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Strengthening the Rule of Law in the oPt: Justice and Security for the Palestinian People

1 May 2014 - 30 April 2017

**United Nations Development Programme
Programme of Assistance for the Palestinian People**

United Nations Entity for Gender Equality and the Empowerment of Women

Programme Title: Strengthening the rule of law in the occupied Palestinian territory: justice and security for the Palestinian people

UNDAF (2014-2016) Outcome(s):

Outcome 2: By 2016, Palestinians in the oPt have improved access to more efficient, accountable and participatory governance, enhanced justice and security, and greater protection of human rights.

Outcome 5: By 2016 more Palestinians in the oPt, especially vulnerable and marginalised groups benefit from an integrated, multi-sectoral social protection system that promotes economic security, protection from abuse and violence, gender equality, social justice and equity for all.

Joint Programme Goal: To strengthen the rule of law by developing efficient, accountable and harmonised justice and security institutions, which are gender-sensitive and rights-based, while also improving access to justice and security services to disadvantaged social groups, especially women and girls.

Expected Outcomes of the Joint Programme: (1) Capacity of justice and security institutions strengthened and linkages forged; (2) Civil society contribution to rule of law and community access to justice in the West Bank enhanced; (3) Civil society contribution to the rule of law and community access to justice in the Gaza Strip enhanced; (4) Gender responsiveness of justice, security and legislative actors strengthened; (5) Women and girls access to justice and security improved by ensuring accountable service provision to prevent, protect and respond to violence, and by addressing their broader legal needs; (6) Juvenile justice and adherence to child rights improved; (7) Capacity of key actors and stakeholders to monitor progress and results in rule of law development increased.

Implementing Agencies: UNDP/PAPP and UN Women (DIM)

Brief Description

This Joint Programme will help develop and maintain the conditions for a viable State of Palestine based on the rule of law and principles of gender equality. The programme will work to enhance the capacities of, and public confidence in, rule of law institutions, strengthening access to justice, security and protection services, especially for women and girls. Interventions are designed with a view to sustainability and linking activities to 'system-level' policy development.

Support rests on a supply and demand equation that combines enhanced service delivery by resilient justice and security institutions with the public's ability to access such services and hold duty-bearers to account. By increasing public confidence in the sector, support is designed to be catalytic, strengthening state-society relations and creating an enabling environment for development. Interventions are informed by a coherent theory of change and characterised by flexibility and responsiveness to institutional changes as a result of political developments. The Joint Programme is oriented around the seven mutually reinforcing interventions identified above.

The Joint Programme builds on the achievements and findings of its predecessors: the UNDP Rule of Law & Access to Justice Programme in the oPt (2010-2014), the UNDP/EUOPOL COPPS Joint Programme (2012-2014), and the UN Women Project on Support for Delivery of Security and Justice Services for Women (2011-2014). Importantly, the Joint Programme will use baselines captured during these earlier programmes as a means to monitor results and inform future planning.

Programme period: 2014-2017
Key result area (Strategic Plan): 2 and 4

Atlas Award ID: 00077565

Start date: 1 May 2014
End date: 30 April 2017

LPAC/Peer Review meeting dates: 7 February 2014, 5 May 2014
Management Arrangements: DIM

Total resources required: US\$ 29.5 million
Total allocated resources: US\$ 2 million

- Core: US\$ 2 million (UNDP/BCPR, UNDP/RBAS)
- Other:
 - NRO: TBC
 - Sida/Sweden: TBC
 - DFID/UK: TBC

Unfunded budget: TBC
In-kind contributions:

Minister of Justice

UNDP Representative

Minister of Interior

UN Women Head of Office



Acronyms

AGO	Attorney General's Office
AWP	Annual Work Plan
BCPR	Bureau for Crisis Prevention and Recovery (UNDP)
BGHR	Bureau for Grievances and Human Rights (PCP)
CCC	Corruption Crimes Court (HJC)
CEDAW	Convention to Eliminate All Forms of Discrimination against Women
CIDA	Canadian International Development Agency
CRC	Correction and Rehabilitation Centres (PCP)
CSI	Civil Society Initiative (UNDP)
CSO	Civil Society Organisation
DFID	(UK) Department for International Development
EUPOL COPPS	European Union Coordinating Office for Palestinian Police Support
FPU	Family Protection Units (PCP)
GBV	Gender-Based Violence
HJC	High Judicial Council
ICHR	Independent Commission for Human Rights
IGO	Inspector-General's Office (PCP)
IWS	Institute of Women's Studies (Birzeit University)
JSWG	Justice Sector Working Group
LTF	Legal Task Force
MOI	Ministry of Interior
MOJ	Ministry of Justice
MOSA	Ministry of Social Affairs
MOWA	Ministry of Women's Affairs
M&E	Monitoring and Evaluation
NCJJ	National Committee on Juvenile Justice (MOSA)
NRO	Netherlands Representative Office (Ramallah)
OCHA	Office for the Coordination of Humanitarian Affairs
oPt	occupied Palestinian territory
PACC	Palestinian Anti-Corruption Commission
PAPP	Programme of Assistance to the Palestinian People (UNDP)
PBA	Palestinian Bar Association
PCBS	Palestinian Central Bureau of Statistics
PCP	Palestinian Civil Police
PJI	Palestinian Judicial Institute
PLC	Palestinian Legislative Council
PMF	Palestinian Maintenance Fund
PA	Palestinian Authority
PPMU	Planning and Project Management Unit (AGO/HJC)
PSDD	Police Security and Discipline Department (PCP)
RBAS	Regional Bureau for Arab States (UNDP)
Sida	Swedish International Development Cooperation Agency
SOP	Standard Operating Procedure
SPDU	Strategic Planning and Development Unit (MOI)
SSWG	Security Sector Working Group
TAU	Technical Advisory Unit (MOJ)
UNCAC	United Nations Convention against Corruption
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNRWA	United Nations Relief and Works Agency
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
USAID	United States Agency for International Development
VAWG	Violence against Women and Girls

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Executive Summary

This programme “Strengthening the rule of law in the occupied Palestinian territory: justice and security for the Palestinian people”¹ is one of the first UN Joint Programmes developed under the new United Nations Development Assistance Framework (UNDAF) for the State of Palestine (2014-2016). It builds on the prior experiences of UNDP/PAPP and UN Women in the rule of law sector in the oPt, and represents an important effort to maximise the resources and expertise of the UN to ‘deliver as one’ to strengthen justice and security for the Palestinian people.

Beyond specific areas of complementary substantive and technical expertise, which will add value through ‘cross-pollination’ of work streams, there is much to be gained specifically by embedding UN Women’s gender mainstreaming role in the context of a larger rule of law intervention. At the same time, the joint programming framework will ensure a more harmonised and coherent directional ‘push’ from the two implementing agencies, which will be especially critical to overcome political obstacles in the course of programme implementation.

UNDP’s *Rule of Law & Access to Justice Programme in the oPt (2010-2014)* was the United Nations Development Programme’s first comprehensive effort to support the Palestinian Authority (PA) in achieving its vision on rule of law.² This programme, implemented in both Gaza and the West Bank, including East Jerusalem, provided support to civil society actors as well as institutions to advance change on both the supply and demand sides of the development equation. Over the course of three years, the programme delivered concrete results in terms of strengthening core institutions to provide justice services, and in building capacities at the grassroots level to ensure access to justice for Palestinians, with particular attention to the needs of women and children.

UN Women’s *Access to Justice Programme in the oPt (2011-2014)*, funded by the UK’s Department for International Development (DFID), was UN Women’s first comprehensive effort to support enhancement of delivery of justice and security services for women victims of violence in the oPt, targeting justice and security actors; strengthening independent monitoring capacity in relation to women’s access to justice, in accordance with international human rights standards and rule of law principles.

The Joint Programme articulated in this programme document will continue to address core rule of law issues, building on the previous programmes implemented by UNDP/PAPP and UN Women, and ensuring that collective UN action to strengthen the rule of law in the oPt retains gender equality principles as a central pillar of its approach. In doing so, the Joint Programme will specifically address women’s access to justice and gender equality, as well as engaging social protection actors to address gender issues more holistically.

It has also become clear that a comprehensive approach to rule of law assistance necessitates close attention to the nexus between the justice sector and the security sector. For this reason the Joint Programme will devote greater attention to the security dimension, integrating security sector governance and accountability interventions from the previous UNDP/EUPOL COPPS *Joint Programme (2012-2014)* as part of a synchronised approach to rule of law.³ By concentrating on linkages across the rule of law sector, including targeting specific areas of civilian policing, this Joint

¹ This document has been formally endorsed by the Palestinian Authority but does not entail any financial or legal obligation on its part.

² Pre-dating its Rule of Law & Access to Justice Programme, UNDP/PAPP did undertake smaller scale justice sector work through partnerships with the HJC and AGO to establish Planning and Project Management Units and begin development of MIZAN, an electronic case management system for the courts. These areas of work were rolled into the Rule of Law & Access to Justice Programme when it commenced, creating continuity

³ Discussed further in the document, the UNDP/EUPOL COPPS Joint Programme (2012-2014) focused on strengthening internal police accountability, national anti-corruption efforts and civilian oversight

Programme will more effectively enhance citizen security and address issues and bottlenecks across the entire justice chain.

Going beyond previous interventions, this Joint Programme will also expand efforts to increase women and children's access to justice, including by providing capacity development support to the *shari'a* courts (the predominant family court system in the oPt operated under state law),⁴ engaging with informal justice actors and processes to increase observation of international standards and monitoring their impact upon women and children, developing and strengthening specialised services for women and girls victims of violence, and working to raise beneficiaries' awareness of their rights.

Following extensive consultations with an array of national and international partners, this Joint Programme will work towards the following seven priority outcomes:

1. Capacity of justice and security institutions strengthened and linkages forged;
2. Civil society contribution to rule of law and community access to justice in the West Bank enhanced;
3. Civil society contribution to the rule of law and community access to justice in the Gaza Strip enhanced;
4. Gender responsiveness of justice, security and legislative actors strengthened;
5. Women's and girls' access to justice and security improved by ensuring accountable service provision to prevent, protect and respond to violence, and by addressing their broader legal needs;
6. Juvenile justice and adherence to child rights improved; and
7. Capacity of key actors and stakeholders to monitor progress and results in rule of law development increased.

The outcomes and outputs are based on a clearly defined theory of change, building on the lessons learned during the first phase of UNDP/PAPP and UN Women's rule of law programming. Activities are carefully designed to achieve outputs and contribute to outcome level change that impacts the lives of beneficiaries and engenders systemic resilience and human development.

As with its predecessors, the Joint Programme will rely on and strengthen coordination and cooperation with and between national counterparts, supporting national ownership and nationally-driven sustainable processes. It will maintain interactive partnerships with donors and development partners. Given the particular political context of the oPt, the Joint Programme is careful to build in contingency planning and risk management for alternative circumstances that may arise.⁵

⁴ While it is yet unclear whether the Joint Programme will be able to extend its support to other religious courts as well, UNDP and UN Women intend to foster inter-faith dialogue and coordination between the *shari'a* courts and other religious courts on an ongoing basis

⁵ See Annex A Risk Log

1. Situation Analysis

Context

The Palestinian people remain under occupation and subject to ever intensifying settlement activity, causing displacement of Palestinians and constraining the ability of the PA to exercise exclusive control over its territory and its people. The cumulative impact of Israeli restrictions on all areas of Palestinians' lives continues to cause immense suffering and despair.

Despite stop-start efforts to achieve reconciliation, the rift between Fatah and Hamas has widened in recent years and led to further political and legal fragmentation between the West Bank and Gaza. It has also prevented the conduct of already overdue elections and the restoration of democratic mandates in both territories while additionally thwarting the resumption of the Palestinian Legislative Council (PLC). In addition to further undermining the PA's overall legitimacy, the inability of the PLC to convene a legal quorum creates a perturbing gap in democratic oversight. It also severely hampers legal reform, since laws can presently only be passed by presidential decree. This is a critically important issue for the justice sector in particular, as the continued lack of clarity about the roles and responsibilities of (and the ongoing tensions between) the main rule of law institutions is widely considered to be one of the main obstacles to tangible and indeed sustainable progress.

The Palestinian people are sandwiched amidst regional upheaval in Egypt and Syria, a situation which has not favoured the PA in the internal Israeli-Palestinian calculus and has diverted global attention from the protracted military occupation and ongoing human rights violations. Israel's eight-day military assault on Gaza in November 2012 and the heightened impact of the blockade has further hardened the brunt of the occupation as felt by communities in Gaza.

Instability within the PA culminated in the resignation of Prime Minister Salam Fayyad in April 2013 and successive ministerial re-shuffles have occurred since. Coupled with this, the PA's continuing financial crisis has added further unwelcome challenges for the PA in maintaining critical infrastructure and providing quality services to the population in a sufficient, timely and consistent manner. The milestone 2012 UN General Assembly vote to accord the State of Palestine non-member observer state status marked an important symbolic step forward but is yet to be translated into visible improvements in the lives of ordinary Palestinians. The resumption of final status negotiations is widely regarded as holding little potential for equitably resolving the conflict.

Amidst such bleak and challenging circumstances, the ability of the population to access justice and security services becomes all the more important, going right to the core of ensuring the rule of law. Efforts to strengthen the social contract between the state and its people are essential for forging greater resilience of Palestinian communities to this complex and difficult political, economic and legal landscape.

UNDP/PAPP and UN Women recognise that the success of their efforts to strengthen the rule of law and access to justice begins and ends in Palestinian households. If ordinary Palestinians, women and men alike, do not believe that justice and security institutions can or will protect their rights, they may forego their entitlements, allow disputes to simmer, or use coercion - such as violence or threats - to address perceived injustice. These views will also be shaped by the degree to which justice and security systems are able to address the additional obstacles faced by women and children in accessing justice, including discriminatory laws, procedures and lack of capacity to provide effective protection and fulfilment of their rights. As the justice system becomes more capable of delivering access, equality and equity, so too will citizens progressively accept a duty to use fair, independent government institutions to manage disputes, protect their rights, obtain their entitlements, and uphold contracts, enabling a shared culture of lawfulness to emerge. In turn, this provides the foundation for sustainable peace and development.

This is why the rule of law matters. It is the sum total of individual choices to participate in the democratic processes through which laws are developed and changed; to obey laws; to bring incidents in which laws have been broken to the attention of justice and security institutions; and to refrain from interfering in justice processes. The significance of the rule of law and its linkages to statehood is not lost upon the PA and the international community. The forthcoming three-year National Justice Sector Strategy (2014-2016) describes its vision as the following:

“A society based upon justice and the rule of law, where rights and liberties are preserved and everybody enjoys access to justice in a fully sovereign State of Palestine.”

Critical external and internal hurdles noted by the 2011-2013 strategy have yet to be overcome, as noted in the current review process being undertaken to inform the development of the forthcoming strategy. Inadequate coordination among principal justice and security sector institutions, the absence of specialised courts and prosecution capacities, the slow speed of judicial decision-making, poor judgment enforcement, plural judicial systems, and lack of legal aid and legal literacy,⁶ especially amongst women, all remain critical national level issues.

Against this sobering backdrop, the PA should be given credit for achieving considerable progress in recent years. According to the latest public perception survey results,⁷ more and more Palestinian men and women are accessing the justice and security services provided by the PA and their partners in civil society.⁸ The number of Palestinian households⁹ who regard PA justice and security institutions as legitimate, independent, and effective has increased considerably in recent years.¹⁰

Legal literacy has also increased, especially among those people found to have least knowledge of what their rights are and how to assert them: women, youth, poor and rural households.¹¹ More women are coming into contact with the justice system¹² and the disparity between men and women coming into contact with justice and security institutions has reduced.¹³ Poor, less-well educated, and unemployed Palestinians are now more likely to access formal justice institutions, and to be treated equally by them.¹⁴ CSO legal aid providers who target the poor, women and children can claim considerable credit for fulfilling important roles in increasing community access to justice.¹⁵

There is evidence too that juvenile justice frameworks are being implemented, and that children in conflict with the law are increasingly benefiting from age-appropriate treatment, although further efforts

⁶ Inadequate access to legal aid is a significant challenge to consolidating the rule of law in the oPt. Legal aid - legal assistance provided free of charge for those who cannot afford it - has two purposes. First, it gives vulnerable people the knowledge and confidence they need to access justice institutions. Second, in an adversarial justice system, justice is predicated on active participation of lawyers and the availability of free legal aid for those who cannot afford to pay it.

⁷ Public Perceptions of Palestinian Justice and Security Institutions (UNDP, forthcoming)

⁸ According to the latest public perception survey results, there has been a 5.2% increase in the number of West Bank households which came in contact with Palestinian justice and security institutions between 2011 and 2012

⁹ The methodology used to identify interviewees by ‘household’ guaranteed a random and representative sample, in terms of geographical distribution, locality type and gender. The 8705 households to participate in the survey was comprised of 4,352 male interviewees and 4,353 female interviewees.

¹⁰ 85.0% of households indicated that ‘courts are the only legitimate institutions through which to resolve disputes’, a 19.7% increase on 2011. There were also significant increases in the number of respondents who believe that the law is clear and fair (155.6%); that using the courts leads to justice (120.1%) and prevents violence (159.7%)

¹¹ Basic legal literacy has increased by 10.7% overall, and improvements have been most significant among women and targeted groups. Legal literacy among women has increased by 26.2%. Legal literacy has increased by 24.2% among rural households; 13.4% among the poorest households, and 11.7% among youth

¹² Between 2011-2012 there was a 26.7% increase in the number of women coming into contact with the justice system

¹³ There was a 9.6% reduction in the disparity between the number of women and men coming into contact with justice and security institutions

¹⁴ There has been a 29.3% reduction in the gap between the poorest and high-income families’ contact with justice and security institutions and a 43.7% improvement in relation to the education gap of those in contact with justice and security institutions

¹⁵ There has been a 29.3% reduction in the gap between low-income and high-income families’ contact with justice and security institutions

are still needed to ensure full compliance with international standards. This improved access to, and confidence in, PA justice and security institutions has translated into greater public contact with the justice system and, in particular, increased usage of the civil courts.¹⁶ However, this added demand must also be addressed to ensure that caseloads do not outstrip institutional capacity and threaten greater delays in case-processing times, already a matter of increased community concern.¹⁷

The Palestinian rule of law sector is yet to fully translate its commitment to address women and girls' vulnerability to multifaceted forms of violence, into consistent and effective practice. High levels of domestic violence were revealed by the most recent national violence survey conducted by the Palestinian Central Bureau of Statistics (PCBS).¹⁸ Laws, policies, procedures and mechanisms, including specialised services, still require further development, piloting and refinement based on the actual experiences of service users. Women and girls' limited ability to access justice and security services that respond to their gender needs is further hindered by the fragmentation of the justice-security continuum. As noted by UN Women, there is a globally recognised 'need for institutional change at the level of organisational mandates, procedures and cultures to ensure justice services are accountable and accessible to women'.¹⁹ Meanwhile external challenges, such as the Israeli restrictions on access and movement, limit the overall functioning and jurisdiction of Palestinian justice and security actors, while the chronic insecurity that accompanies occupation continues.

Notwithstanding the existence of articles of the Palestinian Basic Law²⁰ establishing important rights which are to be enjoyed on the basis of equality and non-discrimination, many of the differing laws 'do not provide effective protection and access to justice to women' and in particular to women victims of violence.²¹ 'There is no specialist law on family violence and violence against women, and prosecutors and courts currently lack the legal framework and adequate capacity to provide robust and effective access to justice and security services. Applicable personal status laws reflect a lack of legal equality for women that limit their rights across many areas of life, including their right to divorce and their right to economic entitlements, both of which render it more difficult for women to escape violent relationships.'²²

In relation to independent monitoring of women's access to justice, progress has been made through the establishment of an observatory on women victims of violence access to justice, at the Palestinian Independent Commission for Human Rights (ICHR).²³ There is a need to build the capacity of justice and security institutions to develop gender sensitive indicators and collect reliable data, and thus further build upon the foundation of sex-disaggregated data and gender analysis generated through existing public perceptions and justice and security sector data surveys.

¹⁶ By 5.2%

¹⁷ 83.1% of those surveyed would not go to court to resolve a dispute cited 'court cases take too long' as the reason. This is a significant increase from 2011, when 50.2% cited this reason

¹⁸ According to the National Violence Survey (2011), 48.8% of married women (West Bank) and 76.4% (Gaza) are psychologically abused; 17.4% of women (West Bank) and 34.8% (Gaza) are physically abused; 11.8% (oPt) of married women are sexually abused by their husband

¹⁹ See: Progress of the World's Women (2011-2012): in Pursuit of Justice (UN Women)

²⁰ The Palestinian Basic Law, which functions as an interim constitution, was ratified in 2002 and has twice been amended; the latter of which shifted the oPt from a presidential system to a parliamentary one. Article 6 notes that Palestine is based on the rule of law, while Article 5 notes the separation of powers

²¹ See: Policing for Women's Security (UN Women, 2013, forthcoming)

²² *Idem*

²³ The Observatory was established by UN Women under the predecessor programme, to cover the West Bank, while under this Joint programme it will be expanded to cover the Gaza Strip, as well.

2. Rationale: A UNDP/UN Women Joint Programme

In order to advance sustainability and ensure that the gains made are not undermined, there is a clear need for ongoing investment in justice and security in the oPt. This was made explicit in the independent outcome evaluation of UNDP's Rule of Law & Access to Justice Programme in the oPt, which was categorical in its assessment of the achievements to date as mitigating in favour of continued funding and a subsequent phase, and has been a sentiment echoed in the portfolio reviews of different development partners and implementers.

National counterparts at all levels have called for UNDP/PAPP and UN Women to extend and deepen their rule of law assistance in the oPt, and existing donors have welcomed the prospect of ongoing engagement in the sector. At the same time, UNDP/PAPP and UN Women are also cognisant of important global developments that seek to strengthen collective UN assistance on rule of law, with a particular emphasis on joint approaches in the areas of justice, police and corrections.²⁴ This commitment to the UN delivering 'as one' in the oPt is manifested in the first UNDAF for the State of Palestine launched by the UN Secretary-General and the PA Prime Minister in August 2013, the strategic objectives of which both UNDP/PAPP and UN Women will be contributing to through this Joint Programme.

Given that the UN Women predecessor programme was devoted to Palestinian women's access to justice and Phase I of the UNDP programme had a strong focus on gender and women's rights, in line with both agencies' mandates, and with the UN efforts to maximise use of resources and to increase joint programming and implementation, this Joint UNDP/UN Women Programme was developed to create a powerful programmatic vehicle for achieving systemic change across the rule of law sector.

Against this backdrop, the Joint Programme signifies and articulates UNDP/PAPP's and UN Women's decision to merge their technical capacities and resources, refining their efforts to support the development of a gender responsive, human rights-oriented rule of law sector. It also provides a rich opportunity to engage a broader range of donors across both the justice and security sectors to enhance mutually desired developmental goals, maximise resources and increase coordination efforts.

Beyond specific areas of complementary substantive and technical expertise, which will add value through 'cross-pollination' of work streams, there is much to be gained specifically by embedding UN Women's gender mainstreaming role in the context of a larger Joint Programme. At the same time, the joint programming framework will ensure a more harmonised and coherent directional 'push' from the two implementing agencies, which will be especially critical to overcome political obstacles in the course of programme implementation.

Operationally, this approach will also maximise access to, and reduce duplication when dealing with PA institutions as well as civil society - an 'economy of scale' approach that will simultaneously reduce transaction costs and bolster efficiency when it comes to preparation of grant allocations to CSO partners, including by utilising UNDP/PAPP's now well-established civil society roster. By employing joint reporting arrangements at the level of programme implementation, as well as a coordinated approach to monitoring at the outcome level, the Joint Programme will be better positioned to ensure that its activities remain on track - and, where necessary, adapt - to contribute to the programme's overall purpose, in line with the theory of change articulated below.

Together with the lessons learned (below), these considerations have informed each part of the development of this Joint Programme, helping to frame planned interventions in accordance with comparative advantages, and guiding the programme's strategic and substantive approach.

²⁴ In particular, the new 'global focal point' arrangement for justice, police and corrections areas of the rule of law in post-conflict and other crisis situations (of which UNDP and UN Women are part), established by the UN Secretary-General in September 2012. This key policy development represents a robust attempt from the highest levels of the UN to enhance in-country coordination on rule of law, including through joint programming

Accordingly, the programme seeks to refine and connect UNDP/PAPP's and UN Women's engagements - scaling up, scaling down, or shifting the focus of interventions in line with a more strategic approach to maximise developmental impact and results.

3. Lessons Learned

In developing this Joint Programme, a meticulous analysis of current needs and gaps across the rule of law sector, alongside a mapping of the work of other development actors and an assessment of UNDP/PAPP's and UN Women's joint capacity and comparative advantages to fill these gaps, has informed the formulation of the proposed interventions. As noted above, the benefits of adopting a joint agency approach to gender programming was a key lesson learned by both agencies during their first phase of programming.

In addition to these considerations, critical internal review of the previous interventions undertaken by UNDP/PAPP and UN Women has helped identify those strategies and interventions most effective. As a consequence of this analysis, some aspects of the Joint Programme will consolidate and deepen the work begun under the predecessor programmes with renewed focus on anchoring the sustainability of support. However, significant modifications to the strategy have also been made in order to achieve better targeted interventions and fill identified gaps, such as further strengthening institutional responses to women and girls victims of violence across the justice chain and their access to justice in the family(*shari'a*) courts, anti-corruption efforts, police accountability, and improving the efficiency of court processes and enforcement of judgments. The following section highlights some of the key 'lessons learned' in the first phase of both programmes.

Spread political risks through balanced investment in both institutional and civil society actors

The architecture of the Joint Programme is based on a prudent balance of investments made across institutional and civil society actors. Targeting both the 'supply-side' and the 'demand-side' of the rule of law equation and maintaining a balance of support to institutional and civil society actors is the best possible insurance policy in the current uncertain political climate, especially ahead of the peace negotiations which are likely to be a turning point - though of what sort remains unknown. While a sudden collapse of the PA is unlikely, there is a reasonable risk that the PA may enter a period of decline, during which time civil society will increasingly be turned to by the population for the provision of public services.

In addition to ensuring a degree of stability, supporting civil society is essential to further improving state-society relations. CSOs, with their long history of excellent work across the oPt, have strong capacity that must continue to be nurtured especially in a climate of resource scarcity caused by the global financial downturn affecting the contributions that several key donor countries are able to make. Given that women's representation within justice and security institutions is low (especially at higher levels), it is particularly important to support female civil society leaders to occupy public space and demand that women be included in all aspects of decision making, with their rights respected and their needs reflected in public services.

In the event that the peace negotiations fail, the PA may well choose to opt for strategies aimed at increasing international pressure upon the government of Israel through, for example, pursuing and using membership of international organisations to strive for greater Israeli accountability and pushing for boycotts and sanctions against settlements and Israeli goods. As has been the case in the past, the Israeli government is likely to withhold customs duties and apply a wide range of new restrictions to maximise disruption to the lives of Palestinians. Third states are likely to come under considerable pressure to compel the PA to change course and may reduce their support to the PA. The degree to which third states respond to such machinations will likely play a decisive role in determining how the landscape of the conflict unfolds in the short to medium term.

In Gaza, where direct investment in institutions is not possible, work to build systemic change from the bottom-up will continue, however its impact will also still be slowed and constrained by this limitation. Community legal empowerment approaches remain nonetheless critical as they help build community resilience to the ever-shifting political and economic currents that continue to batter Gaza. Should political reconciliation between Hamas and Fatah eventuate, the programme will have long term partnerships to draw upon with the PA and civil society in both the West Bank and Gaza to support steering along a path towards a unified legal system. In this eventuality, some aspects of the programme may need to be renegotiated to ensure that a dedicated focus can be given to maximising the opportunities that such a breakthrough would bring. While it is difficult to plan for the range of possible scenarios that could eventuate, the Joint Programme is well positioned to adjust its strategy and investments to ensure maximum resilience to events as they unfold.

