaign (Intl. PIO x 12 m for Y1 only = \$96,000 & Natl. PIO x 36m = @ \$15,600 each year for Y1,Y2,Y3) (US\$142,800)</p> <p>Monitoring of legal aid and access to justice services implementation</p>
--	---	--	-----------------------	---

<p>2,638 criminal cases</p> <ul style="list-style-type: none"> • 55% of clients of legal aid organisations are women mostly on domestic violence cases • Limited awareness of formal justice system (59% according to 2008 Survey of Citizen awareness) and on legal aid /public defense provision (42% of people aware of legal aid 2012, TAF legal Aid Survey) • Cases decided by Mobile Courts till 2013 (TBD) • Land dispute cases mediated (TBD) • Citizens perception of PDO (TBD) <p>Targets:</p> <ul style="list-style-type: none"> • 30% increase in # of PDOs providing legal aid services outside Dili district; % decrease in PDO case back log in districts outside Dili • 40% increase in cases referred and accepted at PDO/state legal aid 	<ul style="list-style-type: none"> • 100% of victims of domestic violence /GBV receive public defense/legal aid assistance. • 70% increase in land dispute resolution • 40% increase in numbers accessing courts 	<p>of land disputes</p> <ol style="list-style-type: none"> 3. Provide training, technical assistance and capacity building to , relevant public officials and Cadastral Commission to implement mechanisms to resolve land disputes 4. Support consultation processes and implement laws, policies and guidelines and training for mediation of land disputes. 5. Strengthen capacity of officials especially in gender rights and dispute resolution 	<p>@\$10,000 each year (US\$ 50,000)</p> <p>Land Legal Advisor @\$30,000 each year (US\$60,000)</p> <p>Land Administration advisor @\$96,000 each year (US\$288,000)</p> <p>Consultant for mediation program 6 m in year 2 (US\$42,000)</p>
--	---	--	---

providers (at least 50% of those to be women and 80% to be defined as needy) • 80% increase in cases addressed through mobile justice services • 30% improvement in quality perceptions of PDO services				
TOTAL OUTPUT 3 US\$ 1,214,000				

Output 4 - Coordination, co-operation and integrated systems between justice, police, communities and corrections supported in a “pilot –scale up access to justice district model” Indicators <ul style="list-style-type: none"> # of agreed actions implemented by justice institutions in pilot district % of GBV cases reported to police and referred to prosecution. % increase in 	Target Year 1 <ul style="list-style-type: none"> All required quantitative and qualitative baselines for measuring access to justice in the pilot district available 1 recommendation presented to CoC from pilot district for scaling-up. Target Year 2 <ul style="list-style-type: none"> 20% increase in legal awareness, legal assistance and legal aid services 20% increase in coordination and referral mechanisms across justice sector institutions 1 recommendation presented to CoC from pilot district for scaling-up. 	Activity result 4.1: Reduced criminal justice delays through improved case management and pre-trial procedural mechanisms between police, prosecution, public defence and courts <ol style="list-style-type: none"> Facilitate discussions amongst a broad range of justice and associated service providers from the formal and non-formal justice sector on a pilot project to test an integrated approach to access to justice Establish local pilot project committee (A2J Forum) including formal and informal justice actors to facilitate discussions amongst a broad range of justice and associated service providers Support A2J Forum to conduct access to justice district profile and mapping Conduct a gender analysis to enhance women’s equality and participation in the justice sector) covering the principal justice institutions Develop vulnerability study to establish key target groups among the population to whom justice services and socialisation should be targeted. Support improved skills for investigation, prosecution and adjudication on SGBV and fundamental women’s rights cases 	UNDP, CoC / justice institutions, PNTL, community leaders, non-government and civil society organisations	Justice team at selected district (1 Intl.; 3x Natl.,) @\$108,000 each year (US\$540,000) CTA/ (as CoC advisor) 25% @\$53,760 (US\$268,800) 3 National district staff @\$10,800 each year (US\$43,200) Gender and justice and GBV short terms consultants (4 m in year 1 to 5
--	---	--	---	---

