

**United Nations Development Group Iraq Trust Fund**  
**Project # 66956:C9-27**  
**Date and Quarter Updated: 1 April – 30 June 2011 - 2<sup>nd</sup> Quarter 2011**

**Participating UN Organisation: UNDP**

**Sector: Governance**

**Government of Iraq – Responsible Line Ministry: Iraqi High Judicial Council (HJC), Ministry of Justice (Baghdad and KRG)**

<b>Title</b>	Support to the Development of Justice and the Rule of Law				
<b>Geo. Location</b>	Nationwide (All Iraq)				
<b>Project Cost</b>	USD 5,909,994				
<b>Duration</b>	36 months				
<b>Approval Date</b>	04/12/2008	<b>Starting Date</b>	8/12/2008	<b>Completion Date</b>	8/12/2010 extended to 31/12/2011
<b>Project Description</b>	<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.</p> <p>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**

**National Development Plan:** Enhance social protection and availability of basic services; Commitment to sustainable human development.

**UNDAF Priority 1:** Improved Governance, including the protection of human rights. **Outcome 1.3:** Rule of Law: Iraq has an improved legal and operational rule of law framework for administration and access to justice.

**Sector Team Outcome(s):** Outcome 3: Enhanced rule of law and respect and protection for human rights in line with international standards.

**UNDP Country Programme:** Project sits within Outcome 2: Enhanced rule of law, protection and respect for human rights in line with international standards.

**Project Outcome(s):**

Outcome 1: Strengthened administration of justice system.

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

**Outputs, Key activities and Procurement**

<b>Outputs</b>	<ol style="list-style-type: none"> <li>1- A Pilot model court is established in Baghdad</li> <li>2- Improved curriculum of the Judicial Training Institute, incorporating human rights, gender equity, family code, GBV and juvenile justice</li> <li>3- Completing the Iraqi Legal Database</li> <li>4- Increased capacity of GoI to reform the penitentiary system, including its management and treatment of women and juveniles</li> </ol>
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<b>Activities</b>	<p><b>1.1</b> Materials on corruption aimed at the Iraqi judicial system and court users produced and disseminated</p> <p>1.2 Key judiciary staff trained in court and case management and reporting and case management system institutionalised</p> <p>1.3 Pilot court functional with training and legal resource and research facilities and core judicial training provided</p> <p>1.4 Help desk and hotline established and operational to handle corruption complaints and provide assistance to women court users</p> <p><b>2.1</b> Training curriculum reform program of the Judicial Training Institute, incorporating gender equity, family code, GBV and juvenile justice, designed and preparations for implementation in place</p> <p><b>3.1</b> Completing the Iraqi Legal Database</p> <p>4.1 A thorough analysis of the Iraqi penitentiary system conducted and needs assessment reported.</p> <p>4.2 Prison personnel and ministry staff trained in modern management and prison management methods and Iraqi CSOs supported in advocacy and monitoring</p> <p>4.3 Capacity building within the Iraqi government for laws and institutions responsible for the penitentiary system provided.</p>
<b>Procurement (major items)</b>	<ul style="list-style-type: none"> <li>• Hiring Prison Advisor on SSA contract</li> <li>• Hiring ILD Supervisor on SSA contract</li> <li>• IT equipment procured for Baghdad Pilot Court.</li> </ul>

<b>Funds Committed for activities</b>	USD 1,398,417.30	<b>% of approved</b>	% 24
<b>Funds Disbursed</b>	USD 3,602,161.30	<b>% of approved</b>	% 61
<b>Forecast final date</b>	31 December 2011	<b>Delay (months)</b>	12

<b>Direct Beneficiaries</b>	<b>Number of Beneficiaries</b>	<b>% of planned (current status)</b>
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.