Frame interventions around identifying and addressing key gaps and bottlenecks across the full justice chain

The first survey of Palestinian justice and security sector data has provided an empirical base for more targeted diagnosis of key bottlenecks and weaknesses across the rule of law sector.²⁵ Areas of particular concern to emerge from this analysis relate to *inter alia*: the limited capacity to execute regular and *shari'a* court judgments; lack of institutional development of the *shari'a* courts holding back women and children's access to justice; weakness in particular areas of policing such as lack of judicial police services and gaps in police oversight and accountability; lack of mainstreamed policy frameworks and coherent, specialised services for women and children across the justice chain; gaps in support to anti-corruption efforts on both the institutional and civil society sides; and an overall deficit in capacity to generate reliable data and use it to inform policy development.

Continue to strengthen sectoral data and build on a results-based approach

As noted earlier, a clear gap exists across both justice and security sectors to establish reliable baseline data in order to inform policy interventions and measurably track progress. UNDP/PAPP's predecessor programmes made strong progress in this regard, generating much needed information through seminal annual public perception surveys and a survey of justice and sector data which proved to be important for institutions and donors/development partners alike. It also nurtured greater engagement of the PCBS to ensure a two-way capacity development exchange, linking substantive sectoral knowledge with PCBS' statistical know-how.

While much has already been achieved, it is evident that more efforts are needed to ensure the development and implementation of a comprehensive M&E strategy led by the Ministry of Justice (MOJ) and the Ministry of Interior (MOI) respectively, but harmonised across all relevant justice and security institutions and linked to national/sectoral planning processes. Again, the Joint Programme's presence throughout both sectors positions it well to achieve a coherent, linked M&E system. As the empirical knowledge products become increasingly available, year on year, the pool of comparative data will also expand thus increasing the Joint Programme's capacity to report on outcome-level results, and ensure strong M&E across the entire programme.

To complement these efforts, further investment in the development of key electronic resources for the justice sector, namely the MIZAN2 electronic case management system and the *Al-Muqtafi* legal database, both of which have proven to fulfil unique and central roles as critical tools used by all the institutions, the legal profession, academics and the public, should continue to be supported and further developed. Both provide extremely useful (qualitative) information which can be used for M&E purposes, e.g. the number of court judgements that refer to the Palestinian Basic Law and/or international norms and standards.

²⁵ See: A Review of Palestinian Justice and Security Sector Data (UNDP, August 2013)

The lesson learned from this experience is that an intensive and concentrated approach to this area is needed to achieve the linked and coherent M&E strategy and capacity required, thus an entire outcome of the Joint Programme is dedicated to reflect the priority attached to this issue under the Joint Programme.

Transfer knowledge and skills to create sustainable institutional capacity

The insertion of experts into each of the rule of law institutions proved to be an effective way of rapidly increasing capacity in key portfolios supporting institutional development. The work of the UNDP secondees indisputably boosted the technical functioning and development of each of the three core justice institutions. While some institutions were able to take advantage of the experts and develop real capacity through the secondees transferring their knowledge and skills to permanent civil servant staff, other institutions had insufficient staff to provide dedicated counterparts, and thus the sustainability of the increased capacity was lessened.

The institutionalised training programmes for staff also proved to be an effective way of increasing capacity of MOJ staff in legal, administrative and middle management capacities, as well as strengthening their understanding of obligations to accommodate the needs of women and children in developing policies and providing services. This is a model that could well serve the needs of other rule of law institutions, with the addition of more specialised courses in particular areas, while also combined with efforts to create or maintain environments conducive to the empowerment of staff, especially middle management, within their institutions.

Scale-up efforts to institutionalise gender responsiveness within justice and security institutions including through further developing specialised services to advance women's access to justice and rights

The first phase of the UNDP/PAPP programme had a strong focus on gender and women's rights, and several key successes were achieved, especially in relation to providing tailored legal aid and empowerment services to women, building increased capacity on gender in some institutions and supporting open legislative drafting processes to achieve improved draft laws in key areas affecting women. Necessarily, the predecessor UNDP/PAPP programmes took into account the interventions and expertise of others, including UN Women, working on justice services, especially for victims of violence, and in relation to the criminal justice chain.

The first phase of the UN Women programme, implemented - in relation to the Palestinian Civil Police (PCP) component - in close cooperation and with technical support from EUPOL COPPS, was able to attain key achievements, which went beyond expected results. While the PCP programme component aimed at increasing capacity and tools of the Family Protection Unit (FPU) in providing services for women victims of violence, through the implementation the PCP requested support to develop, as well, gender sensitive human resources policies and to embed the FPU training programme into the overall PCP training. UN Women and EUPOL COPPS worked together to provide the needed support to the PCP, and achieved to establish gender responsive, rights-based policy, regulatory, procedural and organisational frameworks, together with a capacity development programme for PCP. Based on the key principle of local ownership, the work conducted during Phase I of the UN Women programme was based on a close partnership implementation modality with the PCP, ensuring that the process was also linked to other relevant departments within the PCP, and with other governmental and non-governmental stakeholders involved in providing protection and services to women and girl victims of violence. These strong partnerships will hold the Joint Programme in good stead in further supporting the PCP to developing an understanding of gender issues and a gender sensitive organisational culture, which will support, in turn, the creation of a more conducive environment for women working within the PCP and better delivery of services tailored for women and girls victims of violence, including in relation to the implementing the FPU strategy. Through the work with the PCP/FPU, greater linkages with the AGO were created and similar understanding that specialised procedures for cases of women victims of violence are needed for prosecution, was developed. The basis for harmonising and

developing similar approaches within the AGO to prevent attrition of women's cases at the investigation, indictment and pre-trial stages and gradually transforming social attitudes and practices in relation to the treatment of women and girl victims of violence has been established and will be built upon through the Joint Programme. The Joint Programme will continue support the implementation of the AGO gender strategy, already started through the UN Women Phase I programme, including in relation to the development of tailored capacities and services, targeting cases of violence against women.

In addition, UNDP/PAPP's review of the parts of the justice system where women have the strongest presence, led rapidly to the conclusion that the *shari'a* courts are a key venue which are generally accessible to, and commonly used by women. Fundamental issues of women's human rights concerning their social and economic autonomy are decided not only through seeking criminal accountability but are more frequently addressed by the *shari'a* courts through cases involving validity of marriage, divorce, separation, property settlements, inheritance, custody and maintenance. In addition, many women who are victims of GBV avoid seeking justice through criminal complaints and rather seek only to obtain their personal status law rights through *shari'a* courts, being mostly deterred by strong stigma attached to disclosing the family violence faced and by community pressure not to pursue criminal complaints of violence especially against family members, who are by far the most likely perpetrators.

Shari'a court procedures and remedies are often more attractive to women than criminal justice options as they more frequently translate into concrete and practical results for women such as an income, release from obligations of marriage or custody of their children. In short, while strenuous efforts must continue to be invested in making criminal justice processes capable of fulfilling their responsibility to achieve perpetrator accountability to the victims and the society at large, and responsive to the rights of women and girls, especially victims of gender-based violence (GBV). This Joint Programme recognises the importance of promoting and protecting women's personal status law rights and will thus devote effort to supporting women's access to justice through *shari'a* courts, as well.

In approaching this issue, the Joint Programme is mindful that personal status laws in force in the oPt are governed by denomination-specific legislation, underpinned by religious principles, rather than principles of gender equality. While courts are, of course, bound to follow applicable laws, there still remains considerable scope for progressive judicial interpretation of personal status laws within the framework of the Basic Law and international standards, as well as considerable scope for favourable exercise of judicial discretion. In the case of the *shari'a* courts, especially those in the West Bank, the courts have shown considerable flexibility and willingness to exercise their judicial discretion in favour of creating more equitable outcomes for women and children.²⁶ Through its years of work, supported technically by UN Women since 2008, the experience of the Mehwar multi-purpose centre/shelter²⁷ in providing legal aid to women and girls beneficiaries has proven that positive and transformative use of existing laws in cases of violence against women, including in *shari'a* courts, is possible and can help women to realise their personal status-related rights.

There is scope to strengthen the capacity of the *shari'a* courts to provide gender-sensitised services and facilities, including an incremental, interpretative approach to substantive decision-making aimed at achieving greater empowerment of women and realisation of their rights, including gender equality. As, to date, the *shari'a* courts have been largely excluded from development assistance, the Joint Programme will focus on building institutional strength and improving public services, including through increasing the gender and child responsiveness of the courts' work. This new partnership will fill a notable gap on the 'supply' side of the Joint Programme's efforts to meet the justice demands of women and children. The Joint Programme will pay particular attention to possibly differentiated approaches of *shari'a* courts, particularly in East Jerusalem and the Gaza Strip.

²⁶ For example, the courts no longer apply a presumption that custody of girls be awarded to their fathers upon the onset of puberty

²⁷ For women and girl victims of violence, under the auspice of the Ministry of Social Affairs

Adopt a more holistic approach to improve functionality and rights protection across the whole justice chain

While it is well-known that justice and security are complementary in many aspects, in practice there are limited examples of holistic development approaches to integrating programming across both sectors. UN Women, with its focus on developing services for women and girls victims of violence across the justice chain, has already developed experience in linking justice, security and protection services. The attention dedicated to the Correction and Rehabilitation Centres (CRC) and their services and programmes for women inmates, together with the role of the Ministry of Social Affairs (MOSA) in this regard, has shown that in relation to striving for women and girls' access to justice, CRCs, through MOSA, need to be part of the programmatic equation. This link provides direct understanding of the situation of women in contact, and conflict, with the law, and the need to address the pursuit of justice for those most vulnerable and marginalised women who the law has transformed from victims of family violence into offenders.

One of the key points to emerge from UNDP/PAPP's Phase I experience was the need to pay close attention to the complete justice chain, especially to elements of policing that are particularly critical to ensuring functionality of the justice process, such as judicial police, police accountability, and access to security for women and children, which, as specific and targeted areas, require a more holistic development approach. This is in part the rationale for integrating police accountability work previously performed under the UNDP/EUPOL COPPS Joint Programme, in line with the approach of the predecessor UN Women programme, which by focusing on policing services for women, identified the need for expanded work within the justice sector. Achieving a joint programming framework between UNDP/PAPP and UN Women strengthens the new programme's efforts to provide coordinated and responsive justice and security services to women, especially those who are victims of violence, and children in contact with the law. The addition of these areas is necessary to 'bring to life' the justice and security nexus to improve the functionality, efficiency and coherence of the justice chain.

In relation to judicial policing, the challenges faced by the High Judicial Council (HJC) caused by its incapacity to reliably and efficiently conduct notifications and execute court judgments cannot be addressed without major improvement in the functionality and capacity of the judicial police, a key element largely missing from the justice equation.

Similarly, in relation to juvenile justice, the predecessor UNDP/PAPP programme also learned that value could be added through better use of a large and uniquely well positioned programme across the sector, and to concentrate on harmonising institutional responses to children, a key area of weakness. In addition, having undertaken a detailed case-based study of how juveniles fare throughout the justice chain, many roads led back to policing issues and early-stage decisions concerning whether to detain or not, and how to address child detainees' legal rights upon contact with police and their vulnerability to abuse and mistreatment. Some roads also led to the courts, with the most glaring problem being inefficient case management, with constant adjournments and delays creating a situation where the process itself becomes the primary punishment for the child. These are the areas that require concentrated attention and urgent action now, irrespective of whether the draft law is passed soon.

Increase community legal empowerment through further scaling up legal aid and legal awareness-raising

In relation to grassroots civil society contributions to strengthening the rule of law and providing greater community access to justice, UNDP/PAPP's predecessor programme found the provision of legal aid services to disadvantaged groups, especially women, children and communities in Area C and East Jerusalem, to be an effective way of achieving concrete results in the lives of individual beneficiaries while also having a systemic impact upon the responses of justice institutions to the justice needs and demands of these groups. This is the primary reason that the Joint Programme will scale up legal aid efforts, to achieve greater geographic coverage and accessibility of legal aid services and through further tailoring services to advance women's and children's rights and to maximise efforts to slow

displacement of Palestinians from 'Area C' and East Jerusalem. Grassroots legal aid approaches, such as those to be expanded in the Joint Programme, can help fulfil broader development goals, since human rights are inter-related and inter-connected, meaning that acquisition of one right will increase enjoyment of other rights, including economic and political rights.

This latter focus has become especially urgent given the pro-settler composition of the Jerusalem City Council following recent municipal elections, and the already sharp spike in new demolition notices and tenders for new or expanded settlements in or around East Jerusalem, issued since the commencement of peace negotiations. Blanket coverage of legal aid services in vulnerable Palestinian neighbourhoods to contest threats to Palestinian property or residency and robust contestation of each new settlement tender is needed to arrest mass demolitions and displacement of Palestinian communities.

Displacement frequently has a disproportionate impact upon women who are commonly at the centre of family life and the domestic economy. Similarly, women, who are on average less legally literate than men, have limited rights under discriminatory personal status laws and lesser economic power, often find themselves unable to challenge adverse Israeli decisions regarding residency and family reunification in East Jerusalem or have family law judgments enforced effectively across unlinked jurisdictions. Thus, there is also a strong gender dimension to preventing the loss of Palestinian homes and property, challenging adverse residency decisions and enforcing court judgments. These additional and increasingly urgent demands will likely require the Joint Programme to develop and implement a strategy for rapidly scaling up capacity to expand the pool of lawyers with relevant qualifications and skills to engage with the Israeli legal system and go 'door to door' to ensure coverage of legal aid for injunctive or other relief.

Foster a legal profession committed to social justice

An additional lesson learned from the UNDP/PAPP predecessor programme was the importance of working with universities to further develop clinical legal education programmes including legal aid clinics, moot court competitions and internships. Inculcating greater empathy and a shift in lawyers' mentality to play a role in addressing social justice needs of the community will support the sustainability of legal aid services and enhance the community service contributions that lawyers are willing to make. This work can be further developed through linking university legal aid clinics to the PBA and CSO legal aid providers with the aim of achieving greater synergies and support for *pro bono* legal service provision throughout the legal profession. To date, women have outnumbered men in their participation in clinical education programmes, boding well for a future where women lawyers will play a larger role in shaping the legal profession and using their legal and social knowledge to participate in public life and decision making.

UN Women's research on women's access to justice (forthcoming) revealed that women continue to be dissatisfied with lawyers' support of their attempts to access and obtain justice. Social attitudes based on gender stereotypes concerning women justice users are often reflected in the way that lawyers treat their female clients. Through its Phase 1 programme, UN Women supported the development, in cooperation with the PBA, of a training programme for lawyers to increase their skills in effectively representing women. The training programme will continue to be delivered to lawyers under the Joint Programme in order to build a pool of specialised professionals, including some from the CSOs targeted through the UNDP programme component.

Boost resilience of reform efforts by increasing focus upon empowering middle management-level civil servants and institutionalising reform processes

Due to uneven capacities across justice institutions with related functions and mandates, during the first phase of programming UNDP/PAPP invested heavily in building the internal capacity of the MOJ. Three years later, the MOJ is better able to fulfil many of its core functions; however, further

strengthening of planning, communications and management processes is still needed, along capacity development support in substantive areas of the MOJ's mandate as it relates to human rights, legal aid, gender responsiveness, international legal cooperation and legislative drafting. Thus, it is too early to significantly scale back support to the MOJ without undermining the investments already made.

Reflecting on work within the MOJ, internal dynamics did adversely affect development efforts during some periods. Regaining the momentum of the Technical Advisory Unit (TAU) has been difficult, especially following the reassignment of staff and loss of institutional memory through the departure of some UNDP secondees. The appointment of a new Minister has helped to recreate an environment conducive to progress; however, it has still taken time to fully empower the MOJ's middle management and reinstate the critical role that the TAU must play in supporting internal reform efforts.

The lesson learned from this experience is that promoting the full empowerment of staff and closely involving middle management in change processes can help bolster the resilience of internal reform efforts, and the Joint Programme will continue to apply this approach to its work with the MOJ, as well as with other rule of law institutions. Extending beyond this, the Joint Programme is well-positioned to play a convening role and forge inter-institutional linkages. As such, UNDP/PAPP and UN Women will continue to foster high level political will to help bring about the strategic reforms necessary to achieve improved justice and security service delivery.

Similarly, it is necessary to focus on the resilience and sustainability of the gender and juvenile justice capacity built within institutions, as these areas are more vulnerable to changes in structure, personnel or downsizing in environments where there is strong competition for resources. Given the limited representation of women in most justice institutions, especially at the middle and higher levels, close attention must be paid to institutionalising and implementing policies to recruit, retain and promote women staff in order to address the major gender imbalance across the rule of law sector.

Focus on fighting corruption to bolster public confidence and foster a culture of equality before the law

Corruption is a major concern and reaches deep into the everyday life experiences of every citizen- and indeed is itself a risk for the Joint Programme (see Annex A). It runs contrary to principles underpinning respect for the rule of law and hinders the realisation of human rights, economic development, and equality of opportunity - and mars citizen confidence in the state and its institutions. In recent years, the PA has taken great leaps forward in establishing robust institutions which have remained true to their independent character and fearlessly investigated and prosecuted cases of alleged corruption. This slow and difficult process of achieving cultural and normative change in favour of a society that genuinely respects principles of equality before the law must be proactively fostered, step by step.

To date, the Palestinian Anti-Corruption Commission (PACC) has made impressive advances in showing that it is serious in its fight against corruption. The lesson learned from UNDP/PAPP's engagement with the PACC is that momentum and support for the PACC must be maintained in order for it to further deepen its engagement with the public and its expertise to effectively investigate allegations of corruption and follow up on individual cases. In addition, anti-corruption measures are woven into all activities and interventions of the programme. For example, the Joint Programme will support and press partner institutions to ensure that all appointments are merit-based. Similarly, the Joint Programme will insist upon competitive procurement processes, in accordance with the high standards established by UNDP and UN Women's business processes. The programme's grant mechanisms are designed to prevent and detect corruption of any kind, and the careful scrutiny of all the grants by the Joint Programme team will help to change attitudes and mindsets regarding corruption.

4. Theory of Change & Deliverables

Problem statement

A rule of law system insufficiently effective to realise and protect the rights and needs of the population, especially women and children, thus hindering efforts to create the ‘social contract’ and further develop the conditions for a viable Palestinian state, based on justice, security and human rights.

Barriers to the change

As evidenced in the contextual analysis above, several barriers negatively affect the ability of citizens, especially women and children, to access gender responsive justice and security services capable of realising and protecting rights and enhancing the rule of law in the oPt:

- Capacity deficits in justice and security sector institutions;
- Gaps and ambiguities in legal and organisational frameworks;
- Entrenched legal and social discrimination against women;
- Lack of institutional culture of gender equality and equity;
- Existence of legal pluralism, including formal, informal; state, non-state; different legal frameworks applied in the Gaza Strip, the West Bank and East Jerusalem;
- Low legal literacy and lack of access to quality legal aid;
- Insufficient coordination among justice, security and protection actors, including to address systemic gaps and bottlenecks;
- Limited civil society monitoring and advocacy capacities; and
- Lack of institutionalised monitoring systems across the justice chain, causing a deficiency of reliable justice and security sector data to provide a basis for informed policy development, targeted interventions and measurement of progress

These issues are compounded by the on-going Israeli occupation and the situation of internal political split and geographic discord. As a consequence, the oPt continues to suffer from weak rule of law, negatively affecting the lives of the entire population, with particular repercussions for vulnerable groups, including women and children victims of violence and those in contact with the law, who are often not afforded basic physical and legal protections. The resulting erosion of citizens’ trust in justice and security institutions, and the erosion of the social fabric have chronic and far-reaching implications for peace, security and development, creating additional vulnerabilities, with the potential to sustain further cycles of conflict, violence, including violence against women and children, and deepen social exclusion and discrimination.

Overarching change hypothesis

Improving the capacities, coordination and linkage of institutional and civil society actors, will enable the rule of law system to become more equitable and accountable to the rights and responsive to the needs of the population, especially those of women and children. This will, in turn, reinforce the ‘social contract’, and further develop the conditions for a viable Palestinian state, based on the rule of law.²⁸

Evidence in support of proposed approach

While the Palestinian context in some ways represents a singular situational reality - and indubitably necessitates a nuanced and carefully tailored response to its challenges - this change hypothesis is broadly consistent with contemporary global scholarship and practice on conflict, security and

²⁸ The UN Secretary-General defines the rule of law as ‘a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency’. (See: Report of the UN Secretary-General: The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies, UN Doc. S/2004/616 (23 August, 2004)

development, such as that articulated in the 2011 World Development Report (WDR), which posits that strengthening institutional legitimacy and investing in citizen security, justice and economic empowerment are essential to reducing violence and maximising development prospects.

The relevance of this hypothesis is moreover exemplified in best practices around the world, from El Salvador, to Liberia, to Timor-Leste.²⁹ The UN Women global flagship report: '2011-2012 - Progress of the World's Women: In Pursuit of Justice' identified the importance of adopting a holistic approach to making justice systems work for women. The UNDP/UN Women Joint Programme encompasses the holistic approach and takes into direct account in the implementation, all recommendations relevant to the Palestinian context, including, among other things, supporting women's legal organisations, implementing gender-sensitive law reform, putting women on the front-line of law enforcement, training judges and monitoring legal decisions.

Several aspects of this approach to change were commenced three years ago through the predecessor UNDP/PAPP and UN Women rule of law programmes. Despite the challenging conditions, and while much remains to be done, there is a growing body of evidence to suggest that work aligned with this change hypothesis has already started to produce positive trends *in situ*, and that the desired social contract is progressively developing.³⁰ The aim of this further elaborated theory of change is not merely to keep things moving along this generally encouraging trajectory, but to accelerate positive change in the coming three years, and to address those areas in need of greater attention or renewed approaches to improve consistency of outcomes across the spectrum of interventions.³¹

As the WDR also emphasises, 'coordination across justice agencies is critical to reduce impunity, and [in order for reforms to be successful] effective linkages including with the judiciary must exist between the police and other justice institutions, and public prosecutors.'³² Women and children are especially prone to fall into cracks if linkage gaps are not addressed in a concerted fashion. By scaling up engagement with elements of the Palestinian security sector in carefully identified areas, therefore, the Joint Programme assumes a more holistic approach to strengthening accountability and enhancing the functional linkages across the justice chain - a critical element in this theory of change.

Seven priority outcomes have been identified as the necessary building blocks, or pillars, for achieving the desired change as per the overarching change hypothesis. The paragraphs below illustrate in more detail how these seven outcomes, which form an enveloping macro programme framework, will effectively ensure the link between activities, outputs, and the fulfilment of the Joint Programme's

²⁹ See, for instance, 'Strengthening the Rule of Law in Conflict-affected and Fragile Situations: UNDP Global Programme Annual Report 2012' (UNDP, 2013); in El Salvador, a comprehensive approach to violence and crime prevention, including through the roll-out of a national strategy led by the Ministry of Justice, has led to tangible security benefits, with an average of 41.5 percent reduction in crime in targeted municipalities; in Liberia, a sector-wide Justice and Security Joint Programme has empowered the Ministry of Justice to instigate decentralised justice and security services across the country, with 'hubs' encompassing police, courts, state prosecution, defence and corrections in a 'one-stop' model, an effort that is increasingly yielding results in relation to tackling GBV, resolving tensions at the local level, and building public trust and confidence; in Timor-Leste, building an entire justice sector from the ground up has been a key priority since the country's independence in 2002, with national ownership of this process considered to be central to transformative change

³⁰ See: Public Perceptions of Palestinian Justice and Security Sectors Survey (UNDP, forthcoming). Since 2011, more Palestinian men and women are accessing justice, security, and support services provided by the PA and civil society; greater numbers see these as legitimate, independent, and effective; legal literacy has increased; the gender-justice gap has decreased and access to justice has generally become more equal including in relation to the poor, women, youth and the less-well educated; and improved access to, and confidence in, PA justice and security institutions has translated into greater public contact with the justice system

³¹ One such renewed approach that complements the work to be done on access to justice is the focus on prevention, which is contained in several outputs and activities of the Joint Programme. As noted in UN Women's Strategic Plan (2014-2017), several of the adopted conclusions and recommendations of the 57th session of the Commission on the Status of Women strengthened member states' commitments to prevent and end all forms of violence against women. For instance, it was recommended that member states: a) develop and implement educational programmes and teaching materials for students and practicing lawyers (legal education, output 2.2 and activities 3.2.1 and 3.2.4); b) carry out awareness-raising and education campaigns, in cooperation with civil society organisations through different means of communication (outputs 2.3 and 3.3); and (c) mobilise institutions to address and change attitudes, behaviours and practices that perpetuate and condone gender stereotypes and all forms of discrimination and violence against women (activities 5.1.4 and 5.2.1)

³² World Development Report (World Bank, 2011)

stated purpose - that of increasing the responsiveness, coherence and accountability of government institutions and civil society to provide equitable justice and security to the entire population.

Outcome 1: Capacity of justice and security institutions strengthened and linkages forged

1.1: MOJ's technical capacity strengthened in relation to planning, M&E, policy advice, capacity of legal and administrative staff, legislative drafting, legal aid institutionalisation, international legal cooperation, and gender and juvenile justice (UNDP, cross-cutting with outputs 4.1, 4.2, 4.3, 5.5, 5.6, 6.3 and 7.1)

1.2: HJC's technical capacity strengthened in relation to planning, donor liaison, project management, M&E, capacity of court and administrative staff, further development and implementation of MIZAN2, judicial inspections work, execution of judgments and gender and juvenile justice (UNDP, cross-cutting with outputs 4.1, 4.2, 4.3, 5.2, 5.5, 5.6, 6.5 and 7.1)

1.3: AGO/PP's technical capacity strengthened in relation to planning, donor liaison, project management, M&E, capacity of legal and administrative staff, taking into account gender and juvenile justice considerations (UNDP, cross-cutting with outputs 4.2, 4.3, 4.4, 5.2, 5.5, 5.6, 5.7, 6.3, 6.5 and 7.1)

1.4: Legislative drafting skills enhanced across the legislative chain, with a focus on promoting and protecting gender equality (UNDP, cross-cutting with outputs 4.1 and 6.1)

1.5: Specific needs of the *shari'a* courts identified and supported, especially in the areas of planning, donor liaison, M&E, electronic case management, capacity of administrative and court staff, and gender and juvenile justice (UNDP, cross-cutting with outputs 4.1, 4.2, 4.3, 5.1, 5.2, 5.5, 5.6 and 7.1)

1.6: PCP's technical capacity strengthened in relation to IT, M&E, professional standards, internal complaints mechanisms, and judicial notifications and enforcements, taking into account gender and juvenile justice considerations (UNDP, cross-cutting with outputs 4.2, 4.3, 4.4, 5.1, 5.3, 5.5, 5.6, 6.4 and 7.1)

1.7: Institutional development of the Corruption Crimes Court supported (UNDP, cross-cutting with 1.2, 4.1, 4.3, 5.2 and 7.1)

1.8: Institutional development of the Palestinian Anti-Corruption Commission supported (UNDP, cross-cutting with 1.3, 4.2, 5.2 and 7.1)

1.9: Coordination and cooperation amongst rule of law actors improved with a focus on technical level cooperation between justice and security sector institutions and support to their efforts to clarify functional mandates (UNDP, cross-cutting with outputs 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8 and 5.6)

Drawing on the Joint Programme's underlying theory of change, strengthening the institutional capacity of the PA to provide justice and security services in an effective and accountable manner to enhance public trust and confidence is critical. To this end, support will continue to target the key institutions of the MOJ, AGO and HJC, but with a more balanced approach between the justice triad. In addition, based on emerging evidence discussed above, support will also focus on the *shari'a* courts. In order to strengthen the entire justice chain, the HJC legal notification department require urgent support, while within the PCP work will continue with the three oversight and accountability units, in conjunction with IT support to help develop the institutionalisation and sustainability of workflows. A strategic focus on the systematisation³³ and democratisation of legislative drafting approaches will contribute to law reform efforts, essential for achieving improved functioning of the justice system, while improving coordination and cooperation amongst the main rule of law actors is regarded a critical cross-cutting objective of the Joint Programme. Meanwhile anti-corruption efforts remain critical, as corruption represents a major threat to, *inter alia*, the development and availability of equitable rule of law services for all. Besides building capacities in the individual institutions, emphasis will be placed on the coordination and functional cooperation between them, both through the programme as well as by

³³ As laws are currently passed in a rather *ad hoc* manner, the Joint Programme intends to both strengthen legislative drafting capacities and to improve overall participation, inclusion and coherence, notwithstanding the ongoing contest concerning the roles of the MOJ and the *Diwan al-fatwah wal tashri*

strengthening existing cooperation and coordination mechanisms, legal frameworks and bolstering IT system capacities across the rule of law sector.