<p>requests for legal information, advice and legal aid services including referral mechanisms;</p> <ul style="list-style-type: none"> • Average time to process case from police registration through to courts; • # of policy recommendations for scale up/replication implemented <p>Baseline</p> <p><i>To be determined based on the district selected (ideally the district with highest crime rates) and after district access to justice survey and assessment completed</i></p> <p>Targets</p> <ul style="list-style-type: none"> • 75 % of jointly agreed action by local justice institutions are implemented 2016 • 100% of GBV cases in target district reported to police are referred to PG by 2017. • 30% increase in legal 	<p><u>Target Year 3</u></p> <ul style="list-style-type: none"> • 30% increased availability of local languages supported in court • 1 recommendation presented to CoC from pilot district for scaling-up. <p><u>Target Year 4</u></p> <ul style="list-style-type: none"> • 40% increase in access to justice for vulnerable groups (access to court, legal aid and legal information services) • 1 recommendation presented to CoC from pilot district for scaling-up. <p><u>Target year 5</u></p> <ul style="list-style-type: none"> • Report documenting lessons learned and recommendation for up-scaling submitted to CoC. 	<p>7) Use IIMS and other information to assess case management and case-flow bottlenecks through the justice chain, and present recommendations to the A2J Forum</p> <p>8) Support better inter institutional coordination/coordination with Civil society.</p> <p>9) Implement IIMS across all institutions in district</p> <p>10) Assess case management and case-flow bottlenecks through the justice chain, and present recommendations to A2J Forum</p> <p>11) Support measures for improving efficiency (based on recommendations from the assessment) such as improving manual record-keeping, and electronic archiving and registry management</p> <p>12) Support data collection and analysis for identification of key issues for case delays, projections of crime rates and priority cases</p> <p>13) Assist judicial, prosecution and public defense services to clear case backlog</p> <p>14) Support assessments of the quality and efficiency of judicial processes and sentencing of community views on justice service (including through perception surveys)</p> <p>15) Support justice institutions to integrate career rewards and rotation system for district service delivery</p> <p>16) Support justice institutions to systemize and expand Mobile courts</p> <p>Activity Result 4.2 Improved service delivery to court users and communities at large to enable increased access to justice</p> <p>1) Support formulation and implementation of district civic awareness campaigns on human rights and crime prevention</p> <p>2) Implement language policy in courts and support training of interpreters for court users who do not speak Tetun or Portuguese.</p> <p>3) Strengthen the service delivery of public defense/legal aid and mediation with increased representation of women</p> <p>4) Support measures to improve coordination between informal and formal justice mechanism</p> <p>5) If prison facilities are available in area models, support the review of the status of prisoners and detainees at district level, especially the situation of women and why women are sent to prison – types of cases/length of terms – using the results to better inform judicial policy making, including alternative sentencing options such as community-based correction orders</p>	<p>@\$18,000 each year (US\$90,000)</p> <p>Intl. Consultant / Sub-contract (US\$30,000)</p> <p>M&E 1 Intl. advisor for 2 years, 50%) @4,000/m @\$48,000 for Y1 and Y2 only (US\$96,000)</p> <p>Small Grants NGOs (US\$120,000)</p>
---	--	--	--

<p>awareness, legal assistance and legal aid services</p> <ul style="list-style-type: none"> • 40% reduction in time to process collective cases • 3 policy recommendations for scaling up/replication of successful solutions implemented 		<p>6) Develop methodologies and materials to support socialization in ways not dependent on literacy skills.</p> <p>Activity Result 4.3 – Pilot Model evaluated and evidence based policy recommendations formulated for possible scaling up/replication</p> <ol style="list-style-type: none"> 1) Conduct citizens survey and independent assessment of results of pilot model 2) Support public dissemination of results at district and national level 3) Support Planning Secretariat and relevant working groups to formulate policy recommendations for improving integrated sector wide approaches to justice administration 		<p>Intl. Programme Officer 25% @\$45,750 (US\$228,750)</p> <p>Communications/Media 0.5% (US\$58,255)</p> <p>Operations Manager @\$15,000 each year (US\$75,000)</p>
TOTAL OUTPUT 4 US\$ 1,550,005				
Project Management				<p>Project Manager (UNV) (US\$300,000)</p> <p>Admin and Operation Support Staff (US\$ 539,172)</p> <p>Support costs:</p> <p>-Travel to the districts (US\$14,880)</p> <p>-Bank transfer fees (US\$9,000)</p> <p>-Telephone (US\$17,100)</p> <p>Overheads</p>

