



**SUPPORT TO THE DEVELOPMENT OF JUSTICE AND THE RULE OF LAW  
FINAL PROGRAMME<sup>1</sup>NARRATIVE REPORT**

<p><b>Programme Title &amp; Project Number</b>          Programme Title: <a href="#">Support to the Development of Justice and the Rule of Law</a>          Programme Number (if applicable): <a href="#">C9-27</a>          MPTF Office Project Reference Number: <a href="#">MDTF Office Atlas Number:66956 (UNDP Project Number: 00063966)</a></p>	<p><b>Country, Locality(s), Thematic Area(s)<sup>2</sup></b>  <i>(if applicable)</i>          Country/Region: <a href="#">Iraq, Baghdad, and throughout Iraq</a></p> <hr/> <p><i>Thematic/Priority</i> <a href="#">ITF Sector: Governance</a></p>
<p><b>Participating Organization(s)</b></p> <p>UNDP</p>	<p><b>Implementing Partners</b>          National counterparts (government, private, NGOs &amp; others) and other International Organizations  <i>National counterparts (government, private, NGOs &amp; others)</i>  <a href="#">Higher Judicial Council - Baghdad</a>  <a href="#">Kurdistan Judicial Council</a>  <a href="#">Ministry of Justice (Baghdad and KRG)</a>  <a href="#">Iraqi Bar Association</a>  <a href="#">Kurdistan Bar Association</a>  <a href="#">Ministry of Labour and Social Affairs (Baghdad and KRG)</a>  <a href="#">Ministry of Human Rights (Baghdad and KRG)</a>  <i>International Organizations, including NGOs:</i>  <a href="#">UNDP, DMI, ACRLI</a></p>
<p><b>Programme/Project Cost (US\$)</b>          MPTF/JP Fund Contribution: <b>\$5,909,994</b>          Agency Contribution</p> <p>Government Contribution</p> <p>Other Contributions</p> <p><b>TOTAL: \$ 5,909,994</b></p>	<p><b>Programme Duration (months)</b>          Overall Duration 43 months          Start Date: 8 December 2008          Original End Date 8 December 2010          Revised End Date 30 June 2012          1<sup>st</sup> extension: 31 December 2011          2<sup>nd</sup> extension: 30 June 2012          Operational Closure Date April 2013          Expected Financial Closure Date April 2013</p>
<p><b>Final Programme/ Project Evaluation</b>          Evaluation Completed  <input type="checkbox"/> Yes <input type="checkbox"/> No Date: _____          Evaluation Report - Attached  <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p><b>Submitted By</b>          Name: <a href="#">Marc-Antoine Morel</a>          Title: <a href="#">Project Manager</a>          Participating Organization (Lead): <a href="#">UNDP</a>          Contact  <a href="mailto:information:marc.antoine.morel@unndp.org">information:marc.antoine.morel@unndp.org</a></p>

<sup>1</sup>The term “programme” is used for programmes, joint programmes and projects.

<sup>2</sup>Priority Area for the Peacebuilding Fund; Sector for the UNDG ITF.

## **FINAL PROGRAMME REPORT**

### **I. PURPOSE**

#### **a. Provide a brief introduction to the programme/ project**

The Justice and Rule of Law Project was designed to provide the Iraqi government with technical support and training necessary for improvement of key components of the judicial system, toward advancing the rule of law in Iraq, specifically for improving the functioning of the courts and penitentiary system. In line with its commitment to assist the Republic of Iraq to encourage respect for the rule of law and increase the effectiveness of the judicial sector as a whole, UNDP-Iraq developed a pilot model court in Iraq, built the capacity of the Iraqi Judicial Training Institute, implemented a number of key activities to support reform of the penitentiary system, including its management and treatment of women and juveniles. In addition, the project has finished the final phase of the Iraqi Legislative Database (ILD) and handed it over to the Iraqi stakeholders.

This project forms part of a consolidated framework in support of the rule of law and justice, together with the EC-funded project “Support to the Rule of Law and Justice”.

#### **b. Provide a list of the main outputs and outcomes of the programme as per the approved programmatic document.**

The project outcomes are:

Outcome 1: Strengthened administration of justice system

Outcome 2: Strengthened capacity of key government and non-government institutions to protect and promote human rights.

The project outputs are:

- Output 1: Establishment of a Pilot model Court in Baghdad
- Output 2: Reform of select curriculum of the Iraqi Judicial Training Institute (JTI), incorporating human rights, gender equity, family code, GBV, and juvenile justice
- Output 3: Completing the Iraqi Legal Database (ILD)
- Output 4: Strengthening the Capacity of the Government of Iraq to Reform and Manage Prisons and Juvenile Pre and Post Trial Detention Facilities In Line With International Standards

#### **c. Explain how the Programme relates to the Strategic (UN) Planning Framework guiding the operations of the Fund.**

At the time of its development, the programme was fully aligned with national priorities as identified in the following documents:

**National Development Strategy (2007-2010):**

Pillar 9: Strengthen good governance and improve security

**International Compact with Iraq:**

Result

3.1.1: National dialogue and reconciliation, protection of Human Rights, systems to respect the rule of law and human rights; national Dialogue and reconciliation

Sector Team Outcome(s):

Outcome 3: Enhanced rule of law and respect for human rights in line with international standards

**d. List primary implementing partners and stakeholders including key beneficiaries.**

• **Stakeholders:**

*National counterparts (government, private, NGOs & others)*

- Higher Judicial Council - Baghdad
- Kurdistan Judicial Council
- Ministry of Justice (Baghdad and KRG)
- Iraqi Bar Association
- Kurdistan Bar Association
- Ministry of Labour and Social Affairs (Baghdad and KRG)
- Ministry of Human Rights (Baghdad and KRG)

*International Organizations, including NGOs:*

UNDP, DMI, ACRLI

• **Direct beneficiaries**

- *Output 1:* Staff from the Pilot Court and Baghdad's inhabitants.
- *Output 2:* Staff from the Judicial Training Institute and additionally all the future generations of Iraqi judges
- *Output 3:* All judiciary and legal professionals all over Iraq (Iraqi judges, lawyers, university professors.)
- *Output 4:* Penitentiary staff in KRG and Central Iraq, inmates in all KRG prisons.

## II. ASSESSMENT OF PROGRAMME/ PROJECT RESULTS

**a. Report on the key outputs achieved and explain any variance in achieved versus planned results.**

• **Output 1: Pilot model court in Baghdad**

This first output aimed to provide support to the Baghdad Civil Appellate Court (the 'Pilot Court' herein after) in different areas such as: training on substantive legal and court management issues, development of IT systems including a case management database and provision of IT equipment, establishing a legal research unit and a legal library and promoting accessibility of the court, particularly to vulnerable and disadvantaged people.

The overall objective under output 1 was to increase the efficiency of the justice system in order to provide greater court transparency, accessibility, and accountability. **The "pilot" approach enabled to test initiatives on one specific court to identify the most appropriate strategies for the Iraqi context, so they can be replicated in other courts in the future.**

It is also noteworthy to mention that two other Pilot Courts projects were supported in Basra and Erbil, under different projects and funding frame. This report will only refer to those activities undertaken in the Baghdad pilot court.