<b>Quantitative achievements against objectives and results</b>	
The implementation of the activities in support of the Baghdad Pilot Court	90% complete
The implementation of the activities in support of the Judicial Training Institute	100% complete
Iraqi Legal Database activities	90% complete
Activities in support of reform of the penitentiary system	70% completed

## **Qualitative achievements against objectives and results**

### Output 1. A Pilot model court is established in Baghdad

The implementation of the activities in support of the Baghdad Pilot Court is 90% complete. During this quarter the following key activities were undertaken:

- a. Technical training courses were conducted for judicial spokespeople and journalists on court report in Baghdad, Basrah and Erbil.
- b. Legal research training was completed for legal researchers working with the Rusafa Pilot Court and the acquisition of legal references for the Legal Research Unit is ongoing.
- c. Stakeholder consultations and revisions of public awareness materials continued for the legal awareness campaign and court users' handbook.
- d. IT equipment was installed and tested in the Ministry of Justice, Higher Judicial Council and Rusafa pilot court, and training courses completed on Basic and Advanced 'International Computer Driver's License' (ICDL). Procurement processes have been launched for the remaining items of equipment which are planned for installation in Q3.

### Output 2: Improved curriculum of the Judicial Training Institute, incorporating human rights, gender equity, family code, GBV and juvenile justice

This output has already been successfully completed

### Output3: Completing the Iraqi Legal Database

The implementation of the activities in support of the Iraqi Legal Database (ILD) is 90% complete. The overall achievement of the ILD phase III can be summarized as follows:

- ✓ Collecting the Ottoman Commercial Law and the Old criminal Law of Baghdad which were missing from the ILD;
- ✓ Achieve documenting and scanned works: 770 texts, 20,000 law articles, 18,000 court decisions (decisions were collected from all Iraqi districts (Baghdad, Karkh, Basra, Dayala, Thi-Kar, Alanbar, Karbalaa, Ninwa, Wasset, Karkouk, Roussafa, Babel, Salah Elddine) and Kurdish courts; in addition to their different degrees (First instance court, court of appeals, and court of cassation)), 22376 linked court decision and laws, 4422 linked different laws and law articles, 612 linked laws and subjects, 61699 linked law articles and indexes title, 14655 linked keywords (to build the thesaurus
- ✓ Achieve thesaurus works including 2661 synonyms
- ✓ Achieve the correcting of list of thesaurus and validating of indexing/documentation works
- ✓ Achieve software testing and installation
- ✓ Deliver the ILD in its updated version to the Iraqi Higher Judicial Council (HJC) who agreed to be the responsible body for sustaining and maintain the ILD after this phase. The delivery of the ILD to the HJC took place in special ceremony in Beirut on the 16<sup>th</sup> June 11 that was hosted by UNDP and attended by H.E. Chief Justice of Iraq, other representatives from HJC, representative of Ministry of Justice of Iraq and KRG as well as the ILD experts. In this event Iraqi CJ stated that he will form a unit within HJC called 'Judicial Decision Documentation Unit'; this unit will contain 6 personnel to run the ILD work.
- ✓ Upon request from CJ of Iraq, UNDP agreed to provide coaching and training to these 6 personnel from HJC who will responsible for sustaining and maintaining the ILD over the coming 6 months (July-Dec.11)

### Output 4: Increased capacity of GoI to reform the penitentiary system, including its management and treatment of women and juveniles

Activities in reform of the penitentiary system are 70% completed. the overall achievement of output 4 can be summarized as follows:

- ✓ Four analysis reports have been completed in conjunction with the Iraqi Corrections Service and stakeholders, and three pilot areas for further support have been defined.
- ✓ Pilot 1 is a study tour on prison management in France, and an Iraqi delegation commenced this study tour in late June 2011.

UNDP is collaborating with EUJUST LEX to coordinate activities and share expertise.

### **Main implementation constraints and challenges (2-3 sentences)**

The security situation in Iraq and limitations in number of slots available to UNDP, especially in Baghdad, continued to impact negatively the pace of implementation and monitoring of the 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. National staff and implementing partners are being utilised to mitigate such challenges.