				-Premises <i>(US\$288,000)</i> -Vehicles & maintenance <i>(US\$72,000)</i>) -Procurement and stationary <i>(US\$210,000)</i> -Miscellaneous <i>(US\$12,000)</i> ISS <i>(US\$470,496)</i> GMS <i>(US\$856,302)</i>
GRAND TOTAL US\$ 13,089,191				

4. PROGRAMME MANAGEMENT AND IMPLEMENTATION

Since the inception of the precursor Justice System Project in mid-2003, the activities have been implemented through a Direct Implementation Modality under the direction of a national CoC, comprising the Minister of Justice, the President of the Court of Appeal, Prosecutor-General and Public Defender, ensuring full national ownership. A representative of UNDP participates in CoC meetings when it convenes as Project Steering Committee. This arrangement will continue with the revised Justice System Programme with the CoC acting as the Project Steering Committee (PSC) to provide the required programme oversight and direction for achieving the project results.

The PSC will approve annual work plans and budgets of the Programme. Activities relevant to the Programme outcomes but not detailed in this Programme document may be introduced by the CoC in consultation with UNDP Timor-Leste. The CoC shall meet together with JSP and UNDP Management at a minimum twice a year to approve annual workplans and necessary revisions or corrective measures to the Programme.

The CoC will delegate technical regular oversight to a Programme Technical Committee (PTC) whose representatives are to be nominated by each CoC members, who is responsible for the more systematic liaison with JSP CTA and UNDP. The PTC will provide operational coordination to the Programme, as well as the inputs for the preparation of implementation plans and the monitoring and evaluation of activities. The PTC will be comprised at Director General/Unit level from all key JSI institutions beneficiaries/counterparts of the Programme. The PTC can decide to invite civil society organizations. The PTC will meet every quarter and its indicative specific functions are:

- ensuring operational coordination;
- establishing adequate monitoring and reporting mechanisms in the Programme;
- providing technical and substantive inputs regarding the activities envisaged in the Annual Work Plan;
- agreeing on re-allocations and budget revisions and make recommendations to the PSC as appropriate;
- addressing management and implementation problems;
- identifying emerging lessons learned; and
- establishing communication and public information plans.

The UNDP Resident Representative must approve the present Programme document and any substantial revisions to it, including substantive budget revisions, after appropriate consultation with the CoC. Recruitment⁸ and procurement pertaining to one institution only may be carried out with the involvement of the CoC member representing that institution and UNDP.