In terms of *how* these capacities within institutions will be built, UNDP/PAPP and UN Women have carefully reviewed their institutional capacity development experiences and designed a strategic, targeted approach which will build upon successful methods while modifying others to address areas of continuing need and gaps. The change sought will be achieved through employing four key approaches, to be pursued in close conjunction with national counterparts such as Birzeit University and the Palestinian Judicial Institute (PJI). First, as the functions of the institutions concerned are all inter-related, the capacity development effort will be carefully balanced between the different rule of law institutions to ensure measured, comparable and properly sequenced development that reinforces each institution's proper mandate. Second, the change will be achieved through concentrating upon sustainably strengthening capacities across a number of critical areas necessary to drive institutional development. These include *inter alia*, (gender) responsive: strategic planning; budgeting; organisational change and reform processes; data collection and analysis; monitoring and evaluation; policy development; human rights (including gender) mainstreaming; donor liaison and case management processes. These processes will have an outward public service orientated focus to ensure that institutions become more responsive to human rights and public needs and will be implemented through an inclusive democratic frame engaging civil society partners.

The third approach to achieving change will be through employing a range of capacity development approaches and providing learning opportunities such as via mentoring, coaching, institutionalised and *ad hoc* training programmes tailored to each institution and focused especially on the middle management level, where the greatest improvement in capacity is needed. Established diploma training programmes for legal professionals, administrators and middle managers - previously organised in conjunction with Birzeit University - have proved highly successful, especially in the absence of a fully functioning PJI. However the Joint Programme also stands ready to step up support to the PJI as and when a new director is appointed and the Institute is able to move back on track.

The fourth prong is to develop strong relationships with the senior management of each institution to ensure institutional ownership and carriage of change processes and to also provide senior officials with opportunities for professional development to build their capacities to lead and usher in reform processes within nascent institutional environments.

To the greatest extent possible, change processes themselves will be institutionalised to ensure their sustainability long beyond the life of the programme, and will be linked together to enable cross-institutional learning and boost resilience to fluctuations within individual institutional environments.

Outcomes 2 & 3: Civil society contribution to rule of law and community access to justice enhanced (West Bank and Gaza)

- 2.1: Capacity of CSOs strengthened to deliver quality legal aid services to vulnerable individuals and communities, with a focus on women, children and Palestinians living in Area C and East Jerusalem (UNDP, cross-cutting with outputs 3.1, 5.3, 5.4, 5.5, 5.6, 5.8, 6.2 and 7.3)
- 2.2: Quality of legal profession strengthened to enhance community access to justice (UNDP, cross-cutting with outputs 4.1, 4.3, 5.5, 5.6, 6.2 and 7.1)
- 2.3: Support an enabling legal environment conducive to increasing citizen oversight and community access to justice in the West Bank (UNDP, cross-cutting with outputs 3.3, 3.4, 3.6, 5.5, 5.7 and 7.3)
- 2.4: Engagement with informal justice actors and processes to increase observation of international standards of fairness, especially in relation to gender and juvenile justice (UNDP, cross-cutting with outputs 3.3, 3.4, 3.6 and 5.7)
- 2.5: Support harmonised approach to rule of law development in the West Bank and Gaza (UNDP, cross-cutting with output 3.5)
- 3.6: Formal and informal justice actors and processes monitored through the observatory,¹ with a focus on access and impact on women and girls (UN Women, cross-cutting with outputs 3.1, 3.3 and 3.4)
- 3.7: Awareness of GBV, legal rights available justice, security and social protection services and institutional roles and responsibilities increased amongst communities, CSOs and professionals (UN Women, cross-cutting with outputs 3.1, 3.2, 3.3 and 5.5)

While effective and accountable rule of law institutions and solid coordination are essential for sustainable protection and development, change will be swifter and more resonant if it is also driven by grassroots demands. Citizens must be empowered to demand change and access to improved services at the community level, including through building awareness and advocacy on justice and human rights, and increasing provision of legal aid and assistance. By supporting CSOs to strengthen delivery of quality legal aid services - including via direct grants and through the establishment of a network of legal aid providers in the West Bank, in conjunction with the PBA (to complement the existing Awn network in Gaza)³⁴ - the Joint Programme will help ensure that immediate barriers to justice are overcome and will advance provision of legal aid services. Ultimately, a national, institutionalised legal aid scheme is the best means of ensuring sustainability of legal aid services (and for this reason the Joint Programme, under Outcome 1, prioritises support for the MOJ in relation to developing and implementing such a scheme). Until such a national scheme is in place, however, it is essential to continue supporting CSO-provided legal aid services. Universities too are well placed to reach out to the community's most disadvantaged groups and have the added strategic value of being able to inculcate social justice values in future legal professionals. Thus university legal aid clinics and 'applied law' pedagogies will be supported to advance a vision for medium and longer term social justice and change.

In terms of reach, the programme will scale up support as it relates to legal aid provision and awareness-raising for women while also targeting previously under-served but critical geographical areas, namely 'Area C' and East Jerusalem, with a view to protection of the most vulnerable and marginalised and to prevent the forced displacement of Palestinians driven by the occupation settlement enterprise. 'Arming' disadvantaged social groups with legal knowledge and lawyers to assist them in formulating and launching their legal claims for rights, will also 'feedback' into institutional service providers who will be increasingly compelled to better meet and accommodate previously unvoiced justice demands,

³⁴ The Awn Network was able to serve more than 23,000 people in 2012, and has been especially effective in its engagement with informal justice actors, focusing in particular on gender, and also drawing linkages with other UN agencies such as UNRWA, OHCHR and OCHA

increasing social inclusion, community empowerment and rights protection for women and other disadvantaged social groups.

Work on human rights advocacy will continue, however its focus will shift to CSO monitoring, advocacy and engagement with Palestinian justice and security institutions, helping to bring about change by building mutually reinforcing dynamics between the government and civil society, while also encouraging justice and security institutions to draw upon and benefit from the significant expertise that exists among CSOs. By representing a pathway to a more informed and engaged population, Palestinian and Israeli CSOs will be able to support individuals in the realisation of their rights and ensure better justice and security service delivery through on-going monitoring and oversight.

In the Gaza Strip, the Joint Programme will work to reinforce and scale up CSO's role in legal aid provision, monitoring of judicial processes and outcomes, and advocacy for legal and judicial reforms - with specific attention to gender issues, working to empower CSOs to support women's access to justice, to monitor and report on the application of international standards of fairness in women's legal cases (in both the formal and informal justice systems³⁵), and to advocate for judicial and legal reforms favourable to women. Capacity development support of the members of the Awn Network will be scaled-up through training, knowledge-sharing and networking, and maintaining a legal aid database and monitoring the rule of law sector.³⁶ Beyond accompanying and cushioning disadvantaged Gaza communities through especially difficult times and achieving individual rights outcomes, these services will help build community resilience and articulate a citizen-driven expectation of accountability and responsiveness from the *de facto* authorities.

Accountability responsibilities, especially in relation to gender equality and women's rights, are not exclusive to institutional actors, but must be borne by all agents of social change in society. As well as investing to build specific competences of CSO lawyers to work on women's cases, the Joint Programme will work closely with the ICHR to extend the outreach of the observatory, building the capacities of CSOs to provide relevant and consistent data to feed into the observatory database to expand understanding and create a solid knowledge base for improving women's access to justice. Non-state actors play especially prominent roles in relation to women's rights and access to justice and thus the observatory will also target customary justice processes and outcomes looking at their actual impact on women's lives and assessing whether they reinforce discriminatory patterns or truly increase women's benefit.

Outcome 4: Gender responsiveness of justice, security and legislative actors strengthened

4.1: Capacity of the MOJ, HJC, *shari'a*(family) courts, PMF and PBA to develop and implement gender responsive draft laws, policies and frameworks strengthened (UNDP, cross-cutting with outputs 1.1, 1.2, 1.3, 1.5, 1.6, 4.2 and 5.2)

4.2: Capacity of the MOI, PCP, AGO/PP, MOSA and MOWA to develop and implement gender responsive draft laws, policies and frameworks strengthened, including guidelines and tools for the rehabilitation of women and girls in conflict with the law (UN Women, cross-cutting with outputs 1.1, 1.2, 1.3, 1.5, 1.6, 4.1, 4.3, 5.1, 5.2 and 5.4)

4.3: Capacity of the Council of Ministers and its sub-committees enhanced to include gender equality principles and reflect human rights norms and standards (UN Women, cross-cutting with outputs 1.4, 4.1 and 4.2)

4.4: Gender sensitive M&E systems developed and implemented in the justice and security sectors in conjunction with PCBS (UN Women, cross-cutting with outputs 7.1, 7.2, 7.3 and 7.4)

As highlighted in the new National Justice Sector Strategy (2014-2016), a priority objective for the PA is to enhance a legal and judicial environment responsive to human rights and protecting basic freedoms

³⁵ In the Gaza Strip, some 90 per cent of the population utilises informal justice mechanisms to resolve disputes. See: Strategic Review (UNDP, August 2011)

³⁶ Palestinian Bar Association, Access to Justice Network - Four Year Strategic Plan (2013-16), February 2013

of all citizens. In order to achieve this objective, it is crucial to look at the different needs, conditions and outcomes of men and women when accessing justice and security services. As voiced in the National Strategy to Combat Violence against Women, there is a need to build specific systems and mechanisms within each institution delivering justice and security, thus implementing a holistic approach for the development of the rule of law sector in the oPt.

The Joint Programme focuses on integrating gender in all areas of intervention and all segments and functions of the judicial system, and to pursue specialisation of institutional cadres as a privileged tool to apply and maintain a sustainable gender responsive rule of law system. Special attention will be given to addressing violence against women and girls, as well as addressing the condition of women prisoners and detainees, for whom disclosing their background history of violence and discrimination, in many cases, may lead to women's criminalisation producing one of the most radical forms of re-victimisation: women's confinement into a status of 'social death'.

To increase gender responsiveness of justice and security institutions, Joint Programme interventions will support women judicial and security officials' acquisition of leadership skills and positions, access to career development opportunities, and develop special competences in their field of work integrating gender competences as added value. Interventions will also concentrate in continuing to develop and implement policy and regulatory frameworks tailored to address gender equality gaps within the justice and security institutions, embedding within the same institutions the capacity to identify, analyse and address such gaps.

On the level of legislation, notwithstanding the inactivity of the PLC, an important entry point to influence human rights-based legislative reforms is the support to the Council of Ministers to revise, and build in-house capacity to revise (draft) laws, regulations and policies from a gender equality and human rights-based perspective before being submitted for endorsement. Key laws that will impact women and girls' access to justice capacity as well as State accountability to women and girls' human rights are currently awaiting revision and endorsement, such as the Family Protection Law and the Law regulating the *Shari'a* Courts. The Joint Programme will support the Council of Ministers and its committees to increase their capacity to fulfil international standards and gender equality principles in relation to law drafting and revision and it will, as essential component to achieve greater gender responsiveness of justice, security and legislative actors, support capacities to understand, embed and fulfil international standards and principles of gender equality as encompassed by CEDAW.

Outcome 5: Women and girls' access to justice and security improved by ensuring accountable service provision to prevent, protect and respond to violence, and by addressing their broader legal needs

5.1: Availability, accessibility and appropriateness of policing services (*inter alia* through the FPUs) for women and girls, including those threatened by or experiencing violence, improved (UN Women, cross-cutting with outputs 1.6, 3.6, 4.1, 4.2, 5.7 and 6.4)

5.2: Availability, accessibility and appropriateness of prosecutorial, judicial and legal services for women and girls, including those threatened by or experiencing violence, improved (UN Women, cross-cutting with outputs 1.2, 1.3, 1.6, 3.6, 4.1, 4.2 and 5.7)

5.3: Lawyers' capacity to provide gender sensitive legal services and rights-based advocacy for women and girls strengthened and monitored (UN Women, cross-cutting with outputs 2.1, 2.2, 3.1, 3.2 and 5.4)

5.4: Tailored legal aid services provided to women and girls (UNDP, cross-cutting with outputs 2.1, 2.2, 3.1, 3.2 and 5.3)

5.5: Awareness of GBV, legal rights, available justice, security and social protection services and institutional roles and responsibilities increased amongst communities, CSOs and professionals (UN Women, crossing cutting with outputs 1.1, 1.2, 1.3, 1.5, 1.6, 2.3, 3.3, 4.3 and 4.4)

5.6: Multi-sectoral coordination and cooperation improved to enhance, monitor and document women's and girls' access to justice and security (UN Women, cross-cutting with outputs 1.9, 4.3 and 4.4)

5.7: Formal and informal justice actors and processes monitored through the observatory,¹ with a focus on access and impact on women (UN Women, cross-cutting with outputs 2.3, 2.4 and 3.3)

In order for women and girls to be able to engage with formal justice processes, a reliable service safety net needs to be in place, providing for their physical security, legal, social and economic protection rights, including throughout often protracted, socially contested and complex legal proceedings. The Joint Programme will thus continue to work towards systemising and standardising justice and security services delivered to women and girls, including those threatened by or experiencing violence. In particular, the programme will work to strengthen policing, prosecutorial and judicial services in relation to their responsiveness to women and girls' specific needs and rights, including vis-à-vis cases of violence. In this regard, the Joint Programme will include specific interventions to implement the FPU Strategy and minimum standard guidelines signed by the Chief of Police in June 2013, application of standard operating procedures and delivery of tailored training programme. Interventions will also include sensitisation of police on women's specific needs and rights, including of victims of domestic violence or other women in contact with the law, aimed at reducing discriminatory attitudes and behaviours. Building on Phase I of the UN Women programme, networking initiatives and coordination mechanisms between police and governmental and non-governmental providers of social and legal services for women and girls victims of violence, suspects or witnesses, will be put in place, taking into consideration the referral protocols already in existence. While specialisation is a necessary initial strategy to ensure capacity is built amongst a cadre of professionals across the entire security and justice chain, the aim is to expand and generalise the model right across institutions, so that no matter where a woman turns to for help, she will reliably receive gender sensitised, professional support from any justice or security personnel. Building reliable support will increase women's confidence and ability to use justice processes and thus expand their access to justice and state protection.

In relation to the Public Prosecution, UN Women will build on the work accomplished through the Phase I of the programme, and will support implementation of the AGO gender strategy; sensitisation of judges on gender and justice systems, CEDAW, VAWG and women's rights will also be a part of the designed interventions.

Work will be carried out to support the strengthening of existing, as well as the development of new, multi-sectoral coordination mechanisms, thus increasing access and maximising justice and security service outcomes for women. Within the framework of this Joint Programme, the partnership with the

Ministry of Women's Affairs (MOWA) and the National Committee to Combat VAW will also be strengthened to support the implementation of the National Strategy to Combat Violence against Women with regards to women's access to justice and security.

On the level of legal aid services, in the West Bank as well as in the Gaza Strip, the Joint Programme will scale up earlier capacity development initiatives, also through including a specific component on gender and violence against women. The Joint Programme will pilot the special guidelines for women's legal representation drafted in partnership with the PBA within UN Women's Phase I, and it will provide a monitoring mechanism for assessing impact of legal aid on formal and informal justice outcomes for women and girls. Linkages between CSO and the observatory will be strengthened for expanding monitoring outreach encompassing results which concerns isolated communities. Capacity development of ICHR and CSOs will be fostered to enhance gender-based analytical skills so as to produce relevant surveys and studies on women's access to justice, also taking into consideration informal justice systems and the situation of East Jerusalem.

Outcome 6: Juvenile justice and adherence to child rights improved

6.1: Legislation related to juvenile justice and its enforcement introduced/amended in line with international standards and accession to CRC supported (UNDP, cross-cutting with outputs 1.1, 1.4, 4.1 and 4.2)

6.2: Children's access to justice improved through tailored legal aid services and more equitable informal justice processes (UNDP, cross-cutting with outputs 2.1 and 3.1)

6.3: Institutional juvenile/child responsiveness enhanced by 'mainstreaming' policies and procedures relating to children's rights (UNDP, cross cutting with outputs 1.1, 1.2, 1.3, 1.5, 1.6, 4.1 and 4.2)

6.4: Institutional development of the PCP's Juvenile Police Unit supported (UNDP, cross-cutting with output 1.6 and 5.1)

6.5: Development and implementation of specialised juvenile prosecution and court services in both the regular and *shari'a* courts supported (UNDP, cross-cutting with outputs 1.2, 1.3, 1.5 and 5.1)

Nearly 60 per cent of the Palestinian population is under the age of 18, and while local actors and commentators have noted that the environment for juvenile justice reform is enabling, more work needs to be done to ensure functional capacity.³⁷ Given the particular vulnerability of children, especially in the context of occupation, the protection of children's rights within the justice system is therefore a particularly critical need.

By supporting the integration of international standards relating to children in draft legislation, the Joint Programme will ensure that appropriate legal frameworks and protections are in place for juveniles. Meanwhile, in order to guarantee that these protections are upheld, the programme will support the provision of legal aid services for children. In this regard, the programme will both engage CSOs specialised in legal aid provision for children, and also work to build the capacity of the MOSA to provide in-house legal aid services to juveniles in conflict with the law. By working to train juvenile counsellors and improve the facilities of juvenile rehabilitation centres, the Joint Programme will ensure that these reforms are more effectively institutionalised. The needs of both boys and girls coming into contact with the justice system, as defendants and complainants, will be addressed through the provision of specialist legal aid services and coordination of interventions across the multi-disciplinary sector. By working to mainstream policies and procedures relating to children's rights in justice, through and in partner institutions (including the MOJ, AGO, HJC and *shari'a* courts), the Joint Programme will guarantee a holistic approach to juvenile justice. Meanwhile, by working with the PCP Juvenile Police Unit to implement relevant SOPs and policies, the programme will contribute to strengthen appropriate treatment of children in conflict with the law. Children, like women, face particular challenges in

³⁷ 'Juvenile Justice System in Palestine: Current Situation and Reform Prospects', Qafisheh M., *International Journal of Law, Family and Policy* (Oxford University, 2011)

navigating justice processes and thus the heightened importance the Joint Programme will place upon achieving well-coordinated, harmonised change processes across institutional and civil society change actors alike.

Outcome 7: Capacity of key actors and stakeholders to monitor progress and results in rule of law development increased.

7.1: Enhanced national capacities to establish a robust M&E, data collection, reporting and policy-development strategy across the rule of law sector by providing technical support to sustainably implement the strategy in each institution (UNDP, cross-cutting with outputs 1.1, 1.2, 1.3, 1.5, 1.6, 1.7, 1.8 and 4.4)

7.2: Capacity of PCBS developed to conduct empirical knowledge products including public perception surveys, surveys of justice and security sector data and other surveys/studies as needed to fill knowledge and data gaps (UNDP, cross-cutting with outputs 4.4, 7.1 and 7.4)

7.3: Capacity of CSO partners developed to enhance their capacity to monitor, evaluate and report on results (UNDP, cross-cutting with outputs 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 7.1 and 7.4)

7.4: A coordinated, programme-wide, results-based approach to monitoring, evaluating and reporting on programme results adopted (UNDP, cross-cutting with outputs 7.1, 7.2 and 7.3)

In spite of increasing international experience in the field of monitoring and evaluation, numerous challenges present themselves when it comes to measurement of outcome-level change. Monitoring and evaluating justice and security sector development and the impact of assistance activities is nevertheless essential to enable stakeholders to continuously adapt approaches. Moreover, it is essential that this process is nationally owned in order to ensure sustainability. Collecting baseline and regular follow-up data, and developing the capacity of national counterparts to monitor progress in the justice and security sector is therefore critical. It also allows assistance to be carefully tailored to the context, taking account of shifting realities and mitigating the risk of harm. Monitoring and evaluation interventions are cross-cutting and thus threaded across a number of programme outcomes to reflect the aim of ensuring even development of monitoring and evaluation capacities across the justice and security continuum. It is envisaged that representatives from all justice institutions will regularly come together, along with the PCBS, within the Justice Sector Working Group monitoring and evaluation subcommittee, to monitor implementation of the Justice Sector Strategy. This programme will support these efforts, while also linking the monitoring and evaluation efforts of security institutions relevant to the justice chain.

By working to develop the capacities of partner institutions and civil society in the area of gender sensitive monitoring and evaluation, including by embedding specific expertise (see also outcome 1) and institutionalising systems appropriately, UNDP/PAPP and UN Women will better ensure that progress across all outcomes is sustainable. If this expertise in the institutions is effectively internalised, the same institutions will be better able to identify their own needs and gaps, comprehend the successes (or failures) of interventions, and plan their own policy development. By supporting the Palestinian Central Bureau for Statistics (PCBS), the programme will ensure that the most pertinent gender sensitive indicators and data are available to inform gender-based planning in the sector, and to measure results. Meanwhile, by enhancing CSO capacity in this regard (in particular via training and the sharing of best practices), the Joint Programme will reinforce their ability to implement results-oriented projects and monitor sectoral progress.

5. Strategy

Closely related to this theory of change, and building on detailed analysis and experience of the rule of law sector and overall context in the oPt, as well as best practices from elsewhere, the Joint Programme and its implementation is built upon a number of approaches, which infuse the seven Outcomes around which the programme is constructed. At the same time these approaches - as with the outputs and

activities of the programme itself - represent particular assumptions. Accordingly, more developed elucidation is warranted here of how these fit with the overall formulation of the Joint Programme, and how they inform specific activities in order to contribute to the change process. In this way, it is possible to chart causal pathways from the activity and output level to positive outcomes and progress towards the Joint Programme's ultimate goal - that of contributing to the establishment of a viable Palestinian state based on the rule of law.

Genuine national ownership of the development process is necessary to ensure sustainability and build systemic resilience

It is assumed that the Joint Programme will be able to garner sufficient national ownership of the development process to ensure that all interventions are fully internalised by national counterparts. In line with UN values, UNDP/PAPP and UN Women are committed to promoting national ownership and supporting their partners in adopting only applicable and sustainable models. In this way, UNDP/PAPP and UN Women will be better able to ensure the sustainability of reforms undertaken in the course of the programme. This commitment to national ownership and capacity development is part of UNDP and UN Women's corporate approaches which are monitored through capacity development tracker tools to measure against objective criteria, the degree to which programmes succeed in developing national capacity and ownership, as they are rolled out.

As with the previous UNDP/PAPP and UN Women programmes which were closely aligned to the PA's broader goals of state building, peace-building and equitable development, so too the development of this Joint Programme has been conducted in parallel to, and in close collaboration with national actors involved in the 2014-2016 sector strategy development processes, which will feed into the new National Development Plan (2014-2016). In addition to ensuring this alignment, in planning this programme extensive consultations have been undertaken with all of the institutional partners and forums conducted with civil society organisations and academic institutions and their feedback integrated into the programme design. This commitment to national ownership is not limited to the programme development phase of course, but will be infused throughout all aspects of implementation of the programme, including through the steering of the Programme Board comprised also of key institutional and civil society partners, who will contribute to navigating any major issues confronting the programme as it unfolds.

Justice and security are the two foundational pillars of the rule of law, and essential prerequisites for sustainable development and peace

The need to address the rule of law equation based on the twin pillars of justice and security has become somewhat of a mantra in recent years, well-hashed in development literature.³⁸ While the prevailing wisdom is compelling in its assessment of the centrality of justice and security for peace and development, ensuring a comprehensive approach to rule of law development in practical, programmatic terms has often been a challenge. Over the course of the last three years of UNDP/PAPP and UN Women's rule of law assistance, however, it has become clear that such an approach will indeed maximise development results across the sector. By incorporating strategic elements of security sector governance and reform, it is possible to positively strengthen protection mechanisms and enhance the overall functionality of the justice-security continuum.

On this basis, the Joint Programme also integrates security sector governance and accountability interventions from the previous UNDP/EUPOL COPPS Joint Programme as part of a more synchronised approach. The implementing agencies will, as drawn from the 'lessons learned', concentrate on points of linkage across the justice and security sector by targeting specific areas of

³⁸ See, for instance, 'The Justice-Security-Development Nexus: Theory and Practice in Fragile and Conflict-affected States', D. Porter, D. Isser and L-A. Berg, *Hague Journal on the Rule of Law* (Cambridge University Press, September 2013). The World Development Report also recommends addressing the linkages across the justice and security sectors in a comprehensive manner: World Development Report (World Bank, 2011), p. 153)

civilian policing that are especially crucial to enhancing democratic governance, citizen security, gender equality and the proper functioning of the criminal justice chain. By working to strengthen the linkages between the judicial police and the AGO/PP and the HJC, and enhance systems of notification and execution of court judgements, for instance, the Joint Programme will address a major bottle-neck in the criminal justice continuum. Such a nexus is also crucial from a gender perspective, where the lack of protection is often one of the main obstacles for women to navigate the justice chain or, indeed, for children in contact with the law. The Joint Programme therefore will scale up efforts to increase gender and child responsiveness within the PCP, especially as they relate to facilitating women's and children's access to justice and security

Strengthening the capacity of national justice and security institutions helps build resilience and enhance service delivery to the population

The assumption here is that improved capacities in rule of law institutions will necessarily contribute to achieving a more effective and independent system, capable of addressing the justice and security needs of Palestinian society. Certainly, in the final analysis, formal institutions bear primary responsibility for protecting rights and providing effective and non-discriminatory service delivery. Equally, as per the paragraphs above, it is clear that reforms must be properly institutionalised in order to take hold. However, the Joint Programme is also cognisant that the outcome-level impact of capacity development interventions is often far from guaranteed. Building on the analysis and lessons learned, therefore, the Joint Programme identifies specific entry points and (implementation) strategies through which its support to institutions can better contribute to its overall purpose and goal.

One such implementation strategy is to continue the practice of embedding specific (national) technical expertise within partner institutions, with an emphasis on developing capacities in identified areas. Over recent years, UNDP/PAPP and UN Women have consolidated this practice with great effect when it comes to promoting nationally-owned and sustainable processes of change, improving both internal institutional capacity and minimising inter-institutional conflicts. Through this approach, ongoing dialogue and technical discussion is fostered as a sustainable tool for change, supporting partners even amidst developmental crises and clashes of institutional cultures. By continuing to apply this modality, the Joint Programme can share regional and global best practices on rule of law reform and play a convening role in bringing parties together, ideally supported by focused interventions of its donors.

A particular strategic focus or entry point for capacity development of PA institutions under this Joint Programme relates to the systematisation and democratisation of legislative drafting approaches. Structured law reform is a key tool for achieving improved functioning of the justice system; however, this avenue is especially fraught in the oPt due to the current absence of a democratic law making processes, the political implications of forging ahead with new laws in the absence of national reconciliation, and the existing discord between institutions as to interim law-making processes until such time as the PLC is able to reconvene. In this context, it is necessary to develop law-making capacity evenly across the chain of relevant institutional actors to avoid distorting mandates and creating new *ad hoc* processes. UNDP/PAPP and UN Women will contribute by working with all relevant actors across the chain to ensure that interim law-making processes are as democratic as possible - by ensuring wide consultation and adherence to agreed-upon, standardised approaches for skilled law-making - and that the outcomes are aligned with international standards and human rights principles.

In the same way, and by providing technical assistance to review draft laws and policies from a rights and gender perspective, UNDP/PAPP and UN Women can also better ensure that gender is mainstreamed in law reform in the oPt. The Joint Programme will also work to strengthen 'bottom-up' connections to the law reform process by linking the experiences of women in seeking state protection from violence or realisation of other rights with policy and law making to ensure that legal reforms and policy frameworks are driven by actual needs of the society, and address systemic gaps that hinder men and women's enjoyment of their rights within the rule of law. This goes beyond playing a technical role and thus strong support from donors/development partners for these efforts will also be needed to ensure

that institutions currently able to dominate law-making processes also ‘buy-in’ to a more democratic and gender-responsive approach.