## **Different activities implemented under Output 1:**

UNDP has engaged the following partners to provide support to the Baghdad Pilot Court in different areas:

<b>PARTNERS</b>	<b>AREA</b>
<b>Tsamota Ltd</b>	Conduct a baseline assessment, and establish a legal research unit in the pilot court.
<b>Arab Centre for the Development of Rule of Law and Integrity (ACRLI)</b>	Conduct a training needs assessment, develop and implement a training programme on substantive law and court administration for Judges and Court staff.
<b>MSI / Synergy International Systems Inc</b>	Conduct an IT needs assessment, develop and implement a case management database, conduct IT training, and website development.
<b>Albany Associates</b>	Conduct a survey of the general public in the Erbil city and rural areas on legal awareness, design and conduct a public awareness campaign to improve the public's knowledge of legal rights, and develop publicity materials, brochures and a court users' guide.

An international consultant, (the 'Pilot Court Advisor' hereinafter), was hired to conduct an assessment of the Pilot Court's needs in the different areas addressed by the output, and to formulate accurate strategies according to it. This document, **The Strategic and Accessibility Plan for the Baghdad Pilot Court**, was completed in March 2010.

Due to the several components of the support brought by UNDP to the Pilot Court, and to ensure the entire achievement of the whole project, it was thus essential to ensure close coordination and collaboration between UNDP and all the different implementing partners on the ground. Thus meetings were conducted on a regularly basis during all the period of the project, to facilitate ownership of the different activities launched, coordination between the different stakeholders supporting the Rusafa Court and to provide updates on progress with implementation of activities.

Above are the main activities achieved under Output1.

### ➤ **Capacity development : Training on substantive legal issues and court management issues**

A comprehensive legal training schedule was developed and then completed during 2011. In total, the staff of the pilot model court in Baghdad benefited from 9 training sessions and Training of Trainers' sessions ('TOT's' hereinafter) which targeted different categories of staff, including judges and judicial investigators. The topics of the trainings included: Methodology of the Continuous Training, Arbitration, Strategic Planning, International Laws and Standards, Judicial Ethics and Integrity, Human Rights, Anti-Corruption, Gender Equity and Family Code.

On-the-job and mentoring training for staff and systems administrators at the court were also provided. Multiple levels of training were held, ranging from basic computer use to advanced Oracle database training for systems administrators. A Training of Trainers approach was used to ensure sustainability and build local capacity for the ongoing training of staff. This basic computer and administration training proved essential for moving to the next step of automating court activities through the online services that the new Case Management System (CMS hereinafter) software provided (see below).

### ➤ **Development of IT systems including a case management database and provision of IT equipment,**

During 2010, the implementing partner for IT systems, Synergy International Systems Inc. conducted a needs assessment, including training plans and procurement list to enable UNDP to undertake the procurement and consider potential further trainings. This document highlighted that the pilot court performed basic case record-keeping manually and in paper format. Such operations greatly increased the risks of human error, physical damage, and permanent loss of information, and made more difficult and bureaucratic the work of HJC, which is responsible for the overall supervision of all Iraqi courts.

The development of a Court Case Management System (CCMS hereinafter) was therefore decided. This solution enables to streamline a lot of the current processes/internal tasks and to facilitate court case tracking, maintenance of offsite records and expeditious case handling. In the future, this solution, if implemented in other courts, will also give them the opportunity to track their own cases and will enable the HJC to centrally access information and generate statistics on all cases recorded at any Iraqi court.

Its implementation prior required addressing the lack of IT capacity within the Pilot Court through the installation of a basic network infrastructure with appropriate computer hardware and software which was based on the results of a needs assessment. Also this required trainings on IT and case management, as described above.

In November 2011 the CCMS developed by UNDP to support automation of the court system was finally installed in the Baghdad Court.

A meeting was held in Erbil with IT staff from different courts (including Rusafa court) during the second quarter of 2012 to identify training needs for further use and enhancement of the new electronic CCMS installed in Rusafa court. During this meeting the Higher Judicial Council of Iraq informed UNDP that it was intending to replicate to all courts in Iraq the CMS, as piloted in the Rusafa court.

➤ **The establishment of a library with international documents and publications relating to substantive areas of the law and a legal research unit**

The need's assessment of the Pilot Court revealed that research capacities were limited at the Baghdad Justice Palace and that the law library was not functional. Moreover, its access was restricted to judges only, and there were no internet access for online research.

To address this issue, a company was hired, Tsamota Ltd, to establish a legal research unit and a library within the Pilot Court. Once the needs assessment to identify legal research materials had been completed, procurement of equipment for the Legal Research Unit and in the Pilot Court was launched at the end of 2011, through a contract with an Egyptian Library in order to procure legal reference books for the legal research Unit. This library was designed to supply with 4000 volume in addition to subscription with 20 news paper and legal journal. A librarian was also hired and trained to manage the library at the Pilot Court.

The books were finally delivered and handed over to the Higher Judicial Council during the second quarter of 2012.

➤ **Promoting accessibility of the court, particularly to vulnerable and disadvantaged people**

A Rule of Law survey of the population in Iraq in January 2010 emphasized first the population’s limited knowledge of the Iraqi civil justice system, and secondly the inaccurate legal reporting in general towards the population<sup>3</sup>. A strategy was thus set up to address those issues, as follows:

Issue	Description	Strategy
<b>Limited public knowledge of the Iraqi civil justice system</b>	<p>- 61% of people surveyed in the Baghdad area believed that the civil justice system was very complicated or somewhat complicated.</p> <p>- 72% of people surveyed in the Baghdad area believed that the civil justice system was either very confusing or somewhat confusing.</p> <p>- 68% of people surveyed in the Baghdad area believed they had no understanding or only some understanding of legal rights.</p> <p>- 66% of people surveyed in the Baghdad area believed they had no understanding or only some understanding of how to file a civil case themselves</p>	<p>Media awareness survey</p> <p>Media awareness campaign, with inputs from the HJC and trusted community leaders.</p> <p>Information in court houses, such as:</p> <ul style="list-style-type: none"> <li>- Court users guide</li> <li>- Pamphlets providing legal information on common case types, how to choose a lawyer.</li> <li>- Schedules of fees charged by the court</li> </ul> <p>Court directions – who to see for which issues</p>
<b>Inaccurate legal reporting</b>	<p>Media reporting of cases can be sensationalised and / or inaccurate, which can be destabilising in the community and create a poor impression of the Judiciary.</p>	<p>Provide training to media spokesperson appointed by the Judiciary.</p> <p>Provide training to court reporters, so they can correctly report cases and approach proper Judiciary media contacts for comments as applicable.</p> <p>Promote openness of courtrooms to the public, unless there is a legal interest in maintaining the confidentiality of a case (e.g. cases involving juveniles).</p>

To address the limited public knowledge of the Iraqi civil justice system, UNDP’s implementing partner Albany Associates developed a public awareness campaign on legal rights and the role of the courts, in conjunction with the Higher Judicial Council and other donors. This campaign was developed to include mass media messages (such as radio, newspapers, billboards and possibly TV). It also included targeted resources, with brochures for court users on different legal issues and court users’ manual. The Court Users Manual was drafted to include a section on complaints handling procedures in the Court (meaning complaints about a staff member, or a judge, but not about the outcome of the case which would be subject to appeal processes).

The public awareness campaign started on 15<sup>th</sup> November 2011 with an official launch by the Iraqi Higher Judicial Council and UNDP in Baghdad via a press release. The campaign lasted until the

<sup>3</sup> A total of 900 adults aged 18 years and above, split equally between men and women, in urban and rural areas were surveyed.

31<sup>st</sup> December aiming to foster Iraqis to find out more about their legal rights and to inform them on how to access additional information and what assistance is presently available. The campaign was carried out through different channels, notably HJC website.

Besides, communication materials were also delivered to the Pilot Court and to the HJC, in order to enable court visitors to obtain legal information on the court, the legal rights and the Iraqi Justice System in general. Audio kiosks were thus installed and successfully tested in the Pilot Court, along with posters and MP3 players during the second quarter of 2012.