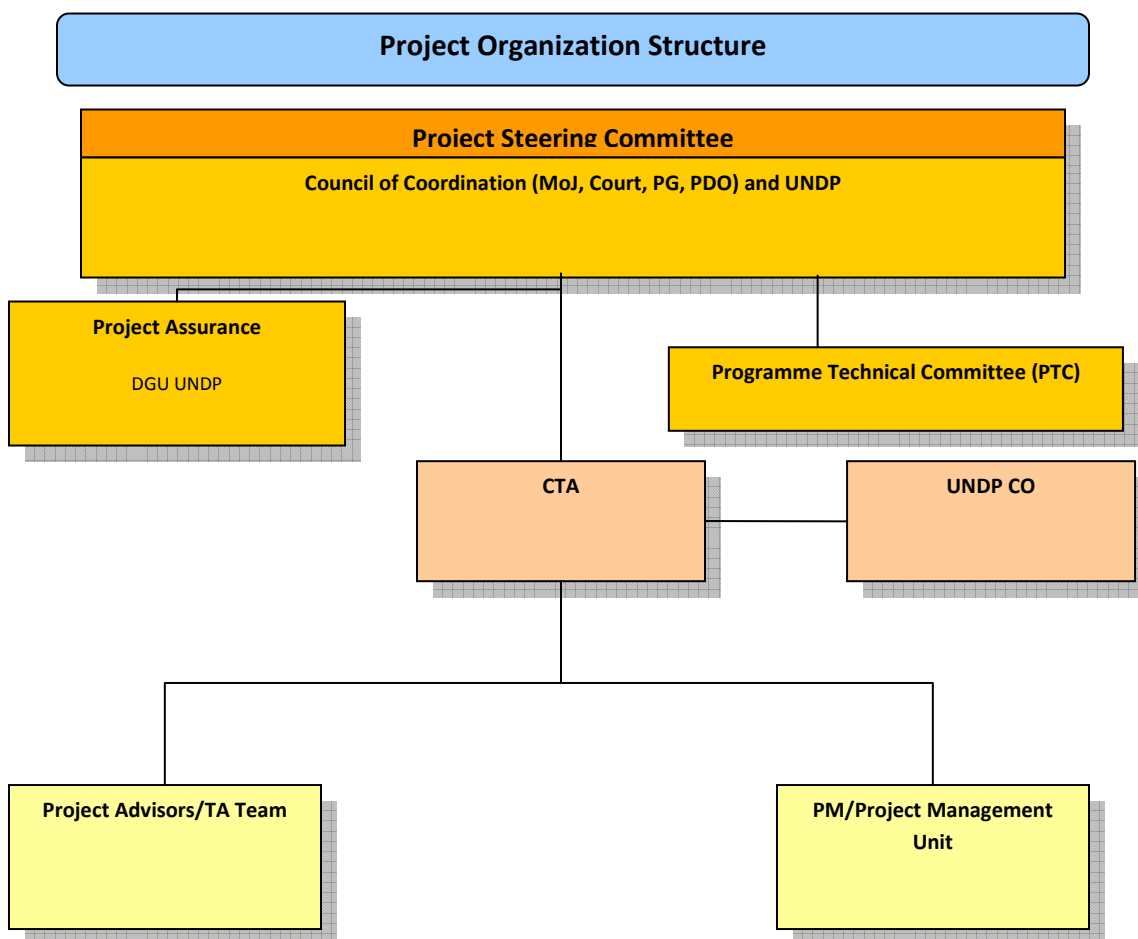
4.1 Staffing

A Monitoring and Evaluation Officer (M&E) will assist the CTA and as directed, in the monitoring and reporting of Programme activities. A national Administration and Finance Associate (AFA) and a Procurement and Human Resources Associate will also support the management unit.

Any required specific output support will be provided by short term national and international consultants along with the international advisors without management portfolios who will report to the

⁸ It is strongly recommended that the target beneficiaries be consulted whenever possible when recruitment takes place.

CTA for programmatic purposes, who will in turn report to the CoC in a comprehensive manner regarding all matters of project implementation. Output 4 will be implemented with the support of one international and two national legal officers to be stationed in the target district.



5. MONITORING AND EVALUATION FRAMEWORK

Monitoring and evaluation will be a key component of the project focusing on impact and aid effectiveness. Support will be given to the justice sector institutions to develop their monitoring and evaluation skills. The management team of the JSP and especially the dedicated Monitoring and Reporting Officer (MRO) within the JSP will have the primary responsibility for monitoring and evaluation. The team will prepare periodic reporting and support all monitoring and evaluation activities. The focal person will be the MRO, who will ensure that monitoring and evaluation is professionally conducted and clearly linked to the Project Document outputs and targets.

