

United Nations Development Group Iraq Trust Fund
Project # 63966:C9-27
Date and Quarter Updated: 1 October – 31 December 2010/ 4th Quarter 2010

Participating UN Organisation: UNDP **Sector: Governance**
Government of Iraq – Responsible Line Ministry: Iraqi High Judicial Council (HJC), Ministry of Justice
(Baghdad and KRG)

Title	Support to the Development of Justice and the Rule of Law				
Geo. Location	Nationwide (All Iraq)				
Project Cost	USD 6,059,994 (ITF 5,909,994 and Government In-Kind 150,000)				
Duration	24 months				
Approval Date	04.12.2008	Starting Date	08.12.2008	Completion Date	08.12.2010 extended until 31.12.2011
Project Description	<p>The ‘Support to the Development of Justice and the Rule of Law’ Project is providing the Iraqi Government with technical support and training necessary for the improvement of key components of the judicial system, specifically the functioning of courts and the penitentiary system. UNDP-Iraq is supporting the establishment of a model court in Baghdad, which will address the limitations of the current court system, including issues of court management, court reporting and recording, and access for all Iraqis to the judicial system. UNDP-Iraq will also provide assistance to the Iraqi Judicial Training Institute (JTI) through the provision of training and other support to ensure that Iraq’s new generation of judges, prosecutors and judicial staff benefit from the latest international best practices. The penitentiary system reform component of the project will support the development of a legal and institutional framework, and will support building the capacity of prison management in line with international human rights standards. In addition, the project is finishing the final phase of the Iraqi Legislative Database (ILD) and will hand it over to the Iraqi stakeholders. This project forms part of a consolidated framework in support of the rule of law and justice in Iraq, together with the EU funded project “Support to the Rule of Law and Justice” and the German funded project “Support to the Development of the Judicial Development Institute”.</p>				

Development Goal and Immediate Objectives

The Support to the Development of Justice and the Rule of Law Project is contributing to priorities of both the National Development Strategy (NDS) and the International Compact for Iraq (ICI). This Project is contributing 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.

The "Rule of Law" project is also contributing towards 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 as well as the empowering component of women within the penal system through the penitentiary reform programme, is addressing their rights and concerns during incarceration and ensuring their participation in the complete penitentiary reform. These actions should go some way to contribute towards this goal in Iraq.

Outputs, Key activities and Procurement	
Outputs	<ol style="list-style-type: none"> 1- Pilot model court in Baghdad; 2- Reform of curriculum in specialized areas of the Iraqi Judicial Training Institute (JTI); 3- Implementation of Phase III of the Iraqi Legal Database (ILD); 4- Reform of the penitentiary system, including its management and treatment of women and juveniles.
Activities	<ol style="list-style-type: none"> 1. The implementation of the activities in support of the Baghdad Pilot Court is 50% complete. During this quarter the following key activities were undertaken: <ol style="list-style-type: none"> a. The legal technical training programme, a comprehensive legal training schedule, was finalised and 50% of the legal training programme completed. A contract amendment was undertaken to facilitate further trainings and broader participation by Iraqis. b. The legal awareness campaign was fine-tuned. This included synergy with the media awareness strategy and the draft court users handbook that links with the awareness raising strategy. c. Support continued in information technology with procurement in process for equipment, contracts amended to provide for further trainings and a portion of the initial trainings conducted in Baghdad. d. The acquisition of equipment and resources commenced for the Legal Research Unit in the Pilot Court. e. A Working Group meeting for the Baghdad Pilot Court was conducted to: i) consult with counterparts, ii) facilitate ownership of activities, iii) coordinate stakeholders supporting the Rusafa Court and iv) provide progress updates on the implementation of activities. 2. The implementation of the activities in support of the Judicial Training Institute is 65% complete. Feedback was obtained from stakeholders on the, draft assessment of the Judicial Training Institute. Further discussions and workshops were planned for Q1 2011 with a view to finalise the recommendations for reform of the curriculum. 3. The implementation of the third phase of the Iraqi Legal Database (ILD) is ongoing and is approximately 70% complete with key activities in Q4 being: <ol style="list-style-type: none"> a. Continued loading of information into the database with eleven deliverables completed. b. To date 18,000 legal articles are typed, scanned, inserted hyperlinks and transferred into the ILD system. c. The Implementing Partner carried out the elaboration of 6 indexes, collected and selected another 4,200 court decisions for inclusion in the ILD. d. The IP carried out and delivered the third draft of the Thesaurus to ILD experts. e. Four consultants were hired for a period of 2.5 months to work on correcting the documentation of court decisions that will be entered into the ILD. f. Three consultants were hired for a period of 3 months to work on correcting the documentation of Legal Texts that will be entered into the ILD. g. Two consultants were hired for a period of 3 months to work on validating the Iraqi Legal Databases and correcting the Thesaurus. 4. Activities in reform of the penitentiary system are 50% completed with four analysis reports prepared covering the areas of training, civil society organisations, needs of people in custody and legal analysis. These reports are to inform the development of a strategy. Consultations with stakeholders are in process. 5. During this quarter the Project was approved a no cost extension for 12 months and approved for movement of funds between budget categories.
Procurement	<p>Nine experts were hired to work on the ILD, elaborated above.</p> <p>Four consultants to work on correcting the documentation of court decisions.</p> <p>Three consultants to work on correcting the documentation of Legal Texts.</p> <p>Two consultants to work on validating the Iraqi Legal Databases and correcting the Thesaurus.</p>