- **Output 2: Reform of select curriculum of the Iraqi Judicial Training Institute (JTI), incorporating human rights, gender equity, family code, GBV, and juvenile justice**

Under this second output, the project aimed to develop teaching methods and curriculum for the JTI, and to provide the support it requires in order to ensure that Iraq's new generation of judges and judicial staff benefit from the latest international best practices and carry out their training in a modern setting. To this effect, UNDP contracted the Arab Centre for the Development of Rule of Law and Integrity (ACRLI hereinafter), in order to:

- Develop a needs assessment to comply with specific objectives, aiming to enhance the development of curriculum in the Judicial training Institute.
- Follow up on the formal agreement with the JTI based on result of needs assessment to undertake a survey of capacity gaps with regard to curriculum needs, determine the scope of the subsequent curriculum reform program and to identify strategic entry points for implementation, including gender equity and application of the family code, and Gender Based Violence (GBV) concerns.
- Provide JTI with experts to aid in improvements to training curriculum, including human rights, gender equity, gender-based violence, family code and juvenile justice.
- Organize workshops to discuss the needs assessment outcome, the capacity gaps, and recommendations for the reform program

The UNDP implementing partner delivered its assessment report in 2010, which was shared with relevant stakeholders for feedback. Further discussions and workshops were held at the beginning of 2011 in order to finalize the recommendations to reform the curriculum in the JTI.

The draft report was presented and discussed during the **first workshop held in Beirut on the 16<sup>th</sup> and 17<sup>th</sup> of July 2010**, attended by representatives of judicial bodies in Baghdad and Kurdistan, as well as international and regional experts from Ecole Nationale de la Magistrature (ENM - French equivalent of the Iraqi Judicial Training Institute), UNAMI, UNHCR, and UNDP, where all participants exchanged ideas on the proposed recommendations and reform strategic plan.

Afterward, ACRLI prepared a revised version of the report taking into consideration the inputs provided by the participants during the first workshop, and suggestions made by the Board of Directors of the JTI, as well as the recommendations resulting from the various meetings held with the concerned Iraqi officials.

Finally, ACRLI launched the final JTI assessment report during the **second JTI workshop held on the 18<sup>th</sup> of February 2011 in Beirut**, attended by the board members of the JTI, UNDP Iraq, in addition to representatives from ENM.

During this workshop the recommendations related to the reform of the JTI curriculum were also adopted by the Chief Justice and board members of the JTI, and put forward for implementation during 2012 for the benefit of the Judicial Training Institute.

In addition, the JTI benefitted from 7 training sessions and TOT's on: Methodology for Continuous Training and New Training Tools, Judicial Independence, Human Rights, Anti- Corruption, Gender Equity, Family Code and GBV.

- **Output 3: The Iraqi Legal Database (ILD) completed**

UNDP launched this component in September 2009 as the third output under the “Support to the Development of Justice and the Rule of law” Project. The original output, “Alternative Civil Law Dispute Settlement Mechanisms” had faced significant hesitation from the Iraqi counterparts. The Iraqi Chief Justice had thus requested the project manager to disburse the allocated funds to the development of the third phase of the Iraqi Legislative Database. A request to change the project's scope, concerning this specific output, had thus been submitted to the Head of the ITF Steering Committee during the third quarter of 2009 and subsequently approved.

#### Iraqi Legal Database: Background

In 2004, the Iraqi authorities made a number of requests to UNDP to provide assistance in strengthening the rule of law and to improve access to all legal information, including laws, regulations and judicial decisions. It was decided to create an Iraqi Legal Database (ILD) that would group together, for the first time, all Iraqi laws, regulations and court decisions, and that would make that information publicly available, through the internet and through other multimedia applications, including compact discs.

In the framework of this project, a number of activities were undertaken as a follow up to the work conducted in previous years with a view to 1) completing the database and incorporating additional relevant sources that have not already been added, 2) ensuring that the benefits of the ILD are shared by as many practitioners and court users as possible, 3) ensuring the Project's long term sustainability.

During 2010, UNDP recruited several experts to launch the project: Three experts (technical advisor, project manager, and the IT manager for the database work) to oversee of the implementation of the 3<sup>rd</sup> phase of the ILD and two consultants were hired to work on the implementation of the ILD phase III, meaning concretely typing and inserting data hyperlinks. During June, these two consultants managed to type, scan, inserted hyperlinks and transferred around **3,700 legal documents and articles** into the ILD system.

In addition, the Implementing Partner managed also to organize a training session for 5 Iraqi experts from the Higher Judicial Council **elaborating the indexes of ILD**.

#### **Evaluation of the ILD:**

An international consultant, Judge Khaled M. Ahmed, was hired by UNDP to “undertake analysis, review and evaluation of the work undertaken by implementing partners funded under UNDP Rule of Law Project in the development of the ILD; Produce a comprehensive evaluation report which includes a comprehensive critical analysis, recommendations for improvements, the next steps for the development and sustainability issues”. The international consultant began his evaluation mission on May 5, 2011 and delivered his final report on July 5, 2011.

From all this interviews and meetings, the consultant got very good feedback about the ILD. In particular, the Chief Justice, Judge Medhat Al-Mahmoud, expressed great satisfaction and indicated that the ILD is a unique legal database that comprises most of the Iraqi legislations as well as a number of courts decisions: **“The ILD helps all legal professionals in Iraq and provides easy access to all the Iraqi legislations which were not available anywhere”**.

It was agreed among all those interviewed that the ILD is a great addition to the Iraqi law profession as it provides easy access to all the Iraqi legislations. Before the existence of the ILD, legal search was extremely difficult, comparing tonowhere it became much easier to find old laws as well as the amendments to any of the existing legislations. From the meetings with the representatives of the Iraqi Bar Association, it was clear that the ILD became the main search tool for all Iraqi lawyers. According to them, “The ILD solved all their problems and provided easy access to all Iraqi legislations that were unavailable to them due to the cultural embargo that the previous regime imposed on Iraq”.

In general, the consultant concluded that **“the ILD is the best national legal database in the MENA region”**.

The ILD in its last updated version was finally delivered to the Iraqi Higher Judicial Council (HJC) who agreed to be the responsible body for sustaining and maintain the ILD after this phase.

The official handover took place in Beirut on 8th December 2011 in a ceremony attended by Iraqi officials from Iraqi Higher Judicial Council (HJC), Shura Council, Ministry of Justice, the Iraqi Ambassador to Lebanon, Parliament member, representatives from KRG, experts who worked on developing the database as well as local and international media.

A special department has been created by the Chief Justice of Iraq within the Higher Judicial Council with allocated budget to manage the ILD. This Unit is in charge to maintain, update and disseminate the data base and therefore ensure its sustainability. Upon request from Chief Justice of Iraq, UNDP agreed to provide coaching and training to these 6 personnel from this new unit, from July to December 2011.