To limit the divergence of legal systems in Gaza and the West Bank and preserve opportunities to achieve national reconciliation, a careful approach to law-making by presidential decree should continue to be adopted, and limited to those amendments or enactments urgently needed, in accordance with the principle of necessity as stated in the Basic Law.³⁹ Further improvement in rights protection can be achieved without law reform through ensuring that existing protective laws are used by justice and security actors to maximum advantage. The Basic Law is a powerful but largely neglected tool for ensuring existing laws are interpreted and applied in a manner consistent with basic rights. The Joint Programme will work to achieve change by improving the skills of judges, prosecutors and lawyers to use the Basic Law, the international standards at its foundation, as well as international customary law, to protect rights by striking out provisions, sections or even entire laws that are inconsistent with rights protected under the Basic Law.

Simultaneously empowering civil society and the population to access justice and security contributes to protection and systemic improvements in the rule of law

UNDP/PAPP and UN Women’s experience in recent years confirmed that the institutional and civil society ‘sides’ of the justice sector work best when they are symbiotically engaged. Palestinian civil society has much to offer nascent institutions. Conversely, through welcoming CSO actors into capacity development roles, institutions offer civil society the opportunity to scale-up and institutionalise best practice approaches. Encouraging the development of these mutual interests can form the spine of a strong state-society development partnership. When layered upon strong constructive government-civil society relationships, the state is also likely to be more receptive toward civil society oversight and monitoring roles, and the recommendations they make for reform.

Civil society organisations, with their capacity to ‘look both ways,’ can effectively bridge gaps by facilitating, translating and launching citizen demands for justice and security, into the realm of institutional processes. When these efforts are focused on drawing out the problems and demands of socially disadvantaged groups, the impact can be radical and dramatic. Community legal empowerment approaches and legal aid services have the potential to rewrite the relationship between marginalised individuals and the state. When capacity to provide legal aid is built to systemic proportions, it can contribute to a recalibration of relations between marginalised groups and the state, including by arming disadvantaged individuals with legal knowledge and the means to bring legal actions and giving them a voice in institutions which cannot be ignored.

Scarce legal awareness and limited availability of accessible and competent legal aid is one of the strongest barriers to justice for vulnerable and marginalised groups, especially women. The latest public perceptions survey results confirmed that lack of legal aid is a challenge to strengthening the rule of law. Lack of legal aid correlates with lack of confidence in the justice system: the groups which have least access to legal aid are the same groups which have least confidence in justice and security institutions.⁴⁰

As highlighted earlier in this programme document, Phase I of UNDP/PAPP and UN Women programmes achieved considerable success in tailoring legal aid services to marginalised or vulnerable social groups targeting especially women, children and communities in ‘Area C’ and East Jerusalem. One of the challenges for this Joint Programme will be further to develop strategies for expanding the breadth, depth, quality assurance and sustainability of the legal aid services provided, and to make sure

³⁹ Article 43 of the Basic Law permits law making by presidential decree only in cases of ‘necessity’; however, to date there have been no court decisions offering guidance as to the scope of this power

⁴⁰ For example, youth are 7.9% less confident than other age groups they could obtain legal aid if they needed it, and only 4.6% that they would get a fair trial if charged with a criminal offence

that they actually respond to women's rights, gender needs and contribute to improved judicial outcomes for marginalised and underserved groups.

In terms of breadth, additional resources will be channelled to expand direct legal aid services which have proven their value in bringing both individual and systemic results in justice programming. In relation to depth, the Joint Programme will invest more in both theoretical knowledge of lawyers but more importantly, their skills in using legal empowerment approaches with women and child clients while also providing holistic legal services that encompass strong referral and follow up on psychosocial, health and housing aspects. The Joint Programme will also develop capacity to assist clients in 'Area C' and East Jerusalem by working through the PBA to identify those lawyers who are also members of the Israeli Bar Association, and therefore experienced in practising in the Israeli jurisdictions. From a gender perspective, selected and trained lawyers will pilot the application of special guidelines for legal representation of women.

On quality assurance, the programme will develop more systematic ways of assessing the quality of services provided through user surveys which assess satisfaction regarding legal services provided as well as client satisfaction with outcomes of cases. A client services charter and complaints mechanism will provide clients with a direct connection to the programme so they can confidently raise any issues they wish. All of the information garnered through these sources will be used to adjust the support given to providers as needed. Additionally, a monitoring system will be put in place to evaluate impact of the supported legal aid services on the level of judicial and informal justice outcomes for women.

In relation to sustainability, in the West Bank the programme will work to establish a legal aid providers network comprised of the PBA, CSO legal aid providers and university-based legal aid clinics, adapted but still along similar lines to the model successfully implemented in the Gaza Strip. In Gaza, the programme will continue to support the implementation of the Awn Network's four-year strategic plan which has a strong sustainability element. In addition, the programme will continue to work towards the establishment of a comprehensive and sustainable national legal aid scheme capable of addressing the critical legal aid needs of Palestinian people not restricted to criminal defence, but also prioritising the provision of legal aid to victims of GBV; children in any kind of matter; women seeking family law interventions including divorce/separation, custody, marriage contract related property, alimony, inheritance rights and child support; and an associated system of aid for those Palestinians interfacing with the Israeli legal system.

The programme will further enhance sustainability of the legal aid system by encouraging adoption of tight means and merit eligibility tests and co-contribution approaches; providing capacity development support to lawyers in specialised areas of legal aid practice; promoting accountability/oversight of lawyers to ensure the quality of publicly funded legal aid services; and securing the opportunity for CSO legal aid providers to participate as providers under the scheme and to share their considerable knowledge and experience of legal aid service provision.

The Joint Programme will continue with its strategy of gearing and equipping all levels of the legal profession to provide greater community access to justice. A key achievement of UNDP/PAPP's Phase I programming was to foster clinical legal education programmes in universities, an initiative which resulted in the proliferation of seven legal aid clinics and several major moot court competitions. By introducing an 'applied law' pedagogy in law schools, the programme has engaged and inspired law students to use their knowledge and skills to progress social justice. Graduates from these programmes have proven likely to gravitate to, and remain in, community law fields, or even to return to university-based legal aid clinics as supervisors or by accepting *pro bono* files, thus making a sustainable contribution to legal aid provision.

Mainstreaming gender at all levels is critical for coherent rule of law advancement and equitable development outcomes

At the end of November 2012, a UNGA High Level Meeting produced a UNGA Resolution (A/RES/67/1) on the rule of law at national and international levels. The UNGA Resolution recognised “the importance of ensuring that women, on the basis of the equality of men and women, fully enjoy the benefits of the rule of law, and commit to using law to uphold their equal rights and ensure their full and equal participation, including in institutions of governance and the judicial system, and recommit to establishing appropriate legal and legislative frameworks to prevent and address all forms of discrimination and violence against women and to secure their empowerment and full access to justice”. This recognition emanated from the fact that, globally, the rule of law often still rules women out.

Governments’ ‘due diligence’ obligations mean that they are not only responsible for enhancing legislation that guarantees respect for the human rights of both men and women but also for ensuring that these laws are actually upheld. The Joint Programme aims to improve institutional performances across all steps of the justice chain, increasing efficiency, competence and accountability, while seeking to remove - through institutional sensitisation, tailored capacity development support and policy/procedural reforms - the various barriers hampering women’s access to justice. In this regard, UNDP/PAPP and UN Women will work jointly with their justice and security counterparts, but also with CSOs and other parties involved in social protection, such as MOSA.

A lack of awareness about social and legal rights is often one of the main obstacles hindering women’s access to justice and security. Building on the tangible progress made to address gender issues in the sector, the Joint Programme includes a strong component on gender equality awareness - including social and legal rights, violence against women and girls, and the availability of justice and security services - carried-out through formal and informal actions that prioritise youth sensitisation. This approach aims to increase women and girls’ access to justice and the level of trust in the justice system through appropriately circulating information regarding available services and the opportunities thus offered to gain higher enjoyment of rights. These activities will also strengthen the community relationship with civil society, as they will be taking care of most foreseen awareness activities.

Therefore, the Joint Programme will tackle gender within the justice sector and across the justice chain from both ‘top down’ and ‘bottom up’ vantage points. It will work to mainstream gender responsiveness across all its institutional partners through supporting the development and implementation of harmonised gender strategies that include robust gender policy frameworks in the critical areas of planning, human resources and budgeting within each institution⁴¹ as well as gender responsiveness in the execution of substantive functions and provision of specialised public services. Rule of law actors, whether they are lawyers, judges, prosecutors, police, court staff, planning or policy advisors all require awareness of existing gender bias and barriers and knowledge of their obligations to integrate gender responsiveness and women and girls’ protection into their particular roles and functions. Through the combination of awareness-raising, specialised training and accountability for gender responsiveness, UNDP/PAPP and UN Women hope to inculcate in all rule of law actors the notion that they have obligatory and specific roles to play as social change agents in achieving greater gender equity and justice.

The empowerment of women lawyers will continue to be a focus of the Joint Programme’s strategy with support for internships to help women gain a foothold in the profession and through providing them with ongoing skills development, career counselling and support. Capacity development support will also be provided to women lawyers wishing to specialise in meeting the needs of women clients. This includes representing victims of GBV, pursuing family court applications, advocating for women parties to customary or other informal justice processes and helping women navigate conflicting jurisdiction and enforcement issues. Finally, the programme will provide institutional support to the West Bank and Gaza branches of the PBA to support fulfilment of its core functions including legal aid provision, continuing professional development and oversight of professional standards and disciplinary processes.

⁴¹ Such as such policies on affirmative action, service conditions, service facilities, sexual harassment, women’s representation

Strengthening oversight and accountability and tackling corruption creates an enabling environment for development efforts to take hold

Justice and security institutions cannot function effectively in an environment marred by corruption and impunity. Abuse of authority itself, especially by those tasked to uphold the rights of the citizenry, erodes and undermines the social fabric, escalating tensions and obliterating confidence in the institutions of state. The economic impact of corruption in the public sector is furthermore a massive drain on resources that would otherwise be directed in public services, and represents an exponential burden during a time of financial uncertainty.

In recent years, the UNDP/EUPOL COPPS Joint Programme worked to address these issues by strengthening accountability in the police service - often the first point of contact between the citizen and the state - and by supporting national anti-corruption efforts in partnership with the PACC and the CCC - building investigation, prosecution and adjudication capacities related to corruption crimes, and enhancing public awareness on corruption-related issues. In order to enhance work in these areas and draw the necessary linkages with other areas of rule of law sector development, the Joint Programme will incorporate this work, seeking to tackle corruption in and through rule of law institutions, restoring the trust of communities in those institutions and in the broader institutions of state. With regard to anti-corruption efforts, the programme will focus on the one hand on the legal issues, including law reform and harmonisation and capacity strengthening of those actors directly responsible for the criminal process as it relates to corruption; on the other hand, the programme will also work to facilitate a cultural shift in relation to issues of nepotism and corruption, including by strengthening the PACC to raise awareness and engage civil society and the general public, in line with the National Strategy on Anti-Corruption. In this context, UNDP and UN Women will ensure not only that the rulings of the CCC are published on the *Al-Muqtafi* website but also support sufficient coverage in the mainstream media. Establishing and implementing MOUs with various line ministries will meanwhile be a critical strategic tool for mainstreaming anti-corruption efforts across PA institutions more broadly.

With regard to accountability in law enforcement, the Joint Programme will approach this issue via support to internal and external accountability mechanisms, as well as independent oversight via civil society.⁴² Such a multipronged approach is designed to catalyse the development of complementary mechanisms ranging from internal complaints procedures to (external) executive oversight and CSO watchdog functions. There is no justice without accountability, and monitoring is central to achieving accountability; by identifying gaps and cracks within systems, it becomes possible to plan for improvements. The Joint Programme will work to strengthen monitoring mechanisms, including through the ICHR which will monitor the application of human rights in judicial cases of women. Based on UN Women previous work, cooperation with MOWA will be strengthened with a view to monitor the implementation of the National Strategy to Combat Violence against Women by justice and security actors.

Enhancing systematic communication, coordination and cooperation within and beyond the rule of law sector is essential

Effective communication, coordination and cooperation between justice and security institutions and with other national protection actors is needed to create an enabling environment for the public - especially women and youth - to navigate the justice chain safely and effectively, decreasing vulnerabilities and the risk of falling through cracks in the system.

This Joint Programme capitalises on UNDP/PAPP and UN Women's prior experience in promoting sustainable and result-oriented development processes in the rule of law sector. On the basis of previous

⁴² For the distinction between 'internal', 'external' and 'independent', see UNODC *Handbook on police accountability, oversight and integrity* (United Nations, 2011)

achievements and lessons learned, it is clear that in order to realise and maximise favourable impact in the lives of beneficiaries, a holistic approach is needed, which takes into account all areas of justice and security service delivery. This should not be limited to planning, human resources, finance, filing, planning and monitoring, but must also examine linkages and possible synergies between justice and security sectors, as well as actors providing protection and social empowerment. The rationale for working holistically is rooted in a human rights based approach: only by looking at human rights as a comprehensive set of rights interlinked and interdependent with each other, it is possible to strengthen a rule of law system such that judicial outcomes reinforce equitable and long-lasting enjoyment of rights by citizens.

The programme's strategy is to build the capacity of each institution to fulfil its mandated functions and provide non-discriminatory public services, to facilitate learning and contact between justice and security institutions and with civil society partners, and to further develop cross-institutional tools such as harmonised M&E systems, data collection efforts and MIZAN2. Where there is a lack of clarity regarding mandates or roles between institutions, the Joint Programme will support national actors to achieve greater consensus and agreement around defined roles, until such time as the institutions responsible for definitively resolving such issues (i.e. the PLC or the Constitutional Court) are established or able to function. At the same time, political support and engagement from donors/development partners on such issues is also advantageous to promote an environment in which the main actors possess the incentive and motivation to achieve the best possible justice and security system for the Palestinian people.

Increasing public trust and confidence in rule of law processes and institutions is catalytic to their development, and reinforces state-society relations

Through increasing public confidence in the sector, support is designed to be catalytic, reinforcing state-society relations and creating an enabling environment for equitable development in this fragile context. Such an approach resonates with the National Justice Sector Strategy (2011-2013), in which the PA notes:

“The justice sector is one of the most important sectors of the government because it plays a leading role in influencing the lives of Palestinian citizens. Citizens evaluate their government's performance through their experience with public institutions, and particularly justice institutions.”⁴³

Ensuring independent, credible, capable, gender-sensitive and responsive security and justice institutions and the delivery of public services in an efficient and equitable manner to both women and men serves indubitably to strengthen public confidence in the role of the state through its judiciary, prosecution and policing functions, thus enabling peaceful dispute resolution and equitable redress for grievances within the community.

Informal as well as formal justice mechanisms have a role to play in Palestinian society, and can also contribute to peaceful conflict resolution

Supporting access to justice mechanisms - both formal and informal - that are legitimate, effective and non-discriminatory is a decisive factor in strengthening the social fabric, and indeed preventing conflict. Such an approach must take care not to exclude community based and non-governmental organisations and processes to ensure effective service provision.

While remaining committed to strengthening state institutions and the formal justice system, the Joint Programme will also engage with customary law processes with a view to increasing observation of international standards of fairness, especially in relation to gender and juvenile justice. Informal dispute resolution is part and parcel of life in oPt and many are averse to using formal justice processes, except

⁴³ National Justice Sector Strategy (2011-2013)

as a last resort. This is especially the case in the Gaza Strip where informal justice actors and processes are especially heavily relied upon. Aware of the complexity of having multiple legal systems, UNDP/PAPP and UN Women will employ due diligence in this area, being careful not to support or condone double standards, discrimination or policies or actions that could constitute violations of human rights.

While the Basic Law is silent on the matter of how interaction between formal and informal justice systems should be regulated, the Jordanian Penal Code already provides many opportunities for judges to take into account informal resolution of disputes as a mitigating factor, where clemency or forgiveness is extended by the injured party, in granting bail or in sentencing.⁴⁴ In practice, judges frequently take even greater account of informal resolution, including through closing matters, sometimes even where serious crimes are involved, commonly involving women or children's rights.⁴⁵

While customary law processes can offer many practical advantages in relation to their speed, accessibility and acceptability, in current forms, customary law is incapable of providing a level playing field and equitable outcomes for all parties. Customary justice processes can and do produce serious human rights violations and manifestly inequitable results, especially in cases involving women, children and other less socially empowered community members. Thus interacting with customary justice systems presents opportunities but also carries high risks if interventions are not carefully targeted and closely monitored.

Under the Phase I programme, UNDP/PAPP piloted some approaches for engaging with customary law authorities in Gaza, with promising initial results. While results obviously varied from leader to leader, a generally positive trend was seen in the work of customary authorities who participated in awareness-raising workshops relating to national and international human rights standards. For example, those engaged in awareness raising processes were subsequently likely to seek advice from legal aid clinic lawyers on gender cases and use this knowledge to exercise discretions in favour of women and child parties.

While this is just a start, it does show openness to acting on new sources of information and knowledge in customary decision making. Another aspect of piloted approaches has been to employ the dual strategy of supporting women in assuming customary law decision making roles while at the same time inculcating acceptance of female legitimacy and authority in this role amongst other customary law authorities and in communities. Despite the short time frame, there is already evidence that this 'grafting' approach may hold potential for significant change with the first female *mukhtar* in Gaza now accepted as an authoritative decision maker. As part of the Joint Programme, UNDP/PAPP and UN Women will regularly assess these piloted approaches to ensure they are meeting human rights objectives and undertake regular monitoring of the impact of informal justice processes on women and girls, thus providing the Joint Programme with a tool to assess, inform and re-direct, if necessary, the interventions to strengthen positive access to justice results for women.

To the extent possible, a harmonised approach to rule of law development in the West Bank and Gaza is intended to mitigate the long-term damage posed by the current political and geographical division

The key challenge to ensuring that the Joint Programme's work in Gaza continues to prosper and can contribute effectively to achieving rule of law goals is devising ways to manage the limitations imposed on working directly with the *de facto* authorities and the risks, given the volatile context. Phase I of the programme generated outstanding results well beyond even optimistic expectations. The programme's work in Gaza catalysed a sea change not only in tangible legal aid service provision but also invigorated and involved a broad spectrum of civil society actors and aligned their work toward rule of law goals. These actors included a chain of legal professionals but also journalists and media staff, customary

⁴⁴ See in particular Articles 52, 53, 99, 100, 130-133 of the Jordanian Penal Code No. 16 (1960)

⁴⁵ See: Customary Law in the oPt (UNDP, forthcoming)

authorities and trade unions who worked coherently, and with considerable skill and judgement, managed to create a new rule of law agenda in Gaza.

The *de facto* authorities not only tolerated these efforts with minimum interference but even responded positively through adopting rule of law language and holding a ‘rule of law’ conference. The *de facto* authorities have persistently requested technical assistance to improve the human rights and democratic governance knowledge of justice actors occupying line posts across the spectrum. There is little doubt that, notwithstanding the political constraints, significant improvements in observance of democratic standards and human rights could likely be achieved through greater technical level coordination. However at the same time, there are worrying signs that there is a significant retreat in community confidence in the legitimacy of the *de facto* authorities and that this may be deterring community members from using formal justice processes and causing informal justice processes to proliferate.

According to the Secretary General’s Policy Committee, the UN works with “relevant competent institutions and counterparts required for the accomplishment of its humanitarian, early recovery and development objectives, including with respect to addressing the deteriorating human rights crisis in Gaza [...] Contact on matters other than humanitarian, early recovery, development or human rights interventions, or contacts at the highest levels, remain at the discretion of the Secretary-General and the Special Coordinator”. Within this framework, technical coordination with direct justice service providers will be sought to carve out sufficient operational space to implement the programme.

In Gaza, the Joint Programme will continue to focus on building the rule of law from the ‘bottom up’ by further expanding and improving community access to, and quality of, justice services in both the formal and customary realms. Aside from improving justice outcomes for individuals, it is hoped that these efforts will also continue to (indirectly) contribute to systemic changes within the justice institutions themselves.

For example, more than 40 per cent of referrals to the Awn Network already emanate from the *shari’a* courts, indicating that the courts themselves recognise the value of parties being legally represented to increase both the quality of justice and the efficiency of its administration. The programme will also build upon the foundational work done in Phase I to increase CSO and media capacity to monitor and report on the work of the justice and security sector in Gaza. This will continue to increase the transparency and community awareness of justice sector functioning while also generating pressure upon justice institutions to respond and improve. Through technical level coordination with in-line justice duty bearers, the programme will aim to achieve secondary systemic benefits of improved observance of human rights democratic governance standards.

From a gender perspective, the Joint Programme will further empower legal aid services and CSO engagement in Gaza through: strengthening lawyers’ capacity and skills to work on women’s cases, but also increasing CSO’s advocacy skills to lobby for legal and judicial reforms favourable to women, as well as spearheading CSO-led formal and informal prevention actions targeting boys and girls to enhance their awareness about violence against women, legal rights, justice, security and social protection services. Greater effectiveness of legal aid services will also be achieved through strengthening multi-sectoral coordination and cooperation, and through establishing a monitoring system to monitor judicial outcomes for women, highlight rights violations, systemic gaps, and develop innovative socio-legal strategies to address these.

In order to maximise sustainable and reinforcing effect, the Joint Programme should itself be comprehensive, inclusive and flexible

In order to have sustainable and reinforcing effect, the Joint Programme will strive to be as comprehensive, inclusive and flexible as possible. As discussed earlier, the programme is based on a ‘top-down and bottom-up’ approach, which has been demonstrated to ensure both the ‘supply’ and ‘demand’ sides of the rule of law equation are addressed. In so doing, the Joint Programme will monitor the impact of its interventions in part by how effectively it can reach the most vulnerable demographics,

including women, children, those with disabilities and communities especially affected by the occupation in ‘Area C’ and East Jerusalem.

To do so, the Joint Programme will strike a balance between its support to government institutions and civil society actors. Careful attention will also be given to improving the human rights outcomes of informal justice systems, given the relevance of such systems to the lives of Palestinians and their interdependent relationship with formal justice processes. As part of ensuring a crisis-sensitive approach, the Joint Programme will adopt a conflict-sensitive lens to programming to avoid negative impacts of interventions (i.e. ‘do no harm’ approach) and to be part of a government-owned approach.

In addition to ensuring that the Joint Programme itself is executed in full conformity with international human rights standards, the Joint Programme aims to complement additional work carried-out by UNDP/PAPP, UN Women and other actors in the area of human rights, and the programme will actively promote human rights as a cross-cutting approach. Per the UN’s advocated human rights-based approach (HRBA), the Joint Programme will work to enable duty-bearers to develop their capacity, so as to be held accountable for their performance and to meet their obligations as far as possible to respect, protect and fulfil human rights, while empowering rights-holders to claim and exercise their rights.

To ensure inclusivity, the Joint Programme will remain gender-sensitive throughout its implementation. To address gender issues and women’s empowerment, in particular women’s access to justice services and women’s role and participation in the rule of law architecture, the Joint Programme will pursue the following:

- Ensure that gender issues are incorporated into all relevant policies;
- Advocate for increasing women’s meaningful participation in rule of law institutions, and develop capacities of rule of law institutions for gender analysis based on sex and age disaggregated data;
- Ensure that reform processes are consultative, participatory, actively encourage the involvement of women, take into account women and girls’ voices - including of those survivors of family violence - and ensure that plans and services are sensitive to their specific needs;
- In developing curricula and training materials, ensure that gender and intrinsically related inequalities are addressed;
- Support specific initiatives aimed at supporting a critical mass of women in active public life in the rule of law arena, such as leadership and advocacy training, orientation in human rights, including women’s rights;
- Ensure close coordination and collaboration with other gender-specific activities and closely related projects with mutual interest in women’s rights, protection and gender issues;
- Ensure internal monitoring is conducted throughout the programme implementation, including through regular field visits to monitor project activities and regular meetings with project partners.

The Joint Programme will actively seek to ensure interventions having an enduring effect through the linkage of activity level engagement with policy- and system-level change. For example, studies of informal justice systems will be used to help develop a strategy to reform informal justice processes to increase their conformity with international standards and to model possible linkages between the formal and informal justice systems. While understanding the criticality of actions that produce rapid results to respond to the population’s need for change, the Joint Programme also seeks to support a longer term vision via policy and governance support.

While the Joint Programme aims to underpin the PA’s state-building agenda, the context of the oPt is extremely fluid. Most notably, reconciliation between Fatah and Hamas will certainly require a reconsideration of current activities and, possibly, an overall re-prioritisation in order to remain relevant and responsive. Accordingly, programme outcomes and suggested activities will be adapted, as

necessary, to adjust to changes affecting the achievement of overall goals.⁴⁶ A thorough risk log is part of this programme document (see Annex A) which will be maintained and updated, and mitigation measures adopted as necessary. The Joint Programme will be reviewed at the end of each year, providing opportunities to assess the need for modification. Furthermore, the programme will be guided by the Programme Board, composed of UNDP/PAPP and UN Women, national institutional and CSO partners and donors/development partners. Such oversight and ongoing engagement enables the programme to scale-up or scale-down activities in ways that respond most effectively to the ever-changing local context.

Capitalising on State of Palestine's developed IT culture will support the development of -and access to- equitable rule of law services throughout the oPt

Grassroots efforts can and should also be high-tech. The Joint Programme intends to further capitalise on the relatively high levels of education and internet connectivity in the oPt by using the internet as much as possible to help overcome Israeli movement and access restrictions; maintain meaningful linkages between West Bank and Gaza legal actors; engage with youth; and make justice sector information and data more accessible. Similarly, electronic resources are especially relevant for improving the functionality, efficiency and accountability of rule of law institutions and actors. UNDP/PAPP's previous efforts in relation to developing the *Al-Muqtafi* electronic legal database and MIZAN2 electronic case management system should be further expanded and occupy a central role in the Joint Programme's support to the justice sector.

6. Partnership strategy

The establishment of multi-stakeholder partnerships is an important *modus operandi* throughout the UN system. For UNDP/PAPP and UN Women, the establishment of strong, sustainable and enabling development partnerships is a core practice in the implementation of project and programmes. The Joint Programme's primary partners are the PA institutions with which the programme is formally agreed - in this case the Ministries of Justice and Interior. However, a number of other key ministries and institutions with which the Joint Programme will work on a day-to-day basis retain an equally critical and guiding position, including the PCP, the HJC, the AGO, the *shari'a* courts, the CCC, the PACC, and the PBA. In addition, the implementing agencies will strengthen the existing partnership with the PCBS as part of scaled-up efforts on M&E.

Among other governmental partners, MOWA and MOSA are also considered important stakeholders, MOWA being the ministry in charge of fostering women's rights and gender responsiveness across government work. In addition, MOWA is the line Ministry leading the National Strategy to Combat Violence against Women and chairs the National Committee to Combat Violence Against Women, with MOSA its vice-chair, pursuant to its mandate to provide services provided to women and children victims of violence.

The Joint Programme will continue to work in close partnership with community based and civil society organisations as well as academic institutions, striving also to strengthen their engagement with relevant state institutions. By updating and utilising the programme's roster of Palestinian and Israeli civil society organisations, UNDP/PAPP and UN Women will capitalise on the capacities of CSOs as implementing partners in the joint programming framework, employing grant modalities and providing rolling guidance, monitoring and technical support. For UN Women, the *Mehwar* Centre is considered a particularly important partner. The *Mehwar* Centre functions as a model for other protection shelters in the Region and is the first multi-purpose Centre in the oPt whose operations are based on human rights principles and provides a shelter for the protection of women and girls victims of multiple forms of severe and often life-threatening violence. Other women's organisations, specifically those working

⁴⁶ This includes the possibility of the Joint Programme not being fully funded, which may necessitate prioritisation of particular activities at the mid-term review stage

to protect and provide services to victims of violence, will be important partners of the Joint Programme as well.