Funds Committed for activities	USD 2,964,404.62	% of approved	50%
Funds Disbursed	USD 1,734,239.97	% of approved	29%
Forecast final date	31 December 2011	Delay (months)	12

Direct Beneficiaries	Number of Beneficiaries	% of planned (current status)
Men	n/a	n/a
Women	40,000	2%
Children	n/a	n/a
IDPs	n/a	n/a
Others	n/a	n/a
Indirect beneficiaries	n/a	n/a
Employment generation (men/women)	This Project is not directly concerned with employment generation.	n/a

The project will improve access to justice for vulnerable groups, including women and juveniles. The Penitentiary Reform component will 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. Examples include 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 prisons' administrators this project seeks to contribute to the improvement in the conditions of women. Gender equality will be pursued through:

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

Qualitative achievements against objectives and results	
The implementation of the activities in support of the Baghdad Pilot Court	50% The Pilot court expert completed all deliverables related to this Project
The implementation of the activities in support of the Judicial Training Institute	65%
Activities in support of reform of the penitentiary system	50%
Experts for the ILD III phase are progressing in their work on managing and maintaining the ILD achieving 11 deliverables	75%
Experts for data entry into the ILD has achieved entering, scanning and typing 18,000 legal document into the ILD with 6 deliverables achieved.	90%
The contractor for data collection and ILD III has achieved seven deliverables. Four deliverables remained to achieve	55%

This project is in full implementation with a clear plan of action. All activities with Implementing Partners have progressed although some delays have been encountered in relation to the security situation. In particular this has affected the reform of the penitentiary system component especially within the survey/assessment phase undertaken during Quarters 1 and 2 of 2010. Further information has been provided, implementation adjusted and timelines revised, to ensure the Project delivers the maximum expected benefits. Iraqi stakeholders are in full support of such adjustments and consequently the Project has been extended by a further 12 months, on the basis of a "no cost extension" until 31 December 2011 and the Government of Iraq has initiated cost-sharing.

Main implementation constrains & challenges (2-3 sentences)
The security situation in Iraq and limitations in number of slots available to UNDP, especially in Baghdad, have been major constraints in implementing the project activities. Meeting partners and touring facilities, especially red zone movements to the Pilot Court, Ministry of Justice, JTI, Prisons and meeting with the Iraqi counterparts have been difficult and faced security impediments.