<p>The ILD is freely accessible online and now contains a total of 27,433 legal texts, including 7,136 laws, 4,265 ministerial instructions, 3,268 regulations, 5,029 declarations, and 18,000 court decisions. This is every single Iraqi legal text that has been passed since 1917. The Database is being consulted by 30,000 visitors/hits per month on average. See <a href="http://www.iraq-ild.org/AboutEn.aspx">http://www.iraq-ild.org/AboutEn.aspx</a></p>
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## Snap shot of the Iraqi Legal Database-new version 2011

قاعدة التشريعات العراقية

About the ILD دليل الاستخدام تعريف القاعدة

البحث بالهوية

البحث بالموضوع

البحث بالفهرس

البحث الحر

إن قاعدة التشريعات العراقية هي من إنتاج ودعم برنامج الأمم المتحدة الإنمائي (UNDP) وذلك بالتعاون مع مجلس القضاء الأعلى العراقي، وزارة العدل العراقية، وزارة العدل إقليم كردستان تمت إضافة تشريعات عراقية لغاية شهر ابريل 2011 للاستفسار، يرجى مراسلتنا عبر البريد الإلكتروني: [webmaster@iraq-ild.org](mailto:webmaster@iraq-ild.org)

ILD Iraqi Legal Database | قاعدة التشريعات العراقية on Facebook

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- **Output 4: Strengthening the Capacity of the Government of Iraq to Reform and Manage Prisons and Juvenile Pre and Post Trial Detention Facilities In Line With International Standards**

This particular output, “Reform of the penitentiary system, including its management and treatment of women and juveniles” was designed to support the development of a legal and institutional framework, but also to support building the capacity of prison management in line with international standards.

Three different pilot projects were designed, implemented and completed under this specific output.

1. **First pilot project: Assessment of the penitentiary system – Benchmarking tour in France**

The first Pilot Project was to conduct an in depth assessment of the penitentiary system in Iraq, through four assessments and analysis reports drafted by the implementing partner of UNDP, DMI Associates. This assessment phase was intended to provide a solid evidentiary basis to the **strategy** to be elaborated in order to support the Ministry of Justice in taking the leadership in up grading the Iraq penitentiary system and bring it into compliance with international norms and standards.

As part of this phase the following four assessments and analysis reports were produced:

- a **training needs assessment of penitentiary personnel.**

- an **assessment of the Civil Society Organisations (CSOs)**, focusing on those engaged in actions vis-a-vis prisoners and/or their families.

- an **assessment of the penitentiary system**, taking into account detention conditions in the various Iraqi prisons, with a peculiar attention given to the female and juvenile detainees conditions.

- an **assessment of the Iraqi penitentiary legal framework**, pointing discrepancies between newly adopted constitution and legal texts on penal law and penitentiary related laws and regulations.

Several consultations with key stakeholders and other development partners working in the area of prison reform (for instance EUJUST LEX) were undertaken to coordinate activities and share expertise, and an **additional technical adviser (a Prison Advisor) has been** recruited to assist in analysis and review tasks.

In July 2011, in an effort to develop the capacities of key penitentiary institutions in Iraq, a benchmarking/orientation visit for high level Iraqi penitentiary personnel representatives (Iraqi State representatives and staff from prisons both in Iraq and Kurdistan) was organized to the French penitentiary system, focusing on three areas of expertise: overall management of the system, daily management of prison facilities, and new trends in the management of convicted inmates.

The results of this first pilot can be summarized as follows:

- The tour visit to France in 2011 was good opportunity for Iraqi prison managers and staff to gain from the French experience in prison management, particularly the security arrangement inside the prison, the classification of new prisons was another good experience that Iraqi delegation has gained from the French advanced experience in this regard.
- The alternative sentences was another new experience that Iraqi prison manger learned and werevery keen to apply in their prisons in Iraq
- The Iraqi delegation had a real interest in the role of French social workers, it was very different from what they know, and they were keen to have a similar role for the social workers in Iraqi prisons.
- The Iraqi delegation agreed on priorities to be given by the project to support penitentiary reform.

Following the benchmarking visit and the confrontation of the two systems, a series of discussions with KRG authorities were held to identify top priorities to improve the Iraqi penitentiary system. As a result, two additional pilots were identified and endorsed as the project was granted in the meantime an extension of 6 months until 30 June 2012.

- 2<sup>st</sup> pilot project: development of standard operating procedures (SOPs) and support tools for the inmate admission and the reception process in Sulaymaniyah Prison;

- 3<sup>rd</sup> pilot project: support for improving the workflow within the prison institution and administration of Fort Susa Prison.

## **2. Second pilot project: Development of standard operating procedures (SOPs) and support tools for the inmate admission and the reception process in Sulaymaniyah Prison;**

This project was initiated in October - December 2011. Its purpose was to assist the prison to improve procedures for admission and reception of inmates/prisoners. This was successfully achieved through

**the development of Standards Operating Procedures (SOP hereinafter) and trainings** for implementation.

Following in-depth interviews and discussions with the different departments involved in the admission process at Sulaimanlyah prison, a set of SOPs was developed and subsequently reviewed by all the concerned departments and prison manager. Prisonstaff were then trained in their respective roles. The social workers and the reception officer required training and practice as to interviewing techniques and risk assessment. A one day highly compressed course on interviewing techniques touching on body language, questioning techniques and objective report writing was given by UNDP's senior penitentiary expert.

Following the training there was more than two weeks of interviews done to practice what was learned in the training. For the social workers, the contractor emphasized the trainings on security classification. This last aspect went surprisingly well and was the subject of very interesting discussions between the participants who right from the early case studies saw **the advantage of a classification based on risk assessment and not wholly on sentence**. Through these discussions they learned to evaluate as many factors as possible and were pleased with the proposed classification policy. As these case studies progressed it soon came to a point where the different participants would discuss the different aspects of each case and determine the aggravating factors along with the mitigating factor and could come to an almost unanimous decision.

The last phase in the project's implementation was to test through different trials the new elaborated specific SOP to the Sulaimaniyah prison's staff.

A final workshop was held on the 14-15 of December 2011, with staff from both legal and social departments from different prisons: 6 people from prisons in Duhok, 6 from Erbil, 4 from the woman's prison in Sulaimaniyah and 2 from Sulaimaniyah men's prison for a total of 18 participants. As such every prison was present and we were especially pleased with the presence of 6 female staff.

Following this workshop, UNDP was informed that the authorities decided to roll-out these procedures to all prisons in KRG. UNDP thus decided to extend its support for the roll out of the SoPs. To that end, UNDP senior penitentiary expert was deployed in Erbil in March 2012, where he organized a 5 days training workshop to provide Social Workers with basic professional observation and interviewing techniques. This workshop was attended by 16 social workers from the 6 KRG prisons, including 4 women and by two staff from the Reformatory Directory of the Minister of Labour and Social Affairs.

During the second quarter of 2012, further training and equipment were provided to a number of prisons to facilitate the roll out of the SoPs. The decision of the KRG authorities to roll out to all prisons the SOPs which were developed as part of the project constitutes a very clear evidence of the success of that particular project and of the commitment of KRG authorities for sustaining the support provided by UNDP.

### **3. Third pilot project: support for improving the workflow within the prison institution and administration of Fort Susa Prison.**

The third and final Pilot Project under Output 4, aimed at improving interactions of prison guards and prison social workers, was launched during the first quarter of 2012 at the Iraqi Federal prison Fort Suse located outside Suleymaniyah (Kurdistan region), due to security concerns but also to balance between federal and governorate's levels, considering the second pilot project which was held in Kurdistan.

As for the second pilot project, the first step was to conduct an assessment on how guards and social workers interact in the prison, in order to develop Standard Operating Procedures and taking into consideration the recommendations made by the 2nd Pilot.

Interviews were thus conducted with staff from both legal office and social workers and SOPs subsequently developed. Training was then provided for senior managers including the Warden and Deputy Wardens and other staff. In all, over 70 staff (including 14 females) was trained in sentence planning, risks and needs assessments and security and safety in prison.

Following these training, there were two further mini workshops to discuss what was learned in the training and four further training courses for those that missed the initial training sessions. Discussions were also held with senior managers on case studies and radicalised/politicised prisoners and the advantage of sentence planning when dealing with them.