Within the broader development programming of UNDP/PAPP and UN Women, the Joint Programme will work to maximise cross-practice fertilisation and synergies with other projects in their respective portfolios, especially where national counterparts and broader governance and empowerment agendas intersect, e.g. in relation to international legal cooperation and the role of the Ministry of Foreign Affairs (MOFA).

The Joint Programme will build upon UNDP's and UN Women's global experience in supporting rule of law and justice sector programmes in crisis contexts. Globally within UNDP, the Joint Programme will seek to maximise its strategic network. The first phase of UNDP/PAPP's rule of law work in the oPt was rolled out in the context of UNDP/BCPR's Global Programme on Strengthening the Rule of Law in Conflict and Post-Conflict Situations - and BCPR has continued to be a critical partner, providing technical support and connecting the programme with the broader rule of law community. The Joint Programme is committed to sustaining this close relationship with UNDP/BCPR over the coming three years, in particular against the backdrop of UNDP's important role as the UN Global Focal Point for Rule of Law Assistance, together with the Department of Peacekeeping Operations (DPKO). By working together with UNDP/BCPR to enhance the strategic approach of the programme's technical interventions, maximise partnerships, strengthen outcome-level monitoring and reporting, and identify avenues for resource mobilisation, the Joint Programme can ensure maximum impact. UN Women globally leads advocacy and provision of technical support to governments for the acceleration of actions and policies to increase women's access to justice and to foster a responsive justice system that advances women's equal rights, opportunity and participation. As noted earlier, the Joint Programme has incorporated the recommendations of the UN Women global report on justice flagship report: "2011-2012 - Progress of the World's Women: In Pursuit of Justice", which will continue to also guide the implementation phase. In line with this approach, the Joint Programme will capitalise on the role of UN Women "as a global broker of knowledge and experience, sharing lessons learned on aligning practice with normative guidance"⁴⁷ particularly in terms of linkages between the Joint Programme and UN Women's global policy and inter-governmental work.

The Joint Programme will continue to engage other UN partners in the oPt in the spirit of a 'One UN' approach. Against the background of the new UNDAF, activities will be coordinated with the broader UN family, including with UNODC, OHCHR, OCHA, UNICEF, UNOPS, UNRWA and other agencies, funds and programmes working in areas related to the programme outcomes.

It is of particular importance to highlight the Joint Programme's partnership with EUPOL COPPS, which is the principal provider of technical advice and coordination support to many of the Joint Programme's national counterpart institutions. It has been agreed that cooperation established under the former UNDP/EUPOL COPPS Joint Programme, especially in relation to work with the PCP and the PACC, will continue - albeit with some changes to the modality - in order to reflect better the responsibilities and capacities of each organisation.⁴⁸ EUPOL COPPS' support to the work of UN Women, most notably on the PCP Family Protection Units, has also been much appreciated, and will continue as efforts to support the proper functioning of the FPU's intensify. This new Joint Programme will strengthen technical cooperation with EUPOL COPPS in relation to the Mission's broader rule of law support with justice and security institutions. On many other rule of law related work strands, especially in relation to work with the MOJ, the PCP, AGO/PP, the HJC, the PACC and the PBA cooperation between the three organisations is ongoing and is foreseen to continue, to the benefit of our national counterparts. The Joint Programme will try to formalise this cooperation through an exchange of letters between the respective heads of agencies.

⁴⁷ UN Women Strategic Plan (2014-2017)

⁴⁸ Instead of a joint programme arrangement, technical cooperation with EUPOL COPPS will be scaled-up, particularly with regard to the MOJ, the PCP, the AGO/PP, the HJC, the PACC and the PBA

By actively participating in the Justice and Security Sector Working Groups and their respective sub-groups, the Joint Programme will also engage other multilateral and bilateral actors in the sector, helping to ensure a coordinated and concerted response to common challenges. In this sense, the Joint Programme will actively seek to link its support to that of other international and regional organisations with expertise and interest in rule of law and related concerns in the Palestinian justice and security sector, including EUPOL COPPS, EUREP, and key bilateral actors, considering also the scope for joint activities and practical assistance where appropriate. The political role of the Quartet on the Middle East will also be leveraged where interests intersect, such as in relation to international legal cooperation and issues of Palestinian movement and access restrictions.

In terms of the Joint Programme's relationship with its own donors and development partners, UNDP/PAPP and UN Women will continue to engage along the same lines of frank and engaged collaboration, working together with the programme donors to resolve substantive challenges, cognisant of our respective roles and comparative advantages in pursuit of common goals. General principles for partnership will include information sharing, cooperation, coordination, and consultation, strengthening national capacities to work with other donors/development partners, joint planning, monitoring and evaluation.

*Overview of development support provided to the Palestinian justice and security sectors*⁴⁹

Throughout recent years, the Palestinian rule of law sector has received significant support and investment from a range of donors and implementers, enabling a broad spectrum of work to progress across both sectors. UNDP's Rule of Law & Access to Justice Programme and UN Women's Access to Justice Programme both enjoyed strong donor support and positive working relations with other donors and implementers. All work performed under this new Joint Programme will continue to be closely coordinated with relevant stakeholders to achieve the best possible outcomes.

Key donors to the sectors include the Netherlands, the United Kingdom, Sweden, Canada, Sweden, the United States, and the European Union, with support also from Germany (bilaterally and through GIZ), Denmark, Japan, and other smaller donors.⁵⁰ Several important donors (Sweden, Canada and the European Union) are currently undergoing reviews of their justice sector portfolios and are in the process of developing new strategic plans for the coming years, thus there is a degree of flux and uncertainty concerning support for the sector at present. This uncertainty is also likely to be linked to the outcomes of the ongoing peace negotiations and how key states perceive their next steps should these talks fail.

Key implementing UN agencies in the justice and security sector include UNDP/PAPP, UN Women, UNODC, UNICEF and UNOPS. There are also a large number of private implementers, the largest being Chemonics (USAID), *Seyada II* (EUREP), DPK (INL), CILC (the Netherlands), *Sharaka* (Canada), and Human Dynamics (EUREP). EUPOL COPPS, which is mandated to advise national institutions on policing, criminal justice and rule of law, has more than 70 international and 40 national staff working to advise and support justice institutions, the MOI and the PCP.

Support to Palestinian justice institutions

Several large justice sector projects work across a range of justice institutions as well as with civil society actors. Through the Joint Programme, UNDP/PAPP and UN Women will continue working closely with all other actors to ensure optimal outcomes.

The *PJEP II* project (USAID, 2014-2019) will continue with similar focuses as *PJEP I* in relation to supporting the MOJ's and HJC's public services, citizen engagement with justice processes and enhancing legal education; however, the project will also now add institutional support to the family

⁴⁹ Please see Annex D for a more detailed mapping, including an assessment of the 'value added' by the Joint Programme

⁵⁰ Such as Luxembourg and Italy

courts. The Joint Programme is consulting extensively with USAID to avoid duplication in relation to this and other common fields of programming vis-à-vis legal education and support for community engagement with the justice sector.

EUREP has also invested heavily in justice institutions with a focus on institutional and capacity development in the MOJ, HJC, PJI and PBA through: the *Seyada II* project; seconding legal experts to a number of justice institutions; and investing in legal education via support to the PJI's two-year diploma programme for new judges and prosecutors and PBA programmes for legal interns and practicing lawyers. UNDP/PAPP and UN Women have worked closely with the *Seyada II* project and have recently initiated a donor/implementer coordination group which includes all the key supporters/implementers of the PBA comprised of UNDP/PAPP, UN Women, EUREP, EUPOL COPPS, and ILF. This mechanism is already having a positive effect in assisting the PBA in planning and managing capacity development support multilaterally.

Much of the EUREP assistance to the justice sector is coming to a close by early 2014 while a new three-year sectoral strategy is developed, which is likely to have a stronger civil society emphasis. However two areas of EUREP supported work will continue, in the areas of juvenile justice and legal aid provision. A new juvenile justice project (March 2013-July 2015) has been launched and is being implemented by Human Dynamics to strengthen coordination on juvenile justice provision. In addition, EUREP is providing seed funding to establish a national legal aid service following the enactment of a law on legal aid. UNDP/PAPP has been coordinating closely with EUREP in relation to both of these areas and will continue to coordinate and harmonise its efforts to enhance juvenile justice and legal aid services for disadvantaged social groups and communities.

The HJC has received strong support from Canada for court house infrastructure implemented by UNDP/PAPP and UNOPS, although despite these large-scale efforts, many court infrastructure needs remain unmet, most critically, for the construction of the Ramallah court complex. In addition to UNDP/PAPP's support in establishing and staffing the HJC's PPMU and the support provided by *Seyada II* and *PJEP*, EUPOL COPPS also has an imbedded advisor within the HJC to provide technical advice and assistance in developing projects and the work of the HJC. UN Women's work in the HJC has focused on deepening judicial understanding of the gendered dimensions of how the law is applied to women.

In the MOJ, Canada is funding UNODC to implement a large forensic services programme (2012-2016). This project has previously received UNDP support through the provision of contracted staff under the MOJ's Stabilisation Fund, most of who have now successfully transitioned onto permanent civil servant contracts within the MOJ and so can continue to support the project. UN Women has supported provided training to the MOJ and MOI on gender budgeting and UNDP/PAPP and OHCHR work harmoniously to mainstream human rights into MOJ and justice sector planning and to build national capacity on human rights treaty ratification. Social Pioneers, with support from EUPOL COPPS advisors, is implementing a mentoring programme for senior and middle management (2013-2014). UNDP/PAPP has, and will continue to, provide support and coordinate closely in the implementation of this project through its participation in the MOJ's transformation board to ensure alignment of its programming and human resource support to commonly defined reform and capacity development goals. The UNDP-supported gender and juvenile justice units within the MOJ are cooperating with the technical advisory efforts recently commenced by Italy pursuant to an MOU signed with the MOJ to support legislative reform on gender and juvenile justice issues.

In relation to the AGO, in addition to UNDP/PAPP's support to the PPMU, three large projects have been implemented over the last three years. *Sharaka* (Canada) has focused its support upon material and institutional development of the AGO by providing equipment and experts, whereas *Mateen* (the Netherlands) and *JSAP III* (INL) have worked across eleven districts to develop the administrative and functional capabilities of the district public prosecution offices. The duration of the *Sharaka* project is unclear; at the time of writing this has been extended until September 2014. UN Women has provided support to implement the AGO's gender strategy and EUPOL COPPS has concentrated on

strengthening police/prosecution cooperation (through the framework established under the MOU between the two institutions) and providing training on a number of specialist areas. The Joint Programme will continue to coordinate closely with all other implementers through its regular liaison with the AGO, the presence of its secondees working within the PPMU and participation in the *ad hoc* subgroup.

Support to Palestinian security institutions

As with the justice sector, a wide range of donors and implementing actors are engaged in the security sector. In the MOI, UNOPS has completed a detailed capacity/needs assessment and will soon commence the design of a broad capacity building programme. To complement this effort, EUPOL COPPS is in the process of seconding two experts into the MOI. In planning the Joint Programme, UNDP/PAPP and UN Women have undertaken consultations with the MOI's SPDU, and while no immediate engagement is anticipated, the Joint Programme stands ready to lend a supporting role if required pending decisions on the scope of the UNOPS programme.

In relation to the PCP, several ongoing and planned initiatives are relevant to this Joint Programme. Most notably, EUPOL COPPS have three advisors working in the EUPOL COPPS co-location office within the PCP's RPDA and around 30 other police experts providing advice in relation to a broad range of areas. UN Women has worked to support the PCP to develop the strategy, standard operating procedures and minimum standard guidelines for the work of the FPU and continues to support implementation in relation to hard component (infrastructure of FPU) and soft component (capacity development). Human Dynamics (EUREP) is working to strengthen the functioning of the PCP's Human Resources and Training Administrations, and to establish baseline data for the PCP in relation to performance management. UNOPS, through a sub-contracted national consultancy firm *Talal Abu Ghazaleh & Co* (NRO), is finalising the work on the organisational structure, standard operating procedures and job descriptions for seven different administrations, including the JPU and the RPDA. UNICEF played a major role in establishing the JPU and continues to provide it with strategic advice, while the more recent EUREP funded juvenile justice project (implemented by Human Dynamics) is engaged with the JPU as part of the juvenile justice chain.

Other donors and implementers working with the PCP are GIZ (EUREP) to construct and furnish new community police stations and provide related training, UNOPS (EUREP) is constructing a prison in Jenin and UNODC (Canada) is developing a forensic laboratory under the MOI (to complement the support provided to the forensic medicine in the MOJ). UNOPS and USSC continue to implement an IT component in the PCP for an electronic data management system (Canada). The OQR remains engaged on the mapping of access and restrictions issues in relation to PCP operations in Areas B and C.

Support to Palestinian and Israeli civil society organisations

Aside from UNDP/PAPP's large civil society component (which provided project-based funding to Palestinian and Israeli CSOs providing legal aid services, advocacy, monitoring and legal awareness raising), the other major funder of CSOs has been the Human Rights Secretariat funded by the Netherlands, Sweden, Denmark and Switzerland. The secretariat, previously managed by NDC, is now managed by the Birzeit University's Institute of Law and *Nirus*.

It will continue to provide core funding to around 30 Palestinian and Israeli human rights organisations, as well as capacity development support. UNDP/PAPP always maintained close working relations with the NDC and will continue in this vein in this Joint Programme with the new management, including through its recent appointment to the secretariat's reference group. In addition to providing technical expertise, this linkage will help ensure continued strong cooperation and coordination between the two programmes to maximise their respective impacts and exclude overlap.

EUREP supports around ten CSOs as part of the European Instrument for Democracy and Human Rights and might increase its support CSOs in the coming period. USAID has, and will continue to, support a CSO grants programme and a number of donors also provide bilateral assistance to international CSOs including to the International Legal Foundation (INL), Norwegian Refugee Council (United Kingdom, Sweden, and the European Union), Diakonia (Sweden, Switzerland), Save the Children/Sweden (Sweden) and others.

CSOs have been hit hard by the global financial crisis and many national and international CSOs increasingly find themselves compelled to reduce their scope of operations, creating a worrying gap and imbalance, especially in light of CSO's high capacity and critical roles in helping to resist occupation, build community resilience and support state-building efforts.

7. Management Arrangements

The programme will be implemented in partnership with relevant PA institutions and an array of civil society actors, including the PBA, specific civil society organisations and academic institutions. While UNDP/PAPP and UN Women will be responsible for implementing the programme in accordance with their financial rules and regulations and internal control frameworks, the programme is fully aligned with the PA's national development goals and the relevant sector strategies, including the National Justice Sector Strategy (2014-2016), the National Security Sector Strategy (2014-2016) and the National Cross-Sectoral Gender Strategy (2014-2016), as well as several other important national strategies including the National Strategy to combat VAW (2011-2019). By doing so, the programme aims to ensure proper buy-in and support at every level, with a view to maximising impact and sustainability of the different activities and interventions.

Although UNDP/PAPP and UN Women retain full responsibility and accountability for each of their respective outcomes and outputs, the management arrangements are aimed at ensuring close communication, coordination and cooperation at every level. Based on the agreed-upon co-location arrangements, the Joint Programme team will work together very closely, especially on the gender aspects of the programme. Plenary staff meetings will be held on a regular basis, linking up with colleagues based in the Gaza Strip via videoconference.

A Programme Management Committee composed of the UNDP/PAPP Deputy Special Representative, the UNDP/PAPP Team Leader/Senior Governance Advisor, the UNDP/PAPP Chief Technical Specialist/Programme Manager, the UN Women Special Representative, the UN Women Programme Coordinator and the UN Women Programme Specialist/Manager will be formed to oversee the implementation of the Joint Programme. In addition to ensuring proper linkages with other UNDP/PAPP and UN Women projects and programmes, the Programme Management Committee will revise and approve annual work plans and will ensure identification of necessary revisions to the programme entailing donors' approval. In addition, the Programme Management Committee will meet with national counterparts on a quarterly basis to provide different actors and stakeholders with the opportunity to share their insights and recommendations, and to build consensus and ownership of the programme.

Aimed at ensuring proper cross-fertilisation and feedback, the Joint Programme will also include a Gender Experts Team, composed of both UN Women and UNDP/PAPP gender experts recruited through the programme. The Gender Experts Team will meet fortnightly, or more often as needed, facilitated by the UN Women Gender Team Coordinator.⁵¹ The Gender Experts Team will develop a work plan which will be aligned and considered a full part of the annual work plans.

The programme will be using a pass-through fund management modality where UNDP's Multi-Partner Trust Fund Office will act as the Administrative Agent (AA) under which the funds will be channelled

⁵¹ Recruited by, and under the supervision of, UN Women

for the programme through the AA. Each participating UN organisation receiving funds through the pass-through will sign a memorandum of understanding with the AA.

The Administrative Agent will:

- Establish a separate ledger account under its financial regulations and rules for the receipt and administration of the funds received from the donor(s) pursuant to the administrative arrangement. This Joint Programme Account will be administered by the Administrative Agent in accordance with the regulations, rules, directives and procedures applicable to it, including those relating to interest; and
- Make disbursements to participating UN organisations from the Joint Programme Account based on instructions from the Steering Committee, in line with the budget set forth in the Joint Programme Document.

The Participating UN Organisations will:

- Assume full programmatic and financial responsibility and accountability for the funds disbursed by the AA;
- Establish a separate ledger account for the receipt and administration of the funds disbursed to it by the Administrative Agent;
- Each participating UN organisation is entitled to deduct their indirect costs on contributions received according to their own regulation and rules, taking into account the size and complexity of the programme. Each participating UN organisation will deduct 7% as overhead costs of the total allocation received for the agency.

The MPTF Office will charge an AA fee of one per cent (1%) of the total contributions made to the Joint Programme.

As the 'lead agency', UNDP/PAPP will consolidate narrative reports provided by the participating UN organisations and provide annual narrative reports and the final narrative report, to be provided no later than three months (31 March) after the end of the calendar year.

The MPTF Office will prepare consolidated narrative and financial progress reports, based on the narrative consolidated report prepared by UNDP/PAPP and the financial statements/reports submitted by each of the participating UN organisations in accordance with the timetable established in the memorandum of understanding and provide those consolidated reports to each donor that has contributed to the Joint Programme Account, as well as the Steering Committee, in accordance with the timetable established in the administrative arrangement. In addition, the MPTF Office will provide the donors, the Steering Committee and the participating UN organisations with:

- Certified annual financial statements ("Source and Use of Funds" as defined by UNDG guidelines) to be provided no later than five months (31 May) after the end of the calendar year; and
- A certified final financial statement ("Source and Use of Funds") to be provided no later than seven months (31 July) of the year following the financial closing of the Joint Programme.

To the extent possible, the management arrangements take into account the geographical 'split' between the West Bank and Gaza. In view of the Israeli access and movement restrictions, the joint programme staff in Gaza enjoy a considerable degree of self-reliance and autonomy. At the same time, UNDP/PAPP and UN Women will make every effort to build an effective and inspired team with strengthened linkages between the West Bank and Gaza. Aimed at promoting teamwork and fostering programmatic coherence, the Joint Programme will ensure that staff members are provided ample opportunity to confer and consult, including by organising regular team meetings and retreats as well as frequent exchange visits between the West Bank and Gaza.

While the UNDP/PAPP and UN Women staff seconded to the different rule of law institutions are part of the PA's regular workforce, they form an integral part of the Joint Programme team. As such, they are expected to feed into all the discussions regarding the programme, including by attending the team meetings and retreats and by providing regular feedback and advice. In addition, they will continue to act as focal points vis-à-vis the different rule of law institutions.

Management Structure

Under the supervision of their respective managements, the UNDP/PAPP Chief Technical Specialist/Programme Manager and the UN Women Programme Specialist/Manager are tasked with the day-to-day management, ensuring that the Joint Programme produces the expected results set out in the programme document and subsequent annual work plans. In addition, they are responsible for issuing (joint) narrative reports to account for resources allocated and results achieved.

The Joint Programme team will be comprised of 23 staff; 5 international and 18 national staff, occupying the following posts:

UNDP/PAPP:

- Chief Technical Specialist/Programme Manager
- Deputy Programme Manager
- Technical Specialists (2)
- Anti-Corruption Coordinator
- Civil Society Coordinator
- Access to Justice Analyst (2)
- Gender & Juvenile Justice Analyst
- Monitoring & Evaluation Analyst
- Finance Associate
- Programme Assistant (2)
- Driver (2)

UN Women:

- Programme Specialist/Manager
- Women's Protection Advisor
- Project Coordinator - Gaza
- Women's Access to Justice Analyst
- Women and Security Sector Analyst
- Admin Associate
- Admin/Finance Assistant
- Driver - West Bank

Programme Board

Aimed at bringing together key actors and stakeholders, a Programme Board will be established to review the strategic direction of the programme, ensuring accountability and proper oversight.⁵² The board meetings will also provide a forum for stringent quality control and review of progress. This will entail determining deliverables and achievement of benchmarks, alongside opportunities for fine-tuning and adjustments, including any prioritisation of activities in the event that the Joint Programme is not fully funded.

⁵² As per UNDP rules and regulations, the Programme Board will be co-chaired by the PA; UNDP/PAPP and UN Women will act as the Secretariat

In addition to anchoring the accountability aspect of the Joint Programme as outlined above, advantage will be taken of the unique composition of the Programme Board to also use the convening opportunity for policy dialogue and meaningful discussion of key policy challenges facing the programme. Thus, a significant part of Programme Board meetings will be dedicated to thematic discussions in smaller groups, with selected programme partners and those Programme Board members with the greatest interest and experience in the theme.

The Programme Board, which will meet at least twice a year and be comprised of:

- UNDP/PAPP
- UN Women
- Ministry of Justice
- Ministry of Interior
- Ministry of Women's Affairs
- Ministry of Social Affairs
- Palestinian Civil Police
- Attorney-General's Office/Public Prosecution
- Palestinian Anti-Corruption Commission
- High Judicial Council/Corruption Crimes Court
- *Shari'a* Courts/Palestinian Maintenance Fund
- Palestinian Bar Association
- Donors/development partners
- Academic institutions
- Civil society organisations

In addition, the Programme Board, through its respective members, will feed into other existing coordination mechanisms, such as the Justice Sector Working Group, the Security Sector Working Group, the PCP Programme Steering Committee/Project Field Committee as well as the Protection Cluster, the Legal Task Force, the Gender Task Force and the UNDAF's Governance Thematic Group.

8. Monitoring and Evaluation

The opening paragraph of the UNDP Strategic Plan (2014-2017) states that all UNDP work is aimed at achieving one overarching result: real improvement in people's lives and in the choices and opportunities open to them, while UN Women's new Strategic Plan (2014-2016) focuses on actions for achieving gender justice in Palestine. Effective monitoring and evaluation helps programmes learn from past successes and challenges and apply them to current interventions. Programmes with strong M&E are better able to detect problems and adapt accordingly to ensure that the delivery stays on track.⁵³ In line with UNDP/PAPP and UN Women's 'managing for development results' approach, the fundamental guiding question for all programmes has evolved to: are we making progress on achieving the results that we said we wanted to achieve?

The Joint Programme will explicitly adopt the following approaches as part of a five-point M&E strategy:

- *Ensure national ownership:* The Joint Programme will ensure that M&E processes are led or co-led by national partners and feed into national plans and efforts. This will also help keep the 'big picture' in view, enabling UNDP/PAPP and UN Women to understand how various components of the Joint Programme relate to and build upon each other for greater impact. For example, while each rule of law institution has unique needs linked to its specific functions, there are also a raft of common capacity deficiencies to differing extents, from planning and donor liaison expertise, to gender and juvenile justice capacity and M&E and data collection

⁵³ See also: Handbook on Planning, Monitoring and Evaluating for Development Results (UNDP, 2009)

know-how. To the extent that common core needs exist, the Joint Programme will work thematically, linking the institutional support provided across these grouped themes to forge closer developmental links between its partners and beneficiaries and achieve efficiencies by 'sharing' thematic experts across more than one institution.

- *Promote national capacity development:* The Joint Programme will assess throughout its implementation on whether (1) interventions are sustainable; and (2) how to strengthen national M&E capacities in the process.
- *Promote inclusiveness and women's empowerment:* The programme will evaluate all its results from the perspective of whether it reflects the interests and rights of women and other underserved groups. One means - not the sole - is to ensure sufficiently disaggregated data for M&E purposes. The programme will capitalise on the specialised mandates of UN Women and MOWA to support its monitoring of women's empowerment and inclusiveness.
- *Responsiveness to the local context:* Conflict and post-conflict situations are dynamic and necessitate programming to quickly respond to change. Therefore, the situation should be continually analysed and monitored to ensure that programming remains appropriate and relevant. As mentioned earlier, an up-to-date risk log will be required as well as continuous analysis of the situation by the joint programme team.
- *Multiple and embedded approaches:* Undertaking M&E in the area of rule of law can be a challenge: no one measurement tool is sufficient to build an adequate results picture. A composite of various M&E approaches, quantitative and qualitative, may best yield information on results achievement. To this end, the Joint Programme will support and embeds within its activities various M&E approaches including user surveys, perception surveys, after-action questionnaires, institutional statistics, pilot case auditing and academic assessments, which give voice to end beneficiaries, including women and children. Additionally, Programme Board meetings, donor coordination meetings and regular discussions with national counterparts will be convened regularly to assess progress, risks and opportunities. A separate M&E framework will be provided to provide greater detail for implementation, based upon the results and resources framework (see section 11).
- The Programme will include a mid-term review and an end-of-programme evaluation.

9. Exit Strategy

The exit strategy of the Joint Programme will be influenced by a number of factors, some of which are beyond the direct control of UNDP/PAPP and UN Women, such as the PA's relationship with the government of Israel, the outcome of the current peace talks, the PA fiscal situation, the status of national reconciliation efforts, and the status of the PLC.

Other factors relevant to an exit strategy UNDP/PAPP and UN Women will try to influence include the pace of adoption and implementation of improved legal frameworks, the cooperation between different institutions, counterpart absorption capacities and the amount, type and success of assistance provided by others during the coming three years and beyond. Given the number and range of these variables, it seems premature to formulate an exit strategy for the entire programme with three years of implementation activities still ahead. However, exit strategies based on clear timelines and milestones have been agreed to and integrated into the programme's outputs and activities.

For the purpose of this document therefore, the exit strategy will focus on matters largely within UNDP/PAPP and UN Women's sphere of influence and control. It thus articulates the results that can reasonably be expected to be achieved focusing on how the Joint Programme will work to achieve a high level of sustainability, making itself redundant and leaving in its wake lasting counterpart capacities, systems and networks.

Based on the experience and the evaluation of the first phase of UNDP's Rule of Law & Access to Justice Programme, several activities are conditional upon explicit upfront exit strategies being in place. This applies to the secondment of all technical experts across the different rule of law institutions and

the activities under the Stabilisation Fund, as well as capacity development and capacities related to MIZAN2.

As mentioned previously, the secondment of (national) technical experts, working in close cooperation with their civil servant counterparts to provide a source of knowledge and experience on specific priority core functions. This knowledge will be transferred over time, based on clear knowledge transfer benchmarks and learning goals. A similar situation will occur with the development of M&E capacities, where additionally the PCBS will be increasingly engaged to help create a unified M&E modality for the sector.

UNDP/PAPP and UN Women recognise that the skill set needed to mentor and develop capacity is different from that of performing expert in-line duties. Thus, the Joint Programme will recruit new staff based on proven mentoring track records, in addition to expert skills and provide all of its new and existing secondees with training on performing the role of mentor. The Joint Programme will develop with each individual secondee their individualised plan for transferring knowledge to civil servant counterparts. This plan will be regularly reviewed and adjusted as needed, and used as a measure of performance in relation to the secondees.

On the institution side, the Joint Programme will provide suggested criteria for the selection of counterparts and enter into written commitments with each institution that, assuming satisfactory performance, the counterparts will be retained in their roles for the duration of the expert's appointment and for a substantial stated period beyond. Finally, the experts will not invest in a single counterpart but will each work with a small group of counterparts to spread the skills and knowledge across several staff to increase the resilience and sustainability of the knowledge and skills imparted.