The Officer supported by the CTA will also be responsible to consult with the justice sector institutions and UNDP on the drafting and finalisation of all major monitoring and evaluation products. The Officer will also support assessments to provide baselines for measurements, monitor the results and lessons learned from the pilot areas. Periodic analysis of risks and identification of risk mitigation is also critical.

The following monitoring documents will be produced:

- *Quarterly Reports;*
- *Annual Reports;*
- *Programme Completion Report;*
- *Public perception surveys: A baseline access to justice survey will be conducted to ascertain knowledge of and attitudes towards the justice sector and key institutions. The survey will be repeated at the end of the project to measure any impact achieved through the interventions undertaken with the support of the Project to improving access to justice;*
- *Small scale and regular court users satisfaction survey and justice sector stakeholders (views of judges/lawyers/police investigators/court staff) surveys in selected districts will be held regularly such as every 6-8 months;*
- *Reports and analysis on case management database once it is operating and court users surveys from the pilot areas;*
- *Analysis of official data on the case-load;*
- *Support to project evaluations;*
- *Audits: All UNDP DIM Programmes are subject to audit at least once in their lifetime*
- *Terminal Report: Six months before the end of the project, the JSP will prepare a draft terminal report of the project. The draft will be discussed in the terminal PSC meeting. The Report will advise whether the conditions exist for the conclusion of the project or whether extension is required. The terminal report will be finalised and submitted to UNDP. UNDP will circulate the report to all the parties concerned and decide whether to continue the project or any component thereof.*

UNDP will align its reporting with the requirement of national Aid Information Management System and mechanism established under the DPCM. In accordance with the programming policies and procedures outlined in the UNDP User Guide, the project will be monitored through the following:

Within the annual cycle

- On a quarterly basis, a quality assessment shall record progress towards the completion of key results, based on quality criteria and methods captured in the Quality Management table below.
- An Issue Log shall be activated in Atlas and updated by the Project Manager to facilitate tracking and resolution of potential problems or requests for change.
- Based on the initial risk analysis submitted a risk log shall be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.
- Based on the above information recorded in Atlas, a Project Progress Reports (PPR) shall be submitted by the Project Manager to the Project Board through Project Assurance, using the standard report format available in the Executive Snapshot.
- a project Lesson-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project
- a Monitoring Schedule Plan shall be activated in Atlas and updated to track key management actions/events
- Field monitoring visits will take place as required but at a minimum, once a quarter.

Annually

- **Annual Review Report.** An Annual Review Report shall be prepared by the CTA and shared with the Project Board and the Outcome Board (CoC).
- **Annual Project Review.** Based on the above report, an annual project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment.

5.1. Quality Management for Project Activity Results

The following template will be used for monitoring project activities and will be implemented during project implementation:

OUTPUT 1:		
Activity Result 1 (Atlas Activity ID)	<i>Short title to be used for Atlas Activity ID</i>	Start Date: End Date:
Purpose	<i>What is the purpose of the activity?</i>	
Description	<i>Planned actions to produce the activity result.</i>	
Quality Criteria <i>how/with what indicators the quality of the activity result will be measured?</i>	Quality Method <i>Means of verification. What method will be used to determine if quality criteria has been met?</i>	Date of Assessment <i>When will the assessment of quality be performed?</i>

5.2. LEGAL CONTEXT

- a. This document together with the CPAP signed by the Government and UNDP which is incorporated herein by reference, constitute together a Project Document as referred to in the Standard Basic Assistance Agreement (SBAA); as such all provisions of the CPAP apply to this document. All references in the SBAA to “Executing Agency” shall be deemed to refer to “Implementing Partner”, as such term is defined and used in the CPAP and this document.
- b. UNDP as the Implementing Partner shall comply with the policies, procedures and practices of the United Nations safety and security management system.
- c. UNDP will undertake all reasonable efforts to ensure that none of the [project funds]⁹ [UNDP funds received pursuant to the Project Document]¹⁰ are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.

⁹ To be used where UNDP is the Implementing Partner

¹⁰ To be used where the UN, a UN fund/programme or a specialized agency is the Implementing Partner.