Finally, a testing phase was launched in Fort Suse, to ensure it was robust enough to be used as a national model. **The results were extremely favorable:** the Iraqi Correctional Service (ICS) assessment form went beyond the recommendations issued by Pilot 2 form. All prisoners have an Initial assessment, which is reviewed within 3 months; the induction process is based on a period of observation and continual assessment (although it is not called induction) and prisoner information packs are excellent.

The staff and especially the Warden of Fort Suse prison were extremely supportive and welcomed the training and workshops.

In order to discuss the results and lessons learned from these two pilot projects, a project closing workshop was held in Erbil on 9th May 2012. The meeting was attended by over 30 participants (including 5 prison directors), both from the ICS and from KRG Ministry of Labor and Social Affairs (MOLSA). Its main objective was to review the activities undertaken during the project and to identify and discuss lessons learned. The workshop was also attended by representatives of EU-JUSTLEX. During the meeting, representatives of the ICS and MOLSA have praised the support provided by UNDP and extended their appreciation of the work undertaken. The representatives of EU-JUSTLEX have also praised the achievements realized under this project and discussions are now on-going between UNDP and EUJUST-LEX to identifying ways for EUJUST-LEX to take forward some of the activities which have been recommended.

At the end of the day, the impacts of both the second and third pilot projects can be summarized as follows:

- A new intake/admission form is developed for receiving new prisoners, and it is standardised by the General directorate of reformatory and unified for all prisons in KRG.
- The capacity of the trained staff were enhanced and they are capable now to support their prisons in the newly developed admission procedure and security classification system, which they learned from the training course that was carried out in Sulaymaniah men prison, therefore there is better admission procedure and proper security classification in KRG prisons.
- The training courses conducted in Sulaymaniah men prison as well as the observation training in Erbil was a good opportunity for the prison staff from the 6 different prisons in KRG to meet, interact, and exchange ideas and experiences
- Some of those prison staff that were participated in both trainings, were identified to be trainers and have had the ability to carry out similar training courses for their colleagues

- The relationship between prison guards and social workers were not clear before the implementation of the project, now the role of both the social worker and the guards are clarified, and there is better coordination between guards and social workers during the daily activities inside the prison, therefore prisoners are receiving better treatment.
- At the end of the project, EUJUST-LEX decided to continue supporting the roll out of the SOPs developed under this project to all prisons in KRG

**b. Report on how achieved outputs have contributed to the achievement of the outcomes and explain any variance in actual versus planned contributions to the outcomes. Highlight any institutional and/ or behavioural changes amongst beneficiaries at the outcome level.**

All the different outputs and their related activities contributed to the achievement of the two Outcomes, “Strengthened administration of justice system” (Outcome 1) and “Strengthened capacity of key government and non-government institutions to protect and promote human rights” (Outcome 2).

Concerning the different activities developed in the Baghdad Pilot Court, the CCMS newly installed facilitates court case handling and tracking. Even more, this solution, if implemented in other courts, will also give them the opportunity to track their own cases and will enable the Higher Judicial Council to centrally access information and generate statistics in the future on all cases recorded at any Iraqi court. This is clearly connected with Outcome 1.

Also, the new law library and legal research unit set up into Rusafa Justice Palace with the most recent legal books and legal newspaper, and mostly the finalization of the Iraqi Legal Database with all Iraqi laws, regulations and court decisions publicly available, aimed both to broaden access to much more information for the entire Iraqi legal community. The fact that the Database is being consulted by 30,000 visitors/hits per month on average only a few months after its launching proves clearly that this project successively responded to an urgent need of Iraqi legal community.

The awareness campaign launched in Baghdad from the 15<sup>th</sup> to the 31<sup>st</sup> December 2011 aimed to improve the visibility in the eye of the public and its trust in the Iraqi judiciary system in general, and more specifically the Pilot Court in Baghdad, via encouraging Iraqis to find out more about their legal rights and how to use the judiciary system to respect them. Through this campaign, some part of the population discovered that their rights could be protected by the judiciary system, contributing to the achievement of the Outcome 2.

The Reform of the curriculum and the teaching methods of the Judicial Training Institute aimed to ensure that Iraq’s new generation of judges and judicial staff benefit from the latest international best practices and carry out their training in a modern setting. This was successively achieved, with the different propositions drafted by the implementing partner adopted by the Chairman of the Board during the meeting held the 18<sup>th</sup> of February 2011 in Beirut(???), to radically change the training curriculum at the JTI.

In addition, all the trainings delivered under the two first outputs to JTI’s and Pilot Court’ staff had a component focused on human rights, to enhance both judges and the lawyers to take it into consideration in all judicial processes.

Concerning the reform of the penitentiary system, the two pilot projects launched in Sulaymanyiah and Fort Suse Prisons aimed to increase the coordination of all the departments involved in the

inmates' admission and reception processes, in order to support building the capacity of prison management in line with international standards, including respect of prisoners' human rights.

In particular, the success of the Pilot Project 2 launched at Sulaymanyiah Prison was clearly revealed during the final workshop held on the 14-15<sup>th</sup> December with staff from different prisons. The standing orders implemented in the prison's admission process were given as an example of what can be done by the local prison administration, considering the consensus of the different stakeholders on the fact that the new policy was a much better tool than the former process and fully met the United Nations Minimum Standards.

The decision of the KRG authorities to roll out to all prisons the SOPs which were developed as part of the project constitutes a very clear evidence of the success of that particular project and of the commitment of KRG authorities to sustain the support provided by UNDP. This is to be considered as a first step towards the implementation and the adoption of a national policy – the Standard Operating Procedures – by the relevant national authorities, namely the Ministry of Justice and the ICS.

**c. Explain the overall contribution of the programme to the Strategy Planning Framework or other strategic documents as relevant, e.g.: MDGs, National Priorities, UNDAF outcomes, etc**

The Programme relates to the following UN strategic planning frameworks which guides the operation of the Iraq Trust Fund.

- The United Nations Development Assistance Framework for Iraq 2011 – 2014 (UNDAF)

As explained before, the project contributed to priority # 1 of the UNDAF: *"Improved governance, including the protection of human rights"*.

- UNDP Country Programme Document (CPD)

The first UNDP Country Programme was endorsed by Government of Iraq and approved by the Executive Board of UNDP on 3 September 2010. The CPD is aligned with the National Development Plan and is nested within the UNDAF.

Five Country Programme priorities have been identified, including two which are of particular relevance for the project:

2) Enhanced rule of law, protection and respect for human rights in line with international standards.

3) Strengthened regulatory frameworks, institutions and processes in place for accountable, transparent and participatory governance at national and local levels.

- Country Programme Action Plan (CPAP)

The CPAP, signed on 14 March 2011, is a legal agreement between the Government and UNDP based upon the CPD. The 2011-2014 CPAP is a four-year living document defining the mutual cooperation and programme of work shared between the Government and UNDP. The CPAP further elaborates the five CPD outcomes and respective outputs of UNDP, and includes a specific output of "Key national and local institutions strengthened to promote rule of law (including transitional justice) and administration of justice" which incorporates this ITF project.

- The NDS and the ICI (from annual report 2009)

The Support to the Development of Justice and the Rule of Law Project has contributed to priorities of both the NDS and the ICI. This Project will contribute to the NDS priority of strengthening good governance and improving security (Pillar 4) and the ICI benchmarks(3.1.1) as follows:

Outcome 1: ‘Strengthened administration of justice system’ is aligned to:

- (i) Establish and implement effective rule of law institution and policy;
- (ii) Private sector development and investment promotion of the rule of law and judicial system in commercial and financial activities.