The Stabilisation Fund modality provides institutional counterparts with the possibility of immediately improving human resource capacities through contracted staff, on condition that these staff will be prioritised in future allocations of civil servant posts. This modality was successfully utilised in the first phase with the MOJ resulting in a transfer rate to permanent posts of around 78%. This percentage is likely to improve further in early 2014 when further anticipated posts become available. The Joint Programme intends to expand the use of the Stabilisation Fund modality to other critically understaffed institutions, most notably the *shari'a* courts and possibly the judicial police (pending the outcome of a planned capacity/needs assessment).

In order to further expand the use and improve the functionality of the MIZAN2 across all rule of law institutions, it is proposed to create an inter-governmental taskforce dedicated exclusively to improving and expanding the MIZAN2 network. This focus on MIZAN2 is expected to continue to improve the management of cases in a coordinated way across the justice chain. Although the PCP is developing a different system, assurances have been given that this system will also be compatible with MIZAN2, adding another crucial institution to the network and thus achieving linkage and functionality across the entire justice chain.

The accredited diploma programmes (legal skills, administrative skills and middle management) will be available to all counterpart institutions for the duration of the programme, and will include some new specialised areas where particular needs have been identified. The key aim of these programmes is to develop and lift sustainable capacity across a broad cross-section of the rule sector - which is in itself a core element of the exit strategy. Given the relatively low turnover of staff within justice institutions, it is expected that 'saturation point' for these particular diploma programmes will be reached during the life of the programme thus there will likely not be a need for their continuance. This provides a natural exit strategy for these particular programmes.

As the training of staff is a 'rolling' activity and additional specialist programmes will be needed to build on the 'base' already established, the aim is to further strengthen the roles of the PPMUs to thread plans and allocate sufficient budget to meet the continuing professional development demands of institutional staff. This includes detailed training needs assessments to make visible training needs,

which will help make a strong case for persuading institutional heads to lobby for and allocate resources for continuing professional development, as a matter of priority.

Regarding the programme support for civil society organisations, it will be imperative for these organisations to (continue to) diversify their donor support base and develop capacities to generate income from other sources. The exit strategy for the programme's support for legal assistance, with a particular focus on socially disadvantaged groups would at least partially, depend on the success of some other programme activities, such as the ongoing work with the PBA on designing a *pro bono* scheme, as well as the establishing of a legal aid fund combined with the passing of the draft legal aid law, which should incorporate legal assistance in civil cases, and allow for a wider array of legal assistance providers to be eligible for reimbursement of expenses and fees.

As the manner in which the programme will exit a significant number of the programme activities and outputs is currently not possible to foresee in detail, it will be imperative to commence the design an exit strategy around the mid-term evaluation of the programme, based on the realities on the ground at that time. Also for that purpose, a mid-term review report will be produced, which will be supplemented by regular as well as specific exit strategy discussions with all national stakeholders. This process will also entail consultations with donors and other development actors working in the sector to further help inform the details of the exit strategy.

10. Legal Context

The Administrative Agent and the participating UN organisations will sign the UNDG approved memorandum of understanding for the purpose of this Joint Programme. The donors contributing to the Joint Programme will sign with the Administrative Agent the UNDG approved standard administrative arrangement.

UNDP/PAPP and UN Women as the executing agencies shall comply with the policies, procedures and practices of the United Nations safety and security management system. UNDP/PAPP and UN Women will undertake all reasonable efforts to ensure that none of the funds received pursuant to the Programme Document are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP/PAPP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999).

The list can be accessed via: http://www.un.org/sc/committees/1267/aq_sanctions_list.shtml. This provision must be included in all sub-contracts or sub-agreements entered into under this Programme Document.

11. Results and Resources Framework

Outcome 1: Capacity of justice and security institutions strengthened and linkages forged																																																															
Outcome Indicators	Outcome Targets	Risks/Assumptions	Means of Verification																																																												
<p>Rate of public satisfaction with performance and trust in the Ministry of Justice, the Palestinian Civil Police, the Attorney-General's Office/Public Prosecution, the High Judicial Council and the <i>shari'a</i> courts</p> <p>% of complaints against police to be investigated in accordance with procedure and complainant kept informed of progress, ultimate result and data properly recorded.</p> <p>Public awareness of the Palestinian Anti-Corruption Commission's existence and purpose</p> <p>Number of complaints, investigations, prosecutions and adjudications handled by the PACC and CCC</p> <p>Capacity of justice and security institutions strengthened to undertake strategic planning, propel their own development and work according to institutionalised policies and procedures</p> <p>Number of justice and security institutions linked to MIZAN2</p> <p>Improved capacities across the entire criminal justice chain to deal with investigation, adjudication and execution (increased number of cases investigated, higher quality judgements, higher disposal rates, lower congestion rates, lower backlogs in administration, execution and notification, detention cases prioritised)</p> <p>Improved intra-governmental capacities in international legal cooperation (number of extraditions, witnesses, court order executions, amount and number of asset recoveries, international agreements, conventions and treaties)</p> <p>(Gender indicators included in Outcome 4; M&E indicators included in Outcome 7)</p>	<p>Baselines and targets(out of 5):</p> <table border="1"> <thead> <tr> <th>MOJ</th> <th>Satisfaction</th> <th>Trust</th> </tr> </thead> <tbody> <tr> <td>B: 2011</td> <td>2.45</td> <td>3.01</td> </tr> <tr> <td>B: 2012</td> <td>2.52</td> <td>2.86</td> </tr> <tr> <td>T: 2014</td> <td>2.60</td> <td>3.00</td> </tr> <tr> <td>T: 2016</td> <td>2.66</td> <td>3.10</td> </tr> <tr> <td>PCP</td> <td></td> <td></td> </tr> <tr> <td>B: 2011</td> <td>2.70</td> <td>3.12</td> </tr> <tr> <td>B: 2012</td> <td>2.68</td> <td>2.87</td> </tr> <tr> <td>T: 2014</td> <td>2.75</td> <td>3.15</td> </tr> <tr> <td>T: 2016</td> <td>2.80</td> <td>3.20</td> </tr> <tr> <td>AGO/PP</td> <td></td> <td></td> </tr> <tr> <td>B: 2011</td> <td>2.58</td> <td>2.97</td> </tr> <tr> <td>B: 2012</td> <td>2.65</td> <td>2.84</td> </tr> <tr> <td>T: 2014</td> <td>2.68</td> <td>2.97</td> </tr> <tr> <td>T: 2016</td> <td>2.74</td> <td>3.10</td> </tr> <tr> <td>HJC</td> <td></td> <td></td> </tr> <tr> <td>B: 2011</td> <td>2.50</td> <td>3.09</td> </tr> <tr> <td>B:2012</td> <td>2.41</td> <td>2.96</td> </tr> <tr> <td>T:2014</td> <td>2.50</td> <td>3.10</td> </tr> <tr> <td>T:2016</td> <td>2.60</td> <td>3.20</td> </tr> </tbody> </table> <p>Baseline: no data (2013) Target: 2014: 10%, 2015: 30%, 2016: 80%</p> <p>At least 60% of the public aware of the Palestinian Anti-Corruption Commission's existence and purpose</p> <p>Baseline: largely dependent on UNDP secondees (2013)</p> <p>Targets: permanent staff in place and performing 40% (2014), 70% (2015), 100% (2016) of functions</p> <p>Baseline:⁵⁴ 5 (2013) Target: 8 (PCP, <i>shari'a</i> courts, military courts)</p> <p>Significantly higher disposition rates (and lower congestion rates) across the criminal justice chain Baseline: PCBS/UNDP survey of justice and sector data 2011</p>	MOJ	Satisfaction	Trust	B: 2011	2.45	3.01	B: 2012	2.52	2.86	T: 2014	2.60	3.00	T: 2016	2.66	3.10	PCP			B: 2011	2.70	3.12	B: 2012	2.68	2.87	T: 2014	2.75	3.15	T: 2016	2.80	3.20	AGO/PP			B: 2011	2.58	2.97	B: 2012	2.65	2.84	T: 2014	2.68	2.97	T: 2016	2.74	3.10	HJC			B: 2011	2.50	3.09	B:2012	2.41	2.96	T:2014	2.50	3.10	T:2016	2.60	3.20	<p>- Justice and security institutions are willing to commit to programmes aimed at providing sustained capacity development support</p> <p>- Relations between justice and security institutions, and between PA institutions and civil society remain conducive to working together</p> <p>- The PA can continue to provide adequate funding and staff to justice and security institutions</p> <p>- Political developments permit continuation of development focus upon key PA justice and security institutions</p> <p>- Mentoring relationships between experts and counterparts are effective</p> <p>- Political will and fiscal capacity exists to pass laws, approve by-laws and implement these</p>	<p>UNDP public perception surveys (baseline study 2011, then subsequent surveys for 2012, 2014 and 2016)</p> <p>PCBS survey of justice and sector data (baseline study 2013 then subsequent surveys for 2014 and 2016)</p> <p>MIZAN2 records</p> <p>Data and records generated by justice and security institutions, including by UNDP seconded staff</p> <p><i>Al-Muqtafi</i> records of court judgements</p> <p>Musawa Annual Legal Monitor Reports</p> <p>Programme progress and annual reports</p> <p>Joint capacity assessment of Ministry of Justice and other institutional partners</p> <p>Relevant data from MIZAN2 and other databases</p>
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HJC																																																															
B: 2011	2.50	3.09																																																													
B:2012	2.41	2.96																																																													
T:2014	2.50	3.10																																																													
T:2016	2.60	3.20																																																													

⁵⁴ Currently, the MOJ, the MOI, the AGO/PP, the HJC and the PBA are linked to MIZAN2

	Disposal Rate	Congestion Rate
AGO/PP	1	1.15
Conciliation Courts	1	1.28
First Instance Courts	1.74	2.25
Appeals Courts	1.03	1.22
Overall	0.99	1.36
<i>Shari'a</i> Courts	0.97	1.15

Targets: 2016
 Disposition rate across all courts greater than 1 (meaning it is keeping up with caseload and reducing backlog)
 Congestion rates reduced by one third across all courts

 Detention cases prioritised

 Increase in execution of judgements and decrease in backlogs
 Baseline: Rulings executed by AGO/PP 14,255; backlog not known (2011)
 Rulings executed by HJC 18,066; backlog 64,897 (2011)

 Baseline: TBC
 Target: TBC

Outputs Baseline(s)/Indicator(s)	Output Targets (for years)	Indicative Activities
<p>1.1: MOJ's technical capacity strengthened in relation to planning, M&E, policy advice, capacity of legal and administrative staff, legislative drafting, legal aid institutionalisation, international legal cooperation, and gender and juvenile justice (UNDP, cross-cutting with outputs 4.1, 4.2, 4.3, 5.5, 5.6, 6.3 and 7.1)</p> <p><u>Baselines:</u></p> <p>As of end 2013, 60 out of a total of 131 MOJ employees (46%) will have completed a specialised institutionalised and accredited diploma or certificate; however, the remaining 54% are yet to receive institutionalised ongoing investment in their capacities</p> <p>Future of the PJI remains unclear</p> <p>MOJ's data collection and M&E capacity remains weak</p> <p>MOJ's planning capacity requires further institutionalisation across all MOJ units and directorates and across the justice sector</p> <p>Ministerial advisory capacity remains weak hampering the efforts of the Minister to achieve internal reform of the MOJ and leadership of the justice sector</p> <p>Legislative drafting processes are <i>ad hoc</i>, lack substantive impact and costing assessments and insufficient/inconsistent consultation processes</p> <p>State legal aid obligations remain largely unmet especially in relation to cases within Palestinian jurisdictions</p> <p>The MOJ lacks in-house expertise to drive international legal cooperation/mutual legal assistance and seize opportunities arising from GA recognition of Palestinian observer state status</p> <p>Gender mainstreaming requires additional institutionalisation</p> <p>Juvenile justice capacity requires additional institutionalisation</p> <p><u>Indicators:</u></p> <p>Percentage of Ministry staff who have satisfactorily completed (or are completing) institutionalised capacity building training programmes and achieved accredited qualifications</p> <p>Number of strategies and action plans related to gender and juvenile justice adopted and implementation commenced within the Ministry of Justice</p> <p>Number of units/directorates' work plans reviewed by the Gender Unit and the Juvenile Justice Units</p> <p>Permanent MOJ staff leading drafting of new justice sector strategy with support from UNDP secondees</p> <p>New justice sector strategy finalised and adopted</p>	<p><u>Targets (year 1):</u></p> <p>30 further MOJ staff (23% of MOJ staff) to have completed Legal Skills Diploma, Administrative Skills Diploma and/or Middle Management Certificate</p> <p>MOJ staff professional development needs assessment updated</p> <p>All remaining staff funded by the Stabilisation Fund transferred to permanent civil service posts</p> <p>UNDP secondments 'shadowed' by permanent civil servant counterparts with developed work plans integrated into national, sectoral and ministerial strategies and identified handover milestones to counterparts leading to exit strategy</p> <p>MOJ M&E strategy implemented, data collected and first report prepared</p> <p>M&E strategies across the sector harmonised and implementation commenced</p> <p>MOJ gender mainstreaming strategy and action plan adopted and implementation commenced</p> <p>Juvenile justice strategy and action plan adopted and implementation commenced</p> <p>Work plans integrate gender and juvenile justice needs</p> <p>Legal Aid Law passed and set-up support and policy guidance provided to legal aid body</p> <p>Working group for drafting of legal framework for mutual legal assistance mandated and in place, led by International Cooperation Unit (MOJ)</p> <p>Joint Legal Committee supported, through the International Cooperation Unit (MOJ)</p> <p><u>Targets (year 2):</u></p> <p>Following the phasing out of the institutional training programme, on-going professional development training programme based on identified needs implemented</p> <p>Gradual transfer of primary responsibility for core tasks from UNDP secondments to permanent civil servant counterparts while supporting counterparts and exiting after two years</p> <p>Gender strategy in advanced state of implementation</p> <p>Gender is mainstreamed across work plans Work plans integrate juvenile justice needs</p> <p>Legal aid body established and the provision legal aid grants commenced. Legal aid provided to 50% of eligible persons</p> <p>MOJ's International Cooperation Unit has legal framework for mutual legal cooperation in place, processes and support mechanisms identified</p> <p>Joint Legal Committee supported, relevant information and data needs assessed</p> <p><u>Targets (year 3):</u></p> <p>UNDP secondments phased out</p>	<p>1.1.1: Support the MOJ's participation in the advanced diploma and certificate programme at Birzeit University and offer other continuous training opportunities</p> <p>1.1.2: Support reduced Stabilisation Fund for two more years, with a focus on policy development and advice</p> <p>1.1.3: Support the development of M&E capacity within the MOJ via co-location of staff for two years with 'shadowing' and knowledge transfer according to agreed upon indicators, prior to phasing out secondees (see also Outcome 7)</p>

Outputs Baseline(s)/Indicator(s)	Output Targets (for years)	Indicative Activities
<p>National legal aid policy and strategy developed in inclusive manner involving key stakeholders</p> <p>Annual national legal aid conferences held</p> <p>MOJ legislative drafters able to undertake legislative impact assessments and legislative costings in consultation with relevant line ministries</p> <p>Number of legislative impact assessments completed</p> <p>Number of legislative costings completed</p> <p>Number of draft laws developed in accordance with consultation manual process</p> <p>Number of draft laws developed in accordance with legislative drafting manual</p> <p>% of units and directorates to incorporate gender sensitivity/activities into work plans</p> <p>% of units and directorates to incorporate juvenile justice considerations into work plans/activities</p> <p>Number of extraditions/international legal mutual cooperation processes completed</p> <p>Establishment of and use of incident reporting mechanism across justice and security sector</p> <p>Institutions to capture details of cases where Israeli movement and access restrictions adversely impact on Palestinian justice processes</p> <p>Number of concessions/agreements achieved by Palestinian members of Joint Legal Committee to improve coordination and function of Palestinian justice system.</p> <p>International legal strategy developed and cases commenced</p>	<p>Permanent counterparts able to competently perform all core tasks in area of specialty with advisory support from the Programme</p> <p>Institutionalised national legal aid system established</p> <p>Legal aid body providing legal representation to 85% of eligible persons</p> <p>Gender and juvenile justice strategy milestones achieved and reviewed</p> <p>All units and directorates work plans include gender and juvenile responsive planning</p> <p>International Cooperation Unit (MOJ) is coordinating a functional system for mutual legal assistance in criminal matters in PA</p> <p>Capacities of Palestinian duty bearers to deal with legal aspects of occupation vis-à-vis Israel improved</p>	<p>1.1.4: Support the further development and institutionalisation of planning and organisational change through co-location of staff in the TAU. Secondees to be phased out through 'shadowing' after two years according to agreed upon indicators</p> <p>1.1.5: Strengthen the MOJ's human rights protection/mainstreaming and legal aid capacity via the co-location of staff to support the development of the Human Rights Unit and the passage and implementation of an amended Legal Aid Law, including the establishment of a national legal aid committee, database, building partnerships with legal aid services providers including the PBA, and undertaking implementation monitoring, as well as public outreach. Secondee to be phased out through 'shadowing' after two years according to agreed upon indicators</p> <p>1.1.6: Hold annual national legal aid conferences and other events, as appropriate</p> <p>1.1.7: Strengthen the MOJ's capacity via expert support to engage in international legal cooperation work including treaty accession processes, international legal strategy development and implementation, mutual legal cooperation and capacity-building of Palestinian members of the Joint Legal Committee. Secondee expert to be phased out through 'shadowing' after two years according to agreed upon indicators</p> <p>1.1.8: Strengthen the MOJ's capacity via expert support to develop and lead harmonised legislative drafting processes across the justice chain and quality law drafting processes including robust consultation processes, impact assessments and capacity to undertake costings in consultation with other relevant line ministries. Secondee to be phased out through 'shadowing' after two years according to agreed upon indicators</p> <p>1.1.9: Support gender-expertise capacity in the MOJ via UNDP-secondment. Expert to be phased out through 'shadowing' after two years according to agreed upon indicators</p>

Outputs Baseline(s)/Indicator(s)	Output Targets (for years)	Indicative Activities															
<p>1.2: HJC's technical capacity strengthened in relation to planning, donor liaison, project management, M&E, capacity of court and administrative staff, further development and implementation of MIZAN2, case flow and management, judicial inspections work, execution of judgments and gender and juvenile justice (UNDP, cross-cutting with outputs 4.1, 4.2, 4.3, 5.2, 5.5, 5.6, 6.5 and 7.1)</p> <p><u>Baselines:</u></p> <p>Planning and Project Management Unit largely dependent upon UNDP seconded staff</p> <p>Limited capacity of Inspections Department to fulfil core functions</p> <p>MIZAN2 operational in all district courts, AGO and with linkages to the MOJ, MOI and PBA</p> <p>Three Court Information Points operational</p> <p>Nine enforcement officers in Enforcement Department able to enforce only one third of annual court judgments</p> <p>Limited <i>ad hoc</i> training to HJC administrative staff</p> <p>Women less satisfied with regular courts than men (-/ - 14.7%)</p> <p>Regular courts are not able to deal with the substantial case backlog (congestion rate: 1.36)</p> <p><u>Indicators:</u></p> <p>Number of permanent counterparts staff working alongside UNDP secondees in accordance with knowledge transfer plan</p> <p>Number of justice/security institutions linked to MIZAN2</p> <p>Number of lawyers and members of the public using MIZAN2</p> <p>Case management efficiency caused by MIZAN2</p> <p>Number of HJC administrative staff to undertake and complete institutionalised training programme</p> <p>Development and implementation of SOPs for Inspections Department</p> <p>Number of Court Information Points established and number of users</p> <p>% of judgments enforced by Executions Department Baseline: 20%</p> <p>Satisfaction of women court users with court information services</p> <p>% of women satisfied with regular court handling of cases, including those involving violence against women</p>	<p><u>Targets (year 1):</u></p> <p>UNDP secondments 'shadowed' by permanent civil servant counterparts with developed work plans integrated into national and sectoral strategies and identified handover milestones to counterparts leading to exit strategy</p> <p>Ten HJC staff to complete Legal Skills Diploma, Administrative Skills Diploma and/or Middle Management Certificate</p> <p>Three additional Court Information Points (total: 6) established and a total of 30,000 users per annum</p> <p>M&E strategy developed and implemented, data collected</p> <p>30% of judgments enforced</p> <p>At least one additional institution linked to MIZAN2; public able to use MIZAN2 to lodge applications and access documents</p> <p>Inspection Department database established and used by all staff</p> <p>M&E counterpart staff appointed and assuming responsibility for 20% of core tasks</p> <p>Human rights expertise established</p> <p>20 institutional staff to receive human rights awareness training</p> <p>Disposition rates increased and congestion rates decreased. Targets:</p> <table border="1" data-bbox="709 873 1224 1003"> <thead> <tr> <th></th> <th>Disposal Rate</th> <th>Congestion Rate</th> </tr> </thead> <tbody> <tr> <td>Conciliation Courts</td> <td><1</td> <td>1.18</td> </tr> <tr> <td>First Instance Courts</td> <td>1.74</td> <td>1.90</td> </tr> <tr> <td>Appeal Courts</td> <td>1.13</td> <td>1.12</td> </tr> <tr> <td>Overall</td> <td>1.05</td> <td>1.20</td> </tr> </tbody> </table> <p><u>Targets (year 2):</u></p> <p>Gradual transfer of primary responsibility for core tasks from UNDP secondments to permanent civil servant counterparts while supporting counterparts and exiting after two years</p> <p>Ten additional HJC staff to complete Legal Skills Diploma, Administrative Skills Diploma and/or Middle Management Certificate</p> <p>Three additional (total: nine) Court Information Points established and a total of 45,000 users per annum</p> <p>40% of judgments enforced</p> <p>At least one additional justice institution linked to MIZAN2</p> <p>SOPs developed for Inspection Department and staff trained on them</p> <p>M&E counterpart appointed and assuming responsibility for 60% of core tasks</p>		Disposal Rate	Congestion Rate	Conciliation Courts	<1	1.18	First Instance Courts	1.74	1.90	Appeal Courts	1.13	1.12	Overall	1.05	1.20	<p>1.2.1: Continued support to the Planning and Project Management Unit with progressive hand-over of responsibilities to HJC staff</p> <p>1.2.2: Support the development of M&E capacity, including organisational assessments, within the High Judicial Council via co-location of staff with 'shadowing' (See Outcome 7 for details)</p> <p>1.2.3: Support the further 'operationalisation' and expansion of MIZAN2 electronic case management system, including by setting up an inter-governmental taskforce</p> <p>1.2.4: Support the further expansion of the Court Information Points to all district courts</p> <p>1.2.5: Provide capacity support for the notification department and the enforcement/execution branch of the HJC</p> <p>1.2.6: Support the participation of HJC staff in the Legal Skills Diploma, Administrative Skills Diploma, Middle Management Certificate and offer other continuous training opportunities, in particular in relation to new laws</p> <p>1.2.7: Undertake capacity review of the Inspections Department, provide recommendations and support implementation</p> <p>1.2.8: Provide human rights expertise via UNDP-secondment. Expert to be phased out through 'shadowing' after two years, according to agreed upon indicators</p> <p>1.2.9: Support the annual judicial conferences and court administration conferences</p>
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Outputs Baseline(s)/Indicator(s)	Output Targets (for years)	Indicative Activities
<p>1.3: AGO/PP's technical capacity strengthened in relation to planning, donor liaison, project management, M&E, capacity of legal and administrative staff, taking into account gender and juvenile justice considerations (UNDP, cross-cutting with outputs 4.2, 4.3, 4.4, 5.2, 5.5, 5.6, 5.7, 6.3, 6.5 and 7.1)</p> <p><u>Baselines:</u></p> <p>Functioning of PPMU largely dependent upon UNDP secondees and staffing shortages prevent appointment of sufficient permanent staff to PPMU</p> <p>Administrative staff lack capacity to fulfil core specialised functions</p> <p>Data collection and M&E capacity within the AGO/PP limited</p> <p>MIZAN2 link to AGO/PP established but insufficient capacity to reliably and accurately update data or use system to full potential</p> <p>Ratio of support personnel per prosecutor less than 0.8</p> <p>Prosecution service is not able to deal with the substantial case backlog (congestion rate: 1.15)</p> <p><u>Indicators</u></p> <p>Appointment of contracted/permanent staff to PPMU to shadow UNDP secondees</p> <p>Knowledge transfer milestones met at end of years 1 and 2 and secondee exit strategy implemented</p> <p>Three-year strategic plans (2014-2016) developed</p> <p>Number of PPMU supported projects/programmes within the AGO/PP</p> <p>Number of auctioned requests for PPMU technical assistance</p> <p>Disposition/congestion rates improved Baseline: Disposition rate 1, Congestion rate: 1.15</p>	<p><u>Targets (year 1):</u></p> <p>UNDP secondees 'shadowed' by permanent civil servant counterparts with developed work plans integrated into national and sectoral strategies and identified handover milestones to counterparts leading to exit strategy</p> <p>M&E strategy developed and training provided to all relevant units. Institutional data collected with help from PCBS</p> <p>50% of support staff funded by the Stabilisation Fund transferred to permanent civil service posts</p> <p>Disposition rate <1, congestion rate: 1.10</p> <p><u>Targets (year 2):</u></p> <p>UNDP secondees gradually transferring primary responsibility for core tasks while supporting counterparts and exiting after two years</p> <p>M&E gender-responsive strategy fully implemented and sex disaggregated data collected</p> <p>All support staff funded by the Stabilisation Fund transferred to permanent civil service posts</p> <p>Disposition rate <1, congestion rate: 1.05</p> <p><u>Targets (year 3):</u></p> <p>UNDP secondees phased out</p> <p>Permanent counterparts able to competently perform all core tasks in area of specialty with advisory support from programme</p> <p>M&E gender sensitive strategy and sex disaggregated data collection fully institutionalised</p> <p>Disposition rate <1, congestion rate: >1</p>	<p>1.3.1: Continued support to the Planning and Project Management Unit with progressive hand-over of responsibilities to AGO/PP staff</p> <p>1.3.2: Support additional AGO/PP staff to ensure 'shadowing' with PPMU with agreed upon indicators/timelines for secondee exit</p> <p>1.3.3: Support the participation of AGO/PP staff in the Legal Skills Diploma, Administrative Skills Diploma, Middle Management Certificate and offer other continuous training opportunities, in particular in relation to new laws</p> <p>1.3.4: Support the development of M&E capacity, including organisational assessments, within the AGO/PP via co-location of staff for two years with 'shadowing' (See Outcome 7 for details)</p> <p>1.3.5: Develop juvenile justice strategic framework with AGO/PP</p>