Outcome 2: ‘Strengthened capacity of key government and non-government institutions to protect and promote human rights’ is aligned to:

- (i) National Dialogue and reconciliation, protection of human rights systems to respect the rule of law and human rights;
- (ii) Establish a comprehensive human rights regime country wide.

- Millennium Development Goal 3

The "Rule of Law" project will also contribute toward MDG Goal 3: ‘Promote gender equality and empower women’. The lack of application of rule of law is rendering women more vulnerable to social, tribal and religious rulings and practices. This leaves the Iraqi women as the most vulnerable group in society, for example, vulnerability to variances in application of court rulings. The project’s support to capacity development of the judges and prisons’ administrators, and empowering women within the penal system, through the penitentiary reform programme, addressing their rights and concerns during incarceration and ensuring their participation in the complete penitentiary reform, should go some way to contribute towards this goal in Iraq.

**d. Explain the contribution of key partnerships and collaborations, and explain how such relationships impact on the achievement of results.**

The Project was developed in close consultation with the Chief Justice, the Ministry of Justice, the Judicial Training Institute, the Kurdish Ministry of Justice, and the Kurdish Ministry of Labour and Social Affairs, and is based on field visits to courts and women and juvenile reformatories. The Project has been cleared by the Governance Sector Outcome Team and has identified areas of collaboration with other UN Agencies, namely UNICEF and UNAMI-HRO in the area of penitentiary reform and protection of human rights in general. The project was fully supported by the previously mentioned institutions, which helped in facilitating the project’s implementation.

This project forms part of a larger integrated framework for support to the Rule of Law and Justice, comprised of the “Support to the Rule of Law and Justice Project” funded by the European Commission (EC) and implemented jointly by UNDP and UNOPS with the UNAMI Human Rights Office, and the present project. The EC-funded project spanned the period of 2008-2011, and followed on a previous two-year project implemented by UNOPS related to the protection of detainees and victims of torture.

UNDP-Iraq has also been making use of its extensive network of regional and international experts that are specialized in this particular subject matter, in order to ensure that the implementation of this project is successful. In that respect, UNDP-Iraq calls upon wherever necessary and in consultation with the donors, the expertise of other United Nations agencies, including UNDP-SURF (Sub-Regional Resources Facility-for Arab States), UNDP-POGAR (Programme on Governance in the Arab Region) and UNODC (United Nations Office against Drugs and Crime), amongst others, as well as specialised non-governmental organizations already involved in prison monitoring. In addition, UNDP has been coordinating with the UNAMI-HRO national and international staff working

specifically on prisons. The UNAMI-HRO staff has been involved in the data gathering, provision of background, and advice on human rights issues.

- e. Who have been the primary beneficiaries and how they were engaged in the programme/project implementation? Provide percentages/number of beneficiary groups, if relevant.**

### **Output 1: Pilot model court in Baghdad**

The primary beneficiaries under this output were first administrative staff and judicial staff of the Pilot Court. The project's programme really looked for reaching all the different areas of the Pilot Court's everyday work in order to improve it, make it more efficient and more visible in the eyes of the public. Different specific trainings were thus conducted: the judiciary staff – lawyers, judges and judicial investigators – benefited from trainings on several legal topics such as Methodology of the Continuous Training, Arbitration, Strategic Planning, International Laws and Standards, Judicial Ethics and Integrity, Human Rights, Anti-Corruption, Gender Equity and Family Code. In total more than 60 staff from the Baghdad Court (including 6 females) benefited from extensive training.

Concerning the Court's administrators, multiple levels of training were held, ranging from basic computer use to advanced Oracle database training for systems administrators, in order to enhance sustainability of the new Court Case Management System set up in the Court after the project's completion.

Another primary beneficiary was the general population targeted by the awareness raising campaign, aiming to enhance Iraqis to find out more about their legal rights and to inform them on how to access additional information and what assistance is presently available. To ensure the real impact of the campaign on the population and to increase the visibility of the Court, communication materials were also delivered to the Pilot Court and to the HJC, in order to enable court visitors to obtain legal information on the court, the legal rights and the Iraqi Justice System.

### **Output 2: Reform of select curriculum of the Iraqi Judicial Training Institute (JTI), incorporating human rights, gender equity, family code, GBV, and juvenile justice**

The primary beneficiaries under this output were both the students and the teachers of the Institute, who were deeply involved in reforming the JTI curriculum, with the several interviews our implementing partner conducted with them. To carry out its mission, ACRLI retained an effective and pragmatic approach by gathering the needed information through direct contact with the Institute's administration, and individual interviews with JTI officials, in order to formulate recommendations to reform the curriculum in the JTI. Those were adopted by the Head of the JTI in the Final workshop held in Beirut on the 18<sup>th</sup> of February 2011, where Dr. Mahmoud announced that this study will be adopted as of the upcoming year to radically change the training curriculum at the Judicial Training Institute in Iraq.

### **Output 3: The Iraqi Legal Database (ILD) completed**

The beneficiaries of the Output 3 were first the 5 Iraqi experts trained on elaborating the 6 different indexes of the ILD. This was necessary to ensure that they will be able to disseminate that knowledge during training sessions that they will lead themselves in the future in Iraq, and thus to ensure the sustainability of the IDL and its continuous updating.

But the main strength of this particular output was that it targeted the entire community of judicial and legal professionals working in all the different levels of the Judiciary in Iraq. This was clearly brought out from the several interviews the international consultant, Judge Khaled M. Ahmed, conducted during its mission with a large number of Iraqi judges, lawyers, university professors and law professionals. Today, the ILD website received an average of 30,000 visits per month.

## **Output 4: Strengthening the Capacity of the Government of Iraq to Reform and Manage Prisons and Juvenile Pre and Post Trial Detention Facilities In Line With International Standards**

The primary beneficiaries of the activities undertaken under that output were both penitentiary staff and prisons inmates.

In terms of prison staff, the primary beneficiaries of the project were the prison guards and social workers of both Prisons, as well as senior managers of the penitentiary system in KRG and central Iraq. In total, more than 100 staff from various prisons were trained in sentence planning, risks and needs assessments, and security and safety in prison. It is expected that this number will continue to increase given that EUJUST-LEX is now continuing this programme.

Beyond penitentiary staff, it is the inmates of all KRG prisons who will benefit from the project, as their detention conditions and rehabilitation perspectives will increase as a result of this project.

### **f. Highlight the contribution of the programme on cross-cutting issues pertinent to the results being reported.**

#### **Gender Equality**

The project has improved and enhanced access to justice for vulnerable groups, including women and juveniles through its various components (incl. legal awareness, penitentiary reform, etc.) Also, this latter component has contributed to improve the conditions of women and juvenile inmates and will promote the respect of their human and civil rights within the penitentiary system.

Iraqi women are among the most vulnerable in society. The lack of application of rule of law is rendering women more vulnerable to social, tribal and religious rulings and practices such as: increases in early marriages, crimes in the name of honour, and vulnerability to variances in application of court rulings. By developing the capacity of the judges, and prison administrators, the project has contributed to an improvement in women's conditions. Gender equality will be pursued through:

- Selection of an equal number of men and women for all capacity-building activities;
- Through penitentiary reform activities, addressing the rights of women during incarceration and ensuring their participation in all components of reform.