<p>1.4: Legislative drafting skills enhanced across the legislative chain, with a focus on promoting and protecting gender equality (UNDP, cross-cutting with outputs 4.1 and 6.1)⁵⁵</p> <p><u>Baselines:</u></p> <p><i>Ad hoc</i> approach to legislative drafting with key institutions positioning for dominance in leading legislative drafting processes</p> <p>Continuing contest of the role of the <i>Diwan al-fatwah wal tashri</i></p> <p>Legislative drafting skills of lawyers relatively low</p> <p>Legislative drafting manual and consultation manual almost complete</p> <p>Impact assessments of draft laws rarely completed</p> <p>Capacity to cost draft laws extremely low</p> <p>Capacity to undertake gender impact analysis of laws low</p> <p>Number of average daily users of <i>Al-Muqtafi</i> amounted to 1,702 in 2012</p> <p><u>Indicators:</u></p> <p>Endorsement and consistent use of legislative drafting and consultation manuals across all relevant institutions</p> <p>% of draft laws with accompanying gender sensitive impact assessments and costings completed</p> <p>Number of draft/amended laws developed in participatory way to include gender equality principles and strengthen rights of women and girls</p> <p>Number of laws reviewed for gender responsiveness</p> <p>Number of public consultations held on draft laws/amendments supportive of improved gender justice</p> <p>Number of lawyers from relevant institutions to complete legislative drafting diploma</p> <p>Number of new users of <i>Al-Muqtafi</i> legal database and increase in average daily hits</p>	<p><u>Targets (year 1):</u></p> <p>Review of legislative drafting legal framework and processes conducted</p> <p>Consultations conducted between relevant institutions and CSOs as to what process should be followed until PLC functioning</p> <p>25 lawyers from relevant institutions to undertake legislative drafting diploma</p> <p>Training provided to all relevant institutions re legislative drafting manual and consultation manual</p> <p>Gender sensitive impact assessments conducted on 25% of draft laws; costings of draft laws conducted on 20% of draft laws</p> <p>At least three existing laws or bylaws reviewed through a 'gender' lens by line ministries</p> <p>At least two public consultations held on draft laws/amendments supportive of improved gender justice</p> <p>At least 1,800 average daily users of <i>Al-Muqtafi</i></p> <p><u>Targets (year 2):</u></p> <p>Consensus achieved between relevant institutions/CSOs as to what process should be followed until PLC functioning</p> <p>Further 25 lawyers from relevant institutions to undertake legislative drafting diploma</p> <p>Legislative drafting manual and consultation manual followed in 50% of drafting processes</p> <p>Gender sensitive impact assessments conducted on 50% of draft laws; costings of draft laws conducted on 40% of draft laws</p> <p>At least 1 more draft law or amendment supportive of improved gender justice put forward</p> <p>Number of laws reviewed for gender responsiveness by line Ministries</p> <p>At least 2 public consultations held on draft laws/amendments supportive of improved gender justice</p> <p>At least 1,900 average daily users of <i>Al-Muqtafi</i></p> <p><u>Targets (year 3):</u></p> <p>Consistent process followed for all draft laws and amendments in compliance with consultation manual</p> <p>Legislative drafting manual and consultation manual consistently used across all parts of legislative drafting chain</p> <p>Gender sensitive impact assessments conducted on 70% of draft laws; costings of draft laws conducted on 60% of draft laws</p> <p>Review conducted re consistency of new laws passed in the West Bank and Gaza</p> <p>At least 1,900 average daily users of <i>Al-Muqtafi</i></p>	<p>1.4.1: Support technical capacity of institutions engaged in legislative drafting process through sponsoring legal/non-legal staff to undertake diploma programme on legislative drafting</p> <p>1.4.2: Support the finalisation and implementation of the legislative drafting manual and consultation manual across all parts of the legislative drafting chain</p> <p>1.4.3: Monitor quality of legislative drafting including completion of impact assessments and costings</p> <p>1.4.4: Engage all relevant institutions in dialogue to achieve greater consensus regarding more consistent approach to processes and consultation surrounding draft laws</p> <p>1.4.5: Review and monitor consistency of law reform emerging from the West Bank Gaza (see Outcomes 2 and 4 for details)</p> <p>1.4.6: Support further development of the <i>Al-Muqtafi</i> legal database including portal for interactive legislative drafting programme</p>
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Outputs Baseline(s)/Indicator(s)	Output Targets (for years)	Indicative Activities
<p>1.5: Specific needs of the <i>shari'a</i> courts identified and supported, especially in the areas of planning, donor liaison, M&E, electronic case management, capacity of administrative and court staff, and gender and juvenile justice (UNDP, cross-cutting with outputs 4.1, 4.2, 4.3, 5.2, 5.5, 5.6 and 7.1)</p> <p><u>Baselines:</u></p> <p><i>Shari'a</i> courts drastically under-resourced and understaffed (judges, court and administrative staff)</p> <p>Non-computerised files and limited computerisation of court administration. Not linked to MIZAN2</p> <p>Court infrastructure generally run down and in many cases, not fit for purpose</p> <p>Capacity low in areas of planning, donor liaison, project management, human resource management, case management and M&E/data collection</p> <p>Enforcement of judgments (handled by regular courts) very slow and unreliable</p> <p>Specialist qualifications and skills of court counsellors lacking</p> <p>Personal Status Law outdated and other aspects of legal framework require amendment/clarification</p> <p><i>Shari'a</i> courts are not able to deal with the substantial case backlog (congestion rate: 1.15)</p> <p>Women less satisfied with <i>shari'a</i> courts than men (-/ 15.9%)</p> <p>Gender units/expertise established</p> <p>Gender strategies and action plans developed in the <i>shari'a</i> courts</p> <p>HR policies and mechanisms to promote greater participation of women in the <i>shari'a</i> courts</p>	<p><u>Targets (year 1):</u></p> <p>Planning and Project Management Unit established within the <i>shari'a</i> court administrative structure</p> <p>Capacity needs assessment completed and areas of work identified</p> <p>Institutional strategic plan completed and aligned with justice sector strategy (2014-2016)</p> <p>All UNDP secondees working with permanent staff counterparts according to developed work plans integrated into national, sectoral and institutional strategies and identified handover milestones leading to exit strategy</p> <p>Other targets developed according to areas of work identified from needs assessment</p> <p>Case disposition rate increased to 1, case congestion rate reduced to 1</p> <p>Gender expertise established in <i>shari'a</i> courts</p> <p>20 institutional staff to receive gender awareness training, prioritising court counsellors</p> <p>Assessment of institutional gender responsiveness and commence development of gender strategy</p> <p>Increase in female judges and staff (depending on availability of new posts)</p> <p><u>Targets (year 2):</u></p> <p>Secondees gradually transferring primary responsibility for core tasks while supporting counterparts</p> <p><i>Shari'a</i> courts linked to MIZAN2</p> <p>Additional targets developed according to areas of work identified from needs assessment</p> <p>Case disposition rate increased < 1, case congestion rate reduced to >1</p>	<p>1.5.1: Establish a Planning and Project Management Unit within the <i>shari'a</i> court administrative structure and second experts in areas of planning, donor liaison, IT and policy development with 'shadowed' colleagues and gradual transfer of responsibilities and skills. Experts to exit after two years and counterparts to receive advisory support from programme as needed</p> <p>1.5.2: Provide support through Stabilisation Fund to fill core posts</p> <p>1.5.3: Support the participation of HJC staff in the Legal Skills Diploma, Administrative Skills Diploma, Middle Management Certificate and offer other continuous training opportunities</p> <p>1.5.4: Link <i>shari'a</i> courts to MIZAN2 electronic case management system and ensure representation in inter-governmental task force</p> <p>1.5.5: Undertake a comprehensive capacity needs assessment of the <i>shari'a</i> courts. Use assessment to help generate donor support to fill gaps</p> <p>1.5.6: Support areas identified as gaps by the needs assessment especially in relation to institutional planning and development but also other areas identified through needs assessment and implemented in coordination with other donors/implementers</p>

Outputs Baseline(s)/Indicator(s)	Output Targets (for years)	Indicative Activities
<p>Percentage of institutional staff to receive gender awareness training</p> <p>Development of specialised gender services for women court users</p> <p><u>Indicators:</u></p> <p>Comprehensive needs and capacity assessment completed</p> <p>Institutional strategic plan developed and implemented</p> <p>All staff have TORs and clear work plans aligned to strategic plan</p> <p>Increased capacity in areas of planning, donor liaison, project management, human resource management, case management and M&E/data collection</p> <p>Disposition/congestion rates improved</p> <p>% of judgments enforced</p> <p>Legal framework amended/clarified</p> <p>Gender units/expertise established</p> <p>Gender strategies and action plans completed and approved</p> <p>Gender sensitive policy framework established including in areas of human resources, planning, budgeting, infrastructure, IT</p> <p>Increase in women representation in <i>shari'a</i> courts Baseline: % of female judges (7%), prosecutors, (71%), court clerks (3%)</p>	<p>Gender strategies and action plans completed, approved in the <i>shari'a</i> courts and implementation commenced</p> <p>Gender policy developed in HR policies, planning, budgeting, space and facility allocations</p> <p>Further 20 institutional staff to receive gender awareness training</p> <p>Further increase in female staff (depending on availability of new posts)</p> <p><u>Targets (year 3):</u></p> <p>Final transfer of knowledge and skills from secondees to permanent staff, with secondees after two years and counterparts to receive advisory support from programme as needed</p> <p>Additional targets developed according to areas of work identified from needs assessment</p> <p>Case disposition rate maintained < 1, case congestion rate maintained >1</p> <p>Further implementation of strategy and monitoring of progress, effectiveness and impact of gender strategies, action plans, gender policy relating to human resources, gender planning, budgeting, space</p> <p>Further 20 institutional staff to receive gender awareness training</p> <p>Further increase in female staff (depending on availability of new posts)</p>	

Outputs Baseline(s)/Indicator(s)	Output Targets (for years)	Indicative Activities
<p>1.6: PCP's technical capacity strengthened in relation to IT, M&E, professional standards, internal complaints mechanisms, and judicial notifications and enforcements, taking into account gender and juvenile justice considerations (UNDP, cross-cutting with outputs 4.2, 4.3, 4.4, 5.1, 5.3, 5.5, 5.6, 6.4 and 7.1)</p> <p><u>Baselines:</u></p> <p>IT capacity in support of internal and external work processes low</p> <p>Legal frameworks require amendment/clarification</p> <p>Accountability strategy/implementation plan have been finalised but have not yet been endorsed</p> <p>Code of conduct has been finalised, endorsed and needs mainstreaming and implementation</p> <p>Internal oversight bodies (IGO, BGHR, PSDD) have overlapping mandates and lack clear SOPs for receiving, investigating and resolving complaints</p> <p>Complainants are rarely informed of progress of complaints or outcomes</p> <p>No proper MOI oversight of complaints handling and disciplinary decisions of the PCP</p> <p>No standardised approach by PCP for responding to ICHR complaints and providing updates, outcomes of investigations and final decisions</p> <p>Judicial Police not connected to main databases, requires review of legal frameworks and lacks qualified staff and equipment</p> <p>Judicial Police backlogs: 170,000 notification actions, 18,000 enforcement actions</p> <p><u>Indicators:</u></p> <p>Number of permanent counterparts staff working alongside UNDP secondees in accordance with knowledge transfer plan</p> <p>SOPs and job descriptions for internal oversight bodies developed</p> <p>Implementation of gender responsive code of conduct</p> <p>Number of complaints handled in accordance with proper policies, procedures and processes</p> <p>Percentage of PCP staff who have satisfactorily completed institutionalised capacity building training programme and achieved accredited qualifications</p> <p>Public awareness of complaint mechanisms increased (baseline 2012: 41%)</p> <p>Capacity needs assessment of the judicial police undertaken and project proposal developed</p>	<p><u>Targets (year 1):</u></p> <p>Additional IT capacity established in the PCP, in support of the RPDA, Juvenile Police, FPU, Judicial Police, and complaints units, with a focus on gender sensitive M&E, database connectivity and complaints handling, with 'shadow' PCP counterparts</p> <p>Accountability strategy formally endorsed and implementation commenced</p> <p>PCP gender responsive Code of Conduct implemented and mainstreamed in PCP training curriculum</p> <p>Mandates of internal oversight bodies (IGO, BGHR, PSDD) streamlined</p> <p>public awareness of police complaints mechanisms 44%</p> <p>Assessment of Judicial Police conducted, recommendations accepted and project proposal developed</p> <p>Two intra-governmental MOUs in place on cooperation with Judicial Police</p> <p><u>Targets (year 2):</u></p> <p>Three functional IT systems in place in support of PCP internal and external work processes</p> <p>Gradual transfer of primary responsibility for core tasks from UNDP IT secondees to permanent PCP counterparts while supporting counterparts and exiting after two years</p> <p>SOPs developed for complaints and police trained on it</p> <p>60% of complaints (including those by ICHR) handled in accordance with complaints SOPs</p> <p>Monitoring of implementation of code of conduct and handling of cases where conduct code breached</p> <p>Position of MOI Inspectorate filled and commencing oversight role on PCP handling of complaints and disciplinary decisions</p> <p>Public awareness of police complaints mechanisms target 48%</p> <p>Two additional intra-governmental MOUs in place on cooperation with Judicial Police</p> <p><u>Targets (year 3):</u></p> <p>Three more functional IT systems in place in support of PCP internal and external work processes</p> <p>UNDP secondees phased out</p> <p>80% of complaints (including those by ICHR) handled in accordance with agreed-upon SOPs</p> <p>Public awareness of police complaints mechanisms 52%</p>	<p>1.6.1: Establish additional IT capacity through secondment of experts with 'shadowed' colleagues and gradual transfer of responsibilities and skills. Experts to exit after two years and counterparts to receive advisory support from programme as needed</p> <p>1.6.2: Support the development of gender sensitive M&E capacity, within the Palestinian Civil Police (See Outcome 7 for details)</p> <p>1.6.3: Support the finalisation and endorsement of the accountability strategy by the PCP, by the Minister of Interior and Chief of Police and its implementation</p> <p>1.6.4: Support the implementation of the code of conduct for the PCP</p> <p>1.6.5: Undertake a comprehensive capacity needs assessment of the judicial police. Use assessment to guide institutional development, help address identified needs and generate donor support to fill gaps</p> <p>1.6.6: Support the implementation of a streamlined, transparent and effective internal complaints mechanism which includes reliable status and outcome updates/results for complainants</p> <p>1.6.7: Develop mechanisms to support proper MOI oversight of complaints handling and disciplinary decisions of the PCP and support PCP responses to independent oversight efforts such as those provided by ICHR</p> <p>1.6.8: Support the participation of PCP staff in the Administrative Skills Diploma and Middle Management Certificate and other courses as needed in particular in relation to new laws</p> <p>1.6.9 Support capacity development of juvenile police unit (see Output 6.4)</p>

Outputs Baseline(s)/Indicator(s)	Output Targets (for years)	Indicative Activities
<p>1.7: Institutional development of the Corruption Crimes Court supported (UNDP, cross-cutting with 1.2, 4.1, 4.3, 5.2 and 7.1)</p> <p><u>Baselines:</u></p> <p>Anti-Corruption Law (2010) requires amendment/clarification</p> <p>Steady increase of the CCC workload (15 cases in 2011, 35 cases in 2012)</p> <p>CCC staffed with just three judges and four support staff</p> <p>Infrastructure largely inadequate</p> <p>Lack of specialised knowledge at Court of Appeal and High Court levels</p> <p>Lengthy delays in the adjudication of corruption cases</p> <p><u>Indicators:</u></p> <p>Number of support staff increased</p> <p>CCC premises refurbished</p> <p>Increased number of adjudications</p> <p>Disposition/congestion rates improved</p>	<p><u>Targets (year 1):</u></p> <p>Refurbishment of CCC premises, including furniture and equipment</p> <p>Number of support staff increased to 6</p> <p>Specialised training for Corruption Crimes Court, Court of Appeal and High Court judges conducted</p> <p>Assessment of case disposition and congestion rates</p> <p>Analysis of causes of, and strategy for addressing delays in disposition of cases</p> <p><u>Targets (year 2):</u></p> <p>Number of support staff increased to 8</p> <p>Increase in case disposition rate and reduction of congestion rate (targets TBC following assessment)</p> <p>Progress in implementing strategy to reduce delays</p> <p><u>Targets (year 3):</u></p> <p>Number of support staff increased to 10</p> <p>Further increase in case disposition rate and reduction of congestion rate (targets TBC following assessment)</p> <p>Further progress in implementing strategy to reduce delays</p>	<p>1.7.1: Support the refurbishment of the Corruption Crimes Court</p> <p>1.7.2: Provide capacity development support for judges and support staff, including through continuous training programmes and knowledge sharing and exchange forums</p> <p>1.7.3: Assess case disposition and congestion rates, analyse causes of case delay and develop strategy for interventions</p>

Outputs Baseline(s)/Indicator(s)	Output Targets (for years)	Indicative Activities
<p>1.8: Institutional development of the Palestinian Anti-Corruption Commission supported (UNDP, cross-cutting with 1.3, 4.2, 5.2 and 7.1)</p> <p><u>Baselines:</u></p> <p>Rapid expansion of the size and workload of the PACC</p> <p>Processes and procedures for handling corruption files from initial complaint filing through deciding merits, investigation and prosecution still unclear and slow (311 cases received in 2012 and only 35 transferred to the CCC)</p> <p>The current legal framework lacks mechanisms to protect whistle blowers and compensate the victims of corruption</p> <p><u>Indicators:</u></p> <p>National Anti-Corruption Strategy (2015-2017) developed and implementation supported</p> <p>Recommendations of the organisational review endorsed and implemented</p> <p>Increased number of complaints, investigations and prosecutions</p> <p>International and regional cooperation agreements and increased compliance with relevant international standards on anti-corruption ensured</p> <p>Increased public awareness of the Palestinian Anti-Corruption Commission's existence and purpose (baseline: 50.5%)</p> <p>Legal framework amended/clarified</p> <p>Increased institutionalisation of anti-corruption measures across the PA</p>	<p><u>Targets (year 1):</u></p> <p>National anti-corruption strategy (2015-2017) developed and endorsed. PACC has a work plan for the implementation of the National Anti-Corruption Strategy</p> <p>50% of PACC staff to have completed continuous training programme</p> <p>PACC has clear organisational structure and job descriptions</p> <p>Existing legal framework reviewed and amendments proposed</p> <p>20% increase in the number of complaints, investigations and prosecutions</p> <p>Public awareness of the Palestinian Anti-Corruption Commission's existence and purpose 55%</p> <p><u>Targets (year 2):</u></p> <p>Implementation of the National Anti-Corruption Strategy, as per PACC work plan</p> <p>60% of PACC staff to have completed continuous training programme</p> <p>Further 20% increase in the number of complaints, investigations and prosecutions</p> <p>Information and legal advice to the public established</p> <p>At least two international cooperation agreements signed</p> <p>Anti-corruption measures institutionalised in three government institutions/public bodies</p> <p>Public awareness of the Palestinian Anti-Corruption Commission's existence and purpose 60%</p> <p>Passage of amended legal framework</p> <p><u>Targets (year 3):</u></p> <p>Implementation of the National Anti-Corruption Strategy, as per PACC work plan</p> <p>70% of PACC staff to have completed continuous training programmes</p> <p>Further 20% increase in the number of complaints, investigations and prosecutions</p> <p>At least two international cooperation agreements signed</p> <p>Twenty awareness raising and advocacy events implemented</p> <p>Anti-corruption measures institutionalised in three more government institutions/public bodies</p> <p>Public awareness of the Palestinian Anti-Corruption Commission's existence and purpose 65%</p>	<p>1.8.1: Support the PACC in developing new national anti-corruption strategy (2015-2017) as well as other policy and planning instruments</p> <p>1.8.2: Implement the recommendations of the organisational review (relating primarily to the areas of strategic planning, management arrangements, IT and human resource capacity)</p> <p>1.8.3: Support the PACC in developing international and regional partnerships and support its integration into regional anti-corruption strategies and compliance with relevant international conventions and instruments</p> <p>1.8.4: Further develop staff capacity, including through continuous training programmes and knowledge sharing and exchange forums</p> <p>1.8.5: Support PACC efforts to raise public awareness regarding corruption and protection of whistle-blowers</p> <p>1.8.6: Support the PACC to establish an information and legal advice centre to serve the public</p> <p>1.8.7: Support PACC efforts to amend the legal framework including the Anti-Corruption Law Nr. 7 (2010)</p>

Outputs Baseline(s)/Indicator(s)	Output Targets (for years)	Indicative Activities
<p>1.9: Strengthened coordination and cooperation amongst the rule of law actors improved with a focus on technical level cooperation between justice and security sector institutions and support to their efforts to clarify functional mandates (UNDP, cross-cutting with outputs 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8 and 5.6)</p> <p><u>Baselines:</u></p> <p>Absence of institutions capable of resolving contest in mandates between justice institutions</p> <p>Technical coordination between justice institutions proceeding but largely supported by UNDP secondees</p> <p>Leadership level relations between justice and security institutions volatile</p> <p>Justice Sector Working Group and Security Sector Working Group inactive and coordination between donors/development partners and national counterparts <i>ad hoc</i> and limited</p> <p>Capacity of permanent staff to participate in national planning processes is limited</p> <p>Relations between PA institutions and civil society volatile</p> <p><u>Indicators:</u></p> <p>Increase in the number of cross-institutional and cross-sectoral initiatives, e.g. on gender</p> <p>Regularity of technical level justice sector coordination meetings and number of secondees national counterparts involved in these meetings</p> <p>Level of technical coordination and development between justice institutions measured by number of cross-institutional initiatives to emerge from justice sector coordination and working group meetings</p> <p>Level of tension between justice and security institutions reduced</p> <p>Relations between PA institutions and civil society improved</p> <p>Women's access to justice and security services becomes a topic increasingly addressed by the Justice Sector Working Group and the Security Sector Working Group</p>	<p><u>Targets (year 1):</u></p> <p>Justice Sector Working Group and Security Sector Working Group reformed and meeting regularly, including M&E and policy sub-groups</p> <p>Steering Committee on Justice Sector Reform (SCJSR) set up</p> <p>All UNDP secondees accompanied by permanent counterparts staff</p> <p>Consultation process on amendment to Judicial Authority Law (2002)</p> <p>M&E strategies across all justice and security institutions harmonised and implementation coordinated</p> <p>Three CSO forums organised by PA institutions</p> <p><u>Targets (year 2):</u></p> <p>Permanent counterparts taking the lead in the JSWG with UNDP secondees playing primarily supportive roles</p> <p>JSWG and SSWG held at least twice per year with cross-sectoral representation</p> <p>SCJSR held at least twice a year</p> <p>Women's access to justice and security services-related topic included and addressed with recommendations in at least one of the two sessions of each one of the Working Groups</p> <p>10 cross-institutional/cross-sectoral initiatives (baseline: no data; target 10)</p> <p>Five CSO forums organised by PA institutions</p> <p><u>Targets (year 3):</u></p> <p>UNDP counterparts playing advisory/supportive role only with permanent counterparts competently shouldering coordination roles</p> <p>JSWG and SSWG held at least twice per year with cross-sectoral representation</p> <p>SCJSR held at least twice a year</p> <p>15 cross-institutional/cross-sectoral initiatives (baseline: no data; target 15)</p> <p>Seven CSO forums organised by PA institutions</p> <p>Women's access to justice and security services-related topic included and addressed with recommendations in both annual sessions of each one of the Working Groups</p>	<p>1.9.1: Assuming the continuing absence of institutions capable of resolving contest in mandates between justice institutions (i.e. the Palestinian Legislative Council and Constitutional Court), support inter-governmental cooperation between the MOJ, HJC, AGO/PP and other justice-related bodies, including by setting up a Steering Committee on Justice Sector Reform</p> <p>1.9.2: Provide technical assistance to justice institutions regarding pros and cons and applicability in Palestine of comparative justice models and demarcation of roles and responsibilities between justice institutions in other jurisdictions</p> <p>1.9.3: Actively foster linkages between justice and security sector institutions, with a particular focus on improving cooperation between the PCP and the AGO/PP</p> <p>1.9.4: Support regular and periodic meetings among institutional focal points (UNDP secondees plus permanent institutional counterparts)</p> <p>1.9.5: Support the focal points to identify required areas of cooperation and collaboration and undertake joint efforts, notably with regard to strategic planning and M&E</p> <p>1.9.6: Support the Justice Sector Working Group and Security Working Group to meet more regularly and effectively undertake joint action on identified needs</p> <p>1.9.7: Promote confidence-building between PA institutions and civil society</p>

Outcome 2: Civil society contribution to rule of law and community access to justice in the West Bank enhanced