#### **Human rights**

The project, under its various component, has contributed to promote and uphold Human Rights in Iraq by:

- Ensuring that relevant policies and laws promote equality and are non-discriminatory, but contain positive measures, where considered critical.
- Conducting dedicated training in human rights and ensuring that human rights are clearly and adequately incorporated in the training curricula and materials in a manner that is easily understood.
- Developing capacity of rights-holders in certain rights, particularly associated with access to information, procedures, services and counsel.
- Improving access to justice for vulnerable groups, including women and juveniles and by improving the conditions of women and juvenile inmates and promoting the respect of their human and civil rights within the penitentiary system.

- g. Has the funding provided by the MPTF/JP to the programme been catalytic in attracting funding or other resources from other donors? If so, please elaborate.**

While the project has not directly been catalytic to attract additional funding, the experience and partnerships we have developed during its implementation has enabled UNDP to expand its rule of law programming in Iraq. Indeed, the result of the project has enabled UNDP to become a trusted partner to many key judicial institutions in Iraq, including, but not limited to: The HJC, the KJC, MOLSA, etc.

- h. Provide an assessment of the programme/ project based on performance indicators as per approved project document using the template in Section IV, if applicable.**

See matrix below.

### III. EVALUATION & LESSONS LEARNED

- a. Report on any assessments, evaluations or studies undertaken relating to the programme and how they were used during implementation. Has there been a final project evaluation and what are the key findings? Provide reasons if no evaluation of the programme have been done yet? \**

No comprehensive project evaluation has been conducted, but as mentioned above, some of the elements of the project have been subject to an evaluation, such as the ILD (see above). It should also be noted that some elements of this projects (including judicial training and court management system) have been considered through the final evaluation of the project "support to the Rule of Law and Justice" funded by the EU and mentioned above. A copy of this evaluation can be made available upon request.

It is for these reasons that no final evaluation of the programme has been conducted.

- b. Explain, if relevant, challenges such as delays in programme implementation, and the nature of the constraints such as management arrangements, human resources, as well as the actions taken to mitigate, and how such challenges and/or actions impacted on the overall achievement of results.**

The main challenge to project implementation was the security situation in Iraq, especially in Baghdad, that has been a major constraint in implementing the project activities, especially after the two massive bombings of 19 August, 2009 at the Foreign Affairs and Finance Ministries and the 25 October, 2009 at the Higher Judicial Council and Ministry of Justice in Baghdad which are the main two Iraqi institutions the project works with. This issue and limitations in the number of slots available to UNDP, especially in Baghdad, have impacted the pace of implementation and monitoring of project activities. Meeting partners and touring facilities, especially red zone movements to the Pilot Court, Ministry of Justice, Prisons and meeting with the Iraqi counterparts have been challenging and faced security impediments. For instance 60% of planned missions in 2010 to the Pilot Court have been cancelled due to the security situation.

Also, the decision by the Iraqi counterpart to no longer support of the project's main outputs "Alternative Civil Law Dispute Settlement Mechanisms" has led to some delays in the implementation of the project.

Concerning the 1<sup>st</sup> Output on the Pilot Court in Baghdad, delays in the approval process by the Higher Judicial Council for the awareness raising material impacted negatively the pace of implementation and monitoring of that activity.

Similarly the highly centralised decision making process in the Judiciary system was inevitably creating delays for the implementation of certain activities, as approval from the senior management of the HJC is often required for initiating activities such as training, capacity building, etc.

With regards to the 4<sup>th</sup> Output on the reform of the penitentiary system, several challenges hampered this particular output's implementation, even if, at the end of the day, all the projects launched were successfully achieved. Among them we can cite: limited access to some of the prisons that were to be originally targeted; difficulty in identifying experts with relevant experience and knowledge of Iraq, staff turnover in the management of Iraqi penitentiary institutions, etc.

**c. Report key lessons learned that would facilitate future programme design and implementation, including issues related to management arrangements, human resources, resources, etc.,**

When implementing multiyear projects, regular consultations should be held with the counterpart as needs and priorities may evolve over time. Being flexible in the implementation of projects and standing ready to shift the project approach and activities is key for the project success.

The capacity of absorption of external assistance by Iraqi institutions is limited. Hence the need to factor existing capacities when developing exit strategies.

All activities undertaken under objective one were developed based on thorough and comprehensive assessments. While this proves to be critical in terms of identifying needs, the assessments did not enough look at the issue of monitoring and evaluation. Baselines were weak and no proper impact indicators were identified. As a consequence, measuring the impact of some of these interventions provided to be quite challenging. This is the case for instance of the media awareness campaign where insufficient attention was paid on measuring the impact of the campaign on the general public.

The situation in Iraq has required that UNDP contract implementing partners to implement the activities on the ground. Contracts were advertised in Arabic and English, in Iraq and globally, in competitive processes open to Iraqi and International organizations. However, most procurement processes resulted in the selection of international organizations (sometimes in conjunction with national partners). While in general the companies which were recruited satisfactorily performed the functions they were contracted for, this also posed some challenges. First, this situation is not conducive for the development of local capacities. Also, often the international companies have limited presence on the ground, and both the companies and UNDP tended to over-estimate how long it would take the contractors to establish a ground presence and begin to work effectively. Also, international contractors faced the same security conditions as UNDP, which limited their ability to obtain international experts and to move freely in the country. Finally, and even though these companies often rely on Iraqi staff, the cultural specificities of the context in which they operate are not always clearly understood and translated. In this context, it is therefore critical to use as much as possible local partners who can frequently perform better and at a much lesser cost.

Another challenges faced due to the need of contracting implementing partners is the issue of communication. In some instance, the tripartite communication between the Iraqi counterpart, the implementing partner and UNDP proved to be challenging, thus leading to delays and misunderstandings. In order to avoid that, it is imperative to clearly define roles and responsibilities and work according to an action plan that would have been endorsed from the beginning by all stakeholders. Some challenges faced in the implementation of the CMS could have been avoided if

the channels of communication had been clearer and if the work had been undertaken under a clearly defined work plan. Also, it is imperative to engage officials of the Iraqi institutions as soon as possible and keep them informed continuously throughout the implementation of the project.

Given the highly centralized system in Iraq, developing a solid relationship with the senior management of the Judicial institutions is key to the success of the project. To that end, the presence of qualified staff on the ground is essential to maintain continuous contact and thus build confidence.

Regarding training, it is imperative to identify as soon as possible a wide pool of qualified and trusted experts to undertake the training sessions in Iraq, since the risk of refusing the mission is considered higher in risky countries such as Iraq. Also, cooperation/linkages between international experts and local experts has led to successful training sessions in relation to exposing the trainees to foreign regional or international expertise, experience and knowledge perspectives in training subjects, while taking into consideration the Iraqi situation/perspective on the training subject; South - South cooperation should be encouraged as much as possible.

The training of trainers' - TOT methodology can ensure knowledge transmission and improvement in the training skills and methodologies among the Iraqi judges, as well as sustainability of the acquired information. However, this should not be deemed automatic and continuous follow up is required to ensure the transfer of knowledge. An incentive system may be an option to ensure that this effectively happens.

Procurement process of certain items revealed to be quite challenging, particularly due to the fact that many of the items to be procured were very technical and specific in nature and that they required special procedures and expertise. UNDP has been required to reissue procurement processes for a number of items and equipments. Taking this into consideration, the procurement process of specialized equipment and material should be reviewed. For example, UNDP and donors should review whether at this stage, it is necessary to continue to provide equipment or whether the Government of Iraq would now be in a position to provide this equipment itself (for example, as a co-contribution to the project). Specialist equipment could be included in larger contracts with implementing partners who will thus be charged with purchasing the required equipment themselves, e.g. by incorporating a facility to reimburse equipment costs in the bid. However, adopting these approaches may also prevent smaller Iraqi organizations from successfully bidding for work, if they are unable to transparently manage the required procurement.

## VI. INDICATOR BASED PERFORMANCE ASSESSMENT

	Performance Indicators	Indicator Baselines	Planned Indicator Targets	Achieved Indicator Targets	Reasons for Variance	Source of Verification	Comments (if any)
<b>Outcome 1</b> GOI and non-government institutions are able to protect and promote human rights							
Output 1  <b>A Pilot model court is established in Baghdad</b>	Indicator 1.1.1 Court manual produced Number of leaflets and posters on corruption aimed at the Iraqi judicial system and court users produced	N/A	Easy to read manual for court users, three types of leaflets and posters produced for model court users	<b>Completed.</b> As part of the nationwide communication campaign the following material was developed: 6,000 MP3 players 45,000 brochures 16,000 posters 50 billboards 5,000 court user handbooks		Contractor's final Activity report	
	Indicator 1.1.2 Number of judiciary staff trained in court and case management and reporting (gender disaggregated)  Percentage of trainees who express satisfaction with the quality and relevance  Case management tools provided by UNDP consultants	N/A	At least 80 judiciary staff trained  80% of trainees  Court reporting established as a regular practice.	<b>Completed.</b> Personnel from the RusafaCourt have benefited from 9 training sessions and TOT's (both on substantive legal issues and case management). More than 120 staff have been trained through these trainings. <i>Overall, participants rated the training as excellent (49%), good (46%) or average (6%). Notably, no participants rated the training as "bad"</i> <i>The Case Management system has been developed and installed in the Court in September 2011.</i>		Contractor's final Activity report	

	<p>Indicator 1.1.3 Number of staff trained on substantive and procedural matters</p> <p>Percentage of trainees who express satisfaction with the quality and relevance</p> <p>Training centre established by the HJC with UNDP support</p> <p>A library established within a court by the court</p> <p>legal research unit established by the model court</p>	NA	<p>40 staff trained on substantive and procedural matters undertaken</p> <p>80% of trainees responses</p> <p>One training centre established and utilized by court staff and judges</p> <p>At least one Library established with international documents and publications relating to substantive areas of the law</p> <p>Legal research unit established</p>	<p><b>Completed.</b> See above.</p> <p><b>Cancelled</b></p> <p><b>Completed</b> A library and a legal research unit has been established and its personnel trained. Books were delivered and handed over to the Higher Judicial Council during the second quarter of 2012.</p>	<p>Decision was made and communicated not to proceed with this activity</p> <p>On-going</p>	Contractor's final Activity report	
	<p>Indicator 1.1.4</p> <p>Help desk and hotline established.</p> <p>Number of staff trained to handle corruption complaints and provide assistance to women court users</p> <p>Percentage of trainees who express satisfaction with the quality and relevance</p>	NA	<p>Help desk and hotline established.</p> <p>All model court staff trained to respond to complaints of corruption</p> <p>80% of trainees responses</p>	<b>Cancelled</b>	The Head of the Court indicated that establishing a legal help-desk was not a priority		
<p><b>Output 2.1</b></p> <p>Improved curriculum of the Judicial Training Institute, incorporating human rights, gender equity, family code, GBV and juvenile justice</p>	<p>Needs Assessment on human rights, gender equity, family code, GBV and juvenile justice curriculum undertaken</p> <p>Number of workshops organized to discuss the needs assessment outcome, capacity gaps, &amp; recommendations for the reform program.</p> <p>Number of experts provided by x to aid in the introduction of changes to the curriculum</p> <p>Number of workshops organized for discussions on recommended changes to the curriculum structure</p> <p>List of equipment provided by x to aid in the undertaking of the survey and</p>	N/A	<p>Needs Assessment undertaken</p> <p>At least one workshop on each subject conducted</p> <p>Experts provided to aid in the introduction of changes to the</p>	<p><b>Completed.</b> Needs assessment realized</p> <p><b>Completed.</b> The JTI benefitted from 7 training sessions and TOT's</p> <p><b>Completed.</b> Experts provided as part of the trainings</p>		Contractor's final Activity report	

	<p>subsequent reform program</p> <p>Number of staff trained on developed curriculum</p> <p>Percentage of trainees who express satisfaction with the quality and relevance</p>		<p>curriculum</p> <p>Workshops organized for discussions on recommended changes to the curriculum structure</p> <p>Equipment provided to aid in the undertaking of the survey and subsequent reform program</p> <p>Staff trained- number TBD</p> <p>80% of trainees responses</p>	<p><b>Completed</b></p> <p><b>Completed.</b> See above</p>			
<b>Output 3.1 Completing the Iraqi Legal Database</b>	A comprehensive electronic legal database that includes all positive law and secondary sources, and which is freely available to all Iraqi jurists and researchers.		All secondary sources collected and incorporated into the ILD	<p><b>Completed.</b></p> <p>The ILD is now online and has been handed over to the HJC The ILD makes available to its users 27,433 legal texts altogether, including 7,136 laws, 4,265 ministerial instructions, 3,268 regulations, 5,029 declarations, and 18,000 court decisions, which is every single Iraqi legal text that has been passed since 1917.</p> <p>Indexes created and 3,000 CD-Rom produced and disseminated.</p>		Contractor's final Activity report and ILD website	
			Improvements made to the ILD's software, including the options that are available to users				
			Indexes created in relation to all major subject matter areas, including administrative law, property law, family law, etc.				
			<p>The ILD's thesaurus improved</p> <p>Workshops organized between the HJC and the MOJ in order to discuss the ILD's functions and its sustainability</p>				

			Final version of the ILD made available online and in CD format to all major and interested parties in Iraq (including universities, the HJC, the MOJ, the IBA, etc.).				
<b>Output 4.1</b>  Increased capacity of GoI to reform the penitentiary system, including its management and treatment of women and juveniles	Procurement of technical services to conduct needs assessment undertaken by UNDP  Report on needs assessment of the Iraqi penitentiary system is completed.	NA	TA services procured  Needs assessment conduct and a report is prepared.	<b>Completed</b>  Consultancy firm contracted  <b>Completed.</b> Needs assessment realized and used to inform programming		Contractor activity report.  Consultant mission reports	
	Number of prison personnel and ministry staff trained on modern management and prison management methods  TOT component for relevant management personnel conducted	NA	120 Prison administrators and staff trained.  Staff at Ministries trained with regard to issues identified by the needs assessment.  Train the trainer's methodology established and implemented.	<b>Completed</b>  3trainings conducted.  <b>Completed</b>			
	Number of linkages established with CSO's in Baghdad and Kurdistan	NA	Linkages with at least 4 CSO's established in Baghdad and Kurdistan	<b>Not-completed</b>			It proved to be extremely challenging to identify NGOs with relevant skills and experience in penitentiary reform. Instead, the project decided to partner with EU-JUSTLEX
		NA	Review of the current laws, institutions, key				

	<p>Number of laws reviewed by GOI with UN support</p> <p>Assessment on security conditions completed by GOI with project support</p> <p>A report with recommendations on penitentiary system reform is prepared</p> <p>A workshop held by GOI with project support to disseminate, and initiate dialogue on, the recommendations</p>		<p>players and delineation of powers between laws and institutions governing the Iraqi penitentiary system undertaken</p> <p>Assessment of the current security situation and its impact on laws and institutions governing the penitentiary system undertaken</p> <p>Recommendations on penitentiary system reform provided</p> <p>Workshop held to disseminate, and initiate dialogue on, the recommendations</p>	<p><b>Completed.</b> Analysis of the legal framework completed and recommendations and standard operating procedures formulated.</p>			
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