Outcome Indicators	Outcome Targets	Risks/Assumptions	Means of Verification
<p>Rate of community legal literacy in West Bank</p> <p>Rate of community knowledge of how to complain against justice and security actors</p> <p>Satisfaction with NGO performance</p> <p>Satisfaction with lawyers' performance</p> <p>Rate of community access to legal services measured through number of legal aid services provided (aggregate of legal aid and representation, legal consultation and legal awareness services)</p> <p>(Gender indicators contained in Outcome 5; M&E indicators contained in Outcome 7)</p>	<p>Baseline: 30.5% of Palestinians living in the West Bank are 'legally literate' averaged across 7 measures of legal awareness (2011) Target: 33.0%</p> <p>Community knowledge of how to complain against a judge (baseline: 27.3%; target: 30.0%), a prosecutor (baseline: 25.0%; target: 28.0%), a police officer (baseline: 41.0%; target: 44.0%) and/or a lawyer (baseline: 42.9%; target 46.0%)</p> <p>Satisfaction with NGO performance in terms of legal aid (baseline: 38.9%; target: 45.0%), awareness raising (baseline: 40.5%; target: 48.0%), and monitoring human rights violations (baseline: 35.8%; target: 42.0%)</p> <p>Satisfaction with lawyers' performance (baseline: 2.62; target: 2.77)</p> <p>Number of legal aid service beneficiaries (baseline: 6,520; target: 15,000)</p>	<ul style="list-style-type: none"> - The security situation allows for continued access across the West Bank - The political situation allows for the justice system to remain a viable avenue for Palestinians to pursue legal cases - Beneficiaries remain willing to engage with the legal/administrative system - Sufficient high capacity legal aid lawyers and services to provide adequate coverage and penetration to grassroots communities in West Bank 	<p>UNDP public perception surveys (baseline study 2011, then subsequent surveys for 2012, 2014 and 2016)</p> <p>Programme statistics (prepared on basis of partner reports)</p> <p>Records of site visits and focus group discussions with staff and beneficiaries</p> <p>Records of spot-checks on randomly selected advice files</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>2.1: Capacity of CSOs strengthened to deliver quality legal aid services to vulnerable individuals and communities, with a focus on women, children and Palestinians living in Area C and East Jerusalem (UNDP, cross-cutting with outputs 3.1, 5.3, 5.4, 5.5, 5.6, 5.8, 6.2 and 7.3)</p> <p><u>Baselines:</u></p> <p>Increasing community demand for legal aid services</p> <p>2,705 individuals provided with free legal representation in the West Bank (2012)</p> <p>4,402 individuals provided with legal consultation and mediation services (2012)</p> <p>28% of legal representation and consultation services provided to women (2012)</p> <p>5% of legal representation and consultation services provided to children (2012)</p> <p><u>Indicators:</u></p> <p>Total number of legal aid beneficiaries under the programme</p> <p>Increase in number of legal aid cases in 'Area C' and East Jerusalem</p> <p>Percentage of legal aid service beneficiaries (disaggregated by gender) who feel satisfied with legal aid services provided</p> <p>Percentage of programme's legal aid services provided to women</p> <p>Percentage of programme's legal aid services provided to children (disaggregated by gender)</p> <p>Number of internal and external referrals facilitated by legal aid providers network</p> <p>Number of university-based legal aid clinics established to provide legal aid services over the life of the programme</p>	<p><u>Targets (year 1):</u></p> <p>Network of legal aid providers in the West Bank established, including common legal aid database for cases arising under Palestinian jurisdiction</p> <p>Legal aid service delivery in the West Bank reviewed</p> <p>10% increase overall in number of legal aid beneficiaries</p> <p>Maintain minimum 40% women clients</p> <p>First audit of legal aid services provided to beneficiaries undertaken</p> <p>5% increase in child clients</p> <p>At least 70% of legal aid service beneficiaries (including women) feel satisfied with legal aid services provided</p> <p>Informal justice engagement strategy developed with focus on human rights, especially for women and children</p> <p><u>Targets (year 2):</u></p> <p>Further 10% increase in no of legal aid beneficiaries</p> <p>Maintain minimum 40% women clients</p> <p>5% increase in child clients</p> <p>At least 75% of legal aid service beneficiaries (including women) feel satisfied with legal aid services provided</p> <p>Second audit of legal aid services provided to beneficiaries undertaken</p> <p>Further develop legal aid providers network</p> <p><u>Targets (year 3):</u></p> <p>Further 10% increase in overall no of legal aid beneficiaries</p> <p>Minimum 40% women clients</p> <p>5% increase in child clients</p> <p>At least 80% of legal aid service beneficiaries (including women) feel satisfied with legal aid services provided</p> <p>Engaging with informal justice actors continued on basis that positive human rights outcomes are being achieved especially for women and children</p> <p>Support to network of legal aid providers maintained</p>	<p>2.1.1: In cooperation with the PBA, establish a network of legal aid providers in the West Bank to track, monitor and coordinate service delivery</p> <p>2.1.2: Support capacity development of CSOs (substantive and administrative training) for increased scope and quality of service delivery</p> <p>2.1.3: Support CSOs to provide legal aid via grants, with an increased focus on 'Area C' and East Jerusalem</p> <p>2.1.4: Provide awareness raising services focused on encouraging use of legal aid services</p> <p>2.1.5: Engage media/social network outlets in awareness raising and public outreach</p> <p>2.1.6 Undertake two audits of legal aid services provided under Joint Programme to measure the impact of the services provided upon beneficiaries access to justice and client satisfaction</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>2.2: Quality of legal profession strengthened to enhance community access to justice (UNDP, cross-cutting with outputs 4.1, 4.3, 5.5, 5.6, 6.2 and 7.1)</p> <p><u>Baselines:</u></p> <p>Limited legal aid provision by PBA</p> <p>Practising lawyers have limited training and knowledge sharing opportunities</p> <p>Capacity low in areas of planning, donor liaison, project management, human resource management, IT, case management and M&E/data collection</p> <p>Legal education is largely based on using theoretical methods, rather than practical ones</p> <p>Four university-based legal aid clinics established (Al-Quds University, An-Najah University, Hebron University and Al-Istiqlal University)</p> <p>Law faculty members have limited access to exchange opportunities</p> <p>Legal system suffers from tremendous weakness due to national rift</p> <p>Nascent experience in paralegalism</p> <p><u>Indicators:</u></p> <p>Number of lawyers attending training sessions aimed at strengthening legal knowledge and skills</p> <p>Percentage of lawyers who self-assess that the trainings were useful and relevant to their work</p> <p>Increased PBA capacity in areas of planning, project management, donor coordination, and M&E/data collection</p> <p>Level of public trust in the PBA as measured by public perception survey</p> <p>Number of universities that have institutionalised clinical legal education programmes</p> <p>Number of students and legal interns involved in voluntary community legal awareness activities</p> <p>Number of lawyers providing <i>pro bono</i> legal assistance and number of <i>pro bono</i> cases</p> <p>Number of paralegals who are integrated within the legal aid system</p> <p>Clients (disaggregated by gender) level of satisfaction of the legal services received</p>	<p><u>Targets (year 1):</u></p> <p>Network of legal aid providers in the West Bank established</p> <p>PBA strategy for <i>pro bono</i> scheme developed</p> <p>10% increase in number of lawyers enrolling in PBA's continuous training programmes</p> <p>5% increase in number of participating female lawyers</p> <p>70% of clients (including women) satisfied with legal services provided</p> <p>Planning and Project Management Unit at the PBA established, with support from UNDP secondees</p> <p>Additional university-based legal aid clinic established (total: 5)</p> <p><u>Targets (year 2):</u></p> <p>Further 5% increase in number of lawyers enrolling in PBA's continuous training programmes</p> <p>Further 5% increase in number of participating female lawyers</p> <p>Capacity of PPMU staff strengthened, with gradual transfer of responsibility for core tasks</p> <p>Paralegals integrated within the legal aid system for the first time</p> <p>75% of clients (including women) satisfied with legal services provided</p> <p><u>Targets (year 3):</u></p> <p>Further 5% increase in number of lawyers enrolling in PBA's continuous training programmes</p> <p>Further 5% increase in number of participating female lawyers</p> <p>PPMU institutionalised</p> <p>Additional university-based legal aid clinic established (total: 6)</p> <p>Integration of paralegals in the legal aid system enhanced</p> <p>80% of clients(including women) satisfied with legal services provided</p>	<p>2.2.1: Support the PBA to host the network of legal aid providers in the West Bank, including by setting up a legal aid database and establishing PBA legal clinics across the West Bank</p> <p>2.2.2: Establish a <i>pro bono</i> legal assistance scheme</p> <p>2.2.3: Investigate viability of compulsory <i>pro bono</i> legal aid scheme for all PBA lawyers to annually re-register</p> <p>2.2.4: Support PBA's continuous education programmes for practising lawyers</p> <p>2.2.5: Establish Planning and Project Management Unit at the PBA to serve legal aid network partners and support PBA institutional development. Experts to exit after two years based on agreed-upon indicators</p> <p>2.2.6: Support the further development of legal education based on clinical and interactive learning modalities (legal aid clinics, moot courts, internships etc.)</p> <p>2.2.7: Facilitate academic exchange programmes for faculty members of law schools in the West Bank</p> <p>2.2.8: Support the integration of paralegals into the legal aid system</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>2.3: An enabling legal environment more conducive to increasing citizen oversight and community access to justice in the West Bank (UNDP, cross-cutting with outputs 3.3, 3.4, 3.6, 5.5, 5.7 and 7.3)</p> <p><u>Baselines:</u></p> <p>9,643 people benefitted from legal awareness-raising in the West Bank in 2012, while the majority still lack legal knowledge</p> <p>Limited CSO engagement in monitoring work of the PCP; efforts largely <i>ad hoc</i> and undeveloped</p> <p>Uneasy relations between PACC/CCC and civil society</p> <p>Limited role of media in covering rule of law sector issues</p> <p>Limited M&E capacity amongst CSO partners</p> <p><u>Indicators:</u></p> <p>Number of individuals who received legal awareness raising</p> <p>Number of journalists engaged in rule of law related issues</p> <p>% of journalists trained who have a positive understanding of how to avoid gender discrimination when writing articles</p> <p>Number of advocacy campaigns on domestic legal topics launched</p> <p>Number of communication events undertaken by CSO partners on legal issues (i.e. press releases, publications, posters/pamphlets, audio-video productions)</p> <p>Number of justice and security sector monitoring reports issued by partner organisations</p> <p>% of legally literate citizens increased</p> <p>Number of complaints lodged with relevant bodies arising out of monitoring (gender disaggregated)</p> <p>Number of CSOs that that received project cycle management skills with special focus on M&E</p>	<p><u>Targets (year 1):</u></p> <p>Capacity of CSOs to monitor justice sector and security institutions reviewed</p> <p>20% increase in overall number of legal awareness beneficiaries</p> <p>20 journalists, at least 40% of them women, targeted for training</p> <p>Gender stereotypes addressed in journalists trainings and +20% at the end of the training have a positive understanding of how to avoid gender discrimination when writing articles</p> <p>10% increase in number of complaints (disaggregated by gender/gender issues) lodged with relevant bodies arising out of monitoring</p> <p>CSOs' advocacy activities continued to be implemented</p> <p>Further 5% increase in number of complaints (disaggregated by gender/gender issues) lodged with relevant bodies arising out of monitoring CSOs' advocacy activities</p> <p>15 CSOs to sign MOUs with PACC as part of the implementation of the national anti-corruption strategy</p> <p>Regular periodic reviews and impact assessment conducted</p> <p><u>Targets (year 2):</u></p> <p>Capacity of CSOs to monitor justice sector and security institutions strengthened</p> <p>Further 15% increase overall in number of legal awareness beneficiaries</p> <p>Further 10% increase in number of targeted journalists (at least 40% women),</p> <p>Gender stereotypes address in journalists trainings and +40% at the end of the training have a positive understanding of how to avoid gender discrimination when writing articles</p> <p>Further 5% increase in number of complaints (disaggregated by gender/gender issues) lodged with relevant bodies arising out of monitoring</p> <p>CSOs' advocacy activities continued to be implemented</p> <p>20 CSOs taking part in the implementation of the national anti-corruption strategy</p> <p>Regular periodic reviews and impact assessment conducted</p> <p><u>Targets (year 3):</u></p> <p>Further 15% increase overall in number of legal awareness beneficiaries</p> <p>Further 10% increase in number of targeted journalists (at least 40% women),</p>	<p>2.3.1: Build civil society capacity to engage and provide oversight of justice and security institutions</p> <p>2.3.2: Support greater linkages between justice sector CSOs and the ICHR on sharing information on justice sector monitoring</p> <p>2.3.3: Enhance civil society capacity to report and advocate on domestic legal policy issues, engage in legislative reviews to achieve more democratic law-making processes and monitor impact of legal developments in West Bank and Gaza upon potential for legal harmonisation</p> <p>2.3.4: Engage media in justice sector coverage. Develop capacities of selected journalists and jurists on monitoring and reporting on justice sector issues</p> <p>2.3.5: Increase civil society capacity on M&E with a view to conducting periodic reviews and impact assessments on access to justice, including user surveys (see Outcome 7 for details)</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>2.4: Engagement with informal justice actors and processes to increase observation of international standards of fairness, especially in relation to gender and juvenile justice (UNDP, cross-cutting with outputs 3.3, 3.4, 3.6 and 5.7)</p> <p><u>Baselines:</u></p> <p>Informal justice systems commonly used to resolve wide range of disputes, including criminal and civil matters, violence against women and children and inter-familial and/or tribal disputes</p> <p>Community members occupying weak positions in social and cultural hierarchy (women, children, the poor, minorities, those from small or less powerful families etc.) in weak position to secure their rights through informal justice mechanisms</p> <p>Little to no monitoring or interaction between formal/informal justice including formal justice actors' roles in referring cases to informal justice or informally mediating cases themselves</p> <p>Women largely excluded from informal justice decision making roles</p> <p><u>Indicators:</u></p> <p>Informal justice engagement strategy developed and implemented</p> <p>Increased interaction between formal and informal justice actors</p> <p>Enhanced CSO engagement with informal justice authorities applying gender equality and rights-based approach</p> <p>Increased compatibility with international norms and standards especially as they relate to women and children</p> <p>Improved human rights protection and participation of women and children in Joint Programme supported cases/interventions</p>	<p><u>Targets (year 1):</u></p> <p>Study conducted under Phase I validated through a series of consultation workshops</p> <p>Informal justice engagement strategy developed</p> <p>Network of 'progressive' informal justice authorities established</p> <p><u>Targets (year 2):</u></p> <p>Training on human rights, gender and juvenile justice, and relevant domestic laws conducted</p> <p>Informal justice engagement strategy implemented</p> <p>Knowledge sharing/interaction opportunities for informal justice authorities provided</p> <p>Enhanced CSO monitoring/engagement</p> <p><u>Targets (year 3):</u></p> <p>Informal justice engagement strategy implemented and revised as needed to maximise human rights progress for women and children</p> <p>Enhanced CSO monitoring/engagement</p> <p>Further knowledge sharing/interaction opportunities for informal justice authorities provided</p>	<p>2.4.1: Validate study conducted under Phase I of the programme and its recommendations on models for engaging with informal justice systems</p> <p>2.4.2: Identify and engage 'progressive' informal justice authorities in a network to engage in a policy discussion forum inclusive of CSOs</p> <p>2.4.3: Provide 'progressive' informal justice authorities with tailored training on human rights, gender, juvenile justice, relevant domestic laws, focused on how these standards can and should be practically applied in context of informal justice systems</p> <p>2.4.4: Through network, develop and implement an informal justice engagement strategy to uphold rule of law and gender justice and increase compatibility with international standards</p> <p>2.4.5: Support the promotion of women into positions of authority and decision-making in the informal justice system</p> <p>2.4.6: Closely monitor the impact of the programme's interventions upon outcomes for women and children</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>2.5: : Increasingly harmonised rule of law development in the West Bank and Gaza (UNDP, cross-cutting with output 3.5)</p> <p><u>Baselines:</u></p> <p>Continued geo-political division between the West Bank and Gaza</p> <p>Ever-greater divergence between legal systems in the West Bank and Gaza</p> <p>Israeli movement and access restrictions continue to impede knowledge sharing and contact between legal professionals in the West Bank and Gaza</p> <p><u>Indicators:</u></p> <p>Improved communication and coordination between West Bank and Gaza legal professionals, including through increased use of IT platforms</p> <p>Number of meetings held between Gaza and West Bank actors</p> <p>Number of exchange visits (PBA branches, law schools)</p> <p>Increasingly harmonised approach to rule of law development in the West Bank and Gaza</p>	<p><u>Targets (year 1):</u></p> <p>Comprehensive study of legislative developments in Palestine since 2007 conducted</p> <p>Validation workshops organised with the participation of legal professionals from both the West Bank and Gaza</p> <p>Academic exchange visit organised to bring together representatives from the different law schools</p> <p>At least two CSO roundtables organised with representatives from the West Bank and Gaza</p> <p><u>Targets (year 2):</u></p> <p>At least two exchange visits organised, including for the PBA branches in the West Bank and Gaza</p> <p>At least two CSO roundtables organised with representatives from the West Bank and Gaza</p> <p><u>Targets (year 3):</u></p> <p>At least two CSO roundtables organised with representatives from the West Bank and Gaza</p>	<p>2.5.1: Facilitate knowledge sharing and contact between West Bank and Gaza CSOs, law schools, law students, academics, lawyers and PBA branches</p> <p>2.5.2: Monitor legislative developments in the West Bank and Gaza and analyse prospects of a unified legal system</p>

Outcome 3: Civil society contribution to rule of law and community access to justice in the Gaza Strip enhanced			
Outcome Indicators	Outcome Targets	Risks/Assumptions	Means of Verification
<p>Rate of community legal literacy in Gaza</p> <p>Rate of community knowledge of how to complain against justice actors</p> <p>Satisfaction with NGO performance</p> <p>Satisfaction with lawyers' performance</p> <p>Rate of community access to legal services measured through number of legal aid services provided (aggregated by legal representation, legal consultation and legal awareness services)</p> <p>(Gender indicators contained in Outcome 5; M&E indicators contained in Outcome 7)</p>	<p>Baseline: 36.1% of Palestinians living in Gaza are 'legally literate' averaged across 7 measures of legal awareness (2011) Target: 39.0%</p> <p>Community knowledge of how to complain against a judge (baseline: 43.7%; target: 47.0%), a prosecutor (baseline: 39.2%; target: 43.0%), a police officer (baseline 57.6%; target: 60.0%) and/or a lawyer (baseline: 56.8%; target 59.0%)</p> <p>Satisfaction with NGO performance in terms of legal aid (baseline: 44.5%; target: 62.0%), awareness raising (baseline: 46.3%; target: 65.0%), and monitoring human rights violations (baseline: 44.5%; target: 58.0%)</p> <p>Satisfaction with lawyers' performance (baseline: 2.68; target: 2.95)</p> <p>Number of legal aid service beneficiaries (baseline: 10,546; target: 30,000)</p>	<ul style="list-style-type: none"> - The security situation allows for continued access across the Gaza Strip - The political situation allows for the justice system to remain a viable avenue for Palestinians to pursue legal cases - Activities of CSO partners are not restricted by <i>de facto</i> authorities - Beneficiaries remain willing to engage with the legal/administrative system - Sufficient number of legal aid lawyers with the necessary qualitative skills and relevant legal experience to undertake legal cases - Political situation allows for some initial indirect work to commence with duty-bearers to enhance rule of law efforts on the supply side - Awn Network continues to maintain momentum and increase sustainability 	<p>UNDP public perception surveys (baseline study 2011, then subsequent surveys for 2012, 2013, 2014, 2015)</p> <p>PCBS survey of justice and sector data (baseline study 2013 then subsequent surveys 2014 and 2016)</p> <p>Awn Network database statistics and reports</p> <p>PBA data, evaluations and reports</p> <p>Programme statistics (prepared on the basis of partner reports)</p> <p>Records of site visits and focus group discussions with staff and beneficiaries</p> <p>Records of spot-checks on randomly selected advice files</p> <p>Assessment reports of outcome and impact on women of services provided</p> <p>Observatory monitoring reports on formal and informal justice</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>3.1: Capacity of CSOs strengthened to deliver quality legal aid services to vulnerable individuals and communities, with a focus on women and children (UNDP, cross-cutting with outputs 2.1, 5.3, 5.4, 5.5, 5.6, 5.8, 6.2 and 7.3)</p> <p><u>Baselines:</u></p> <p>Increasing community demand for legal aid services</p> <p>982 individuals received free legal representation in the Gaza Strip (2012)</p> <p>3,864 individuals provided with legal consultation and mediation services (2012)</p> <p>18 legal clinics established, significantly increasing community access to justice</p> <p>69% of legal representation and consultation services provided to women (2012)</p> <p>7% of legal representation and consultation services provided to children (2012)</p> <p><u>Indicators:</u></p> <p>Total number of legal aid beneficiaries under the programme</p> <p>Percentage of legal aid service beneficiaries who feel satisfied with legal aid services provided</p> <p>Percentage of programme's legal aid services provided to women</p> <p>Percentage of programme's legal aid services provided to juveniles (disaggregated by gender)</p> <p>Number of internal and external referrals facilitated by Awn Network</p> <p>Number of university-based legal aid clinics established to provide legal aid services over the life of the programme</p>	<p><u>Targets (year 1):</u></p> <p>Legal aid service delivery in Gaza reviewed to increase scope and quality of service</p> <p>10% increase in overall number of legal aid beneficiaries</p> <p>Maintain minimum 70% women clients</p> <p>5% increase in child clients</p> <p>At least 70% of legal aid service beneficiaries (including women) feel satisfied with legal aid services provided</p> <p>Informal justice engagement strategy developed</p> <p>Awn Network strengthened</p> <p><u>Targets (year 2):</u></p> <p>Further 10% increase in legal aid beneficiaries</p> <p>Maintain minimum 70% women clients</p> <p>Further 5% increase in child clients</p> <p>At least 75% of legal aid service beneficiaries (including women) feel satisfied with legal aid services provided</p> <p>Support to Awn Network maintained</p> <p><u>Targets (year 3):</u></p> <p>Further 10% increase in legal aid beneficiaries</p> <p>Maintain minimum 70% women clients</p> <p>Further 5% increase in child clients</p> <p>At least 80% of legal aid service beneficiaries(including women) feel satisfied with legal aid services provided</p> <p>Support to Awn Network maintained</p>	<p>3.1.1: Support CSO partners to undertake legal aid services provision for poor and vulnerable community members</p> <p>3.1.2: Provide support to the PBA and selected CSOs to establish mobile legal clinics to ensure maximum outreach to vulnerable groups in marginalised areas</p> <p>3.1.3: Strengthen Awn Network capacity to sustainably enhance coordination and referral between CSOs and other relevant agencies and organisations working on provision of legal aid and related services</p> <p>3.1.4: Develop and implement informal justice engagement strategy to uphold rule of law and gender justice and increase compatibility with international standards</p> <p>3.1.5: Develop existing legal aid database in order to respond to the increasing number of cases and facilitate better use of data</p> <p>3.1.6: Enhance gender justice and advance women's rights before <i>shari'a</i> courts</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>3.2: Quality of legal profession strengthened to enhance community access to justice (UNDP, cross-cutting with outputs 2.2, 3.6, 4.1, 4.3, 5.5, 5.6, 5.7, 6.2 and 7.1)</p> <p><u>Baselines:</u></p> <p>Practising lawyers have limited training and knowledge sharing opportunities</p> <p>Legal education is largely based on using theoretical methods, rather than practical ones</p> <p>Capacity of the PBA low in areas of planning, donor liaison, project management, human resource management, IT, case management and M&E/data collection</p> <p>Law faculty members have limited access to exchange opportunities</p> <p>Legal system suffers from tremendous weakness due to national rift</p> <p>Nascent experience in paralegalism</p> <p><u>Indicators:</u></p> <p>Number of lawyers attending training sessions aimed at strengthening legal knowledge and skills (baseline: 1,204)</p> <p>Percentage of lawyers who self-assess that the trainings were useful and relevant to their work</p> <p>Level of public trust in the PBA as measured by public perception survey (baseline: 2.99 out of 5)</p> <p>% of female lawyers</p> <p>Number of lawyers providing <i>pro bono</i> legal assistance</p> <p>Number of <i>pro bono</i> cases</p> <p>Number of universities that have institutionalised clinical legal education programmes</p> <p>Number of students and legal interns involved in voluntary community legal awareness activities</p> <p>Number of paralegals who are integrated in the legal aid system</p> <p>Number of PA judges and prosecutors participated in training programmes</p>	<p><u>Targets (year 1):</u></p> <p>10% increase in number of lawyers enrolling in PBA's continuous training programmes</p> <p>5% increase in number of participating female lawyers</p> <p>Legal aid database developed to facilitate better use of data</p> <p>Planning and Project Management Unit at the PBA established</p> <p><u>Targets (year 2):</u></p> <p>Further 5% increase in number of lawyers enrolling in PBA's continuous training programmes</p> <p>Further 5% increase in number of participating female lawyers</p> <p>Capacity of PPMU staff significantly strengthened</p> <p>Paralegals integrated within the legal aid system for the first time</p> <p><u>Targets (year 3):</u></p> <p>Further 5% increase in number of lawyers enrolling in PBA's continuous training programmes</p> <p>Further 5% increase in number of participating female lawyers</p> <p>PPMU institutionalised</p> <p>Integration of paralegals in the legal aid system enhanced</p>	<p>3.2.1: Support PBA's continuous education programmes for practising lawyers</p> <p>3.2.2: Establish Planning & Management Unit at the PBA to serve Awn Network partners and support the PBA's institutional development</p> <p>3.2.3: Support for current and potential female lawyers to strengthen their role and prominence in the legal profession and support gender justice</p> <p>3.2.4: Support legal education that is based on clinical and interactive learning modalities at law schools (legal clinics, moot courts, etc)</p> <p>3.2.5: Facilitate academic exchange programmes for faculty members of law schools in Gaza</p> <p>3.2.6: Support the integration of paralegals into the legal aid system</p> <p>3.2.7: Update knowledgebase and skills of PA judges and prosecutors</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>3.3: Support an enabling legal environment that is conducive to increasing citizen oversight and community access to justice in Gaza (UNDP, cross-cutting with outputs 2.3, 3.6, 5.7 and 5.8)</p> <p><u>Baselines:</u></p> <p>22,480 people benefitted from legal awareness the Gaza Strip in 2012, while the majority still lack legal knowledge</p> <p>Limited role of media/civil society in covering justice sector issues</p> <p>Capacities of 300 journalists and lawyers developed on monitoring justice sector and oversight but engagement is still limited</p> <p>Limited M&E capacity amongst CSO partners</p> <p><u>Indicators:</u></p> <p>Number of individuals who received legal awareness raising</p> <p>Number of press releases and position papers (baseline: 192)</p> <p>Number of journalists engaged in rule of law issues</p> <p>% of journalists trained who gain understanding how to avoid gender discrimination and promote gender equality principles through their work</p> <p>Number of advocacy campaigns on domestic legal topics launched</p> <p>Number of CSOs involved in drafting, reviewing legislations, policies</p> <p>Number of communication events undertaken by CSO partners on legal issues (i.e. press releases, publications, posters/pamphlets, audio-video productions)</p> <p>Number of justice and security sector monitoring reports issued by partner organisations</p> <p>% of legally literate citizens increased</p> <p>Number of complaints lodged with relevant bodies arising out of monitoring (gender disaggregated)</p> <p>Number of CSOs that receive project cycle management skills with special focus on M&E</p>	<p><u>Targets (year 1):</u></p> <p>Capacity of CSOs to monitor justice and security sector institutions reviewed</p> <p>20% increase in overall number of legal awareness beneficiaries</p> <p>20 journalists, at least 40% of them women, targeted for training</p> <p>Gender stereotypes addressed in journalists trainings and +20% at the end of the training have a positive understanding of how to avoid gender discrimination when writing articles</p> <p>10% increase in number of complaints lodged with relevant bodies arising out of monitoring (disaggregated by gender/gender issues)</p> <p>CSOs' advocacy activities continued to be implemented</p> <p><u>Targets (year 2):</u></p> <p>Capacity of CSOs to monitor justice and security sector institutions strengthened</p> <p>Further 15% increase overall in no of legal awareness beneficiaries</p> <p>Further 10% increase in no. of targeted journalists (40% of them women)</p> <p>Gender stereotypes addressed in journalists trainings and +40% at the end of the training have a positive understanding of how to avoid gender discrimination when writing articles</p> <p>Further 5% increase in no. of complaints (disaggregated by gender/gender issues) lodged with relevant bodies arising out of monitoring</p> <p>CSOs' advocacy activities continued to be implemented</p> <p><u>Targets (year 3):</u></p> <p>Further 15% increase in overall number legal awareness beneficiaries</p> <p>Further 10% increase in number of targeted journalists (40% of them women)</p> <p>Gender stereotypes addressed in journalists trainings and +50% at the end of the training have a positive understanding of how to avoid gender discrimination when writing articles</p> <p>Further 5% increase in no. of complaints (disaggregated by gender/gender issues) lodged with relevant bodies arising out of monitoring</p> <p>CSOs' advocacy activities continued to be implemented</p>	<p>3.3.1: Support legal awareness and legal literacy</p> <p>3.3.2: Engage media/social network outlets in awareness raising and public outreach</p> <p>3.3.3: Build capacity of CSOs to increase their engagement on justice and security sector oversight</p> <p>3.3.4: Engage media in justice sector coverage</p> <p>3.3.5: Develop capacities of selected journalists and jurists on monitoring and reporting on justice sector issues</p> <p>3.3.6: Provide support to CSOs to strengthen their role in specialised legal advocacy</p> <p>3.3.7: Increase civil society capacity on M&E with a view to conducting periodic reviews and impact assessments on access to justice, including user surveys (see Outcome 5 for details)</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>3.4: Engagement with informal justice actors and processes to increase observation of international standards of fairness especially in relation to gender and juvenile justice (UNDP, cross-cutting with outputs 2.4, 3.6 and 3.7)</p> <p>Informal justice systems commonly used to resolve wide range of disputes, including criminal and civil matters, violence against women and children and inter-familial and/or tribal disputes</p> <p>Community members occupying weak positions in social and cultural hierarchy (women, children, the poor, minorities, those from small or less powerful families etc.) in weak position to secure their rights through informal justice mechanisms</p> <p>Little to no monitoring or interaction between formal/informal justice including formal justice actors' roles in referring cases to informal justice or informally mediating cases themselves</p> <p>Women largely excluded from informal justice decision making roles</p> <p><u>Indicators:</u></p> <p>Informal justice engagement strategy developed and implemented</p> <p>Increased interaction between formal and informal justice actors</p> <p>Enhanced CSO engagement with informal justice authorities applying gender equality and rights-based approach</p> <p>Increased compatibility with international norms and standards</p> <p>Improved human rights protection and participation of women and children in Joint Programme supported cases/interventions</p>	<p><u>Targets (year 1):</u></p> <p>Study conducted under Phase I validated through a series of consultation workshops</p> <p>Informal justice engagement strategy developed</p> <p>Network of 'progressive' informal justice authorities established</p> <p><u>Targets (year 2):</u></p> <p>Training on human rights, gender and juvenile justice, and relevant domestic laws conducted</p> <p>Informal justice engagement strategy implemented</p> <p>Knowledge sharing/interaction opportunities for informal justice authorities provided</p> <p>Enhanced CSO monitoring/engagement</p> <p><u>Targets (year 3):</u></p> <p>Informal justice engagement strategy implemented and revised as needed to maximise human rights progress for women and children</p> <p>Enhanced CSO monitoring/engagement</p> <p>Further knowledge sharing/interaction opportunities for informal justice authorities provided</p>	<p>3.4.1: Review impact of pilot approaches with regard to engaging informal justice actors, especially in relation to women and children</p> <p>3.4.2: Provide 'progressive' informal justice authorities with tailored training on human rights, gender, juvenile justice, relevant domestic laws, focused on how these standards can and should be practically applied in context of informal justice systems</p> <p>3.4.3: Through network, develop and implement an informal justice engagement strategy to uphold rule of law and gender justice and increase compatibility with international standards</p> <p>3.4.4: Support the promotion of women into positions of authority and decision-making in the informal justice system</p> <p>3.4.5: Closely monitor the impact of the programme's interventions upon outcomes for women and children</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>3.5: Support harmonised approach to rule of law development in Gaza and the West Bank (UNDP, cross-cutting with output 2.5)</p> <p><u>Baselines:</u></p> <p>Continued geo-political division between the West Bank and Gaza</p> <p>Ever-greater divergence between legal systems in the West Bank and Gaza</p> <p>Israeli movement and access restrictions continue to impede knowledge sharing and contact between legal professionals in the West Bank and Gaza</p> <p><u>Indicators:</u></p> <p>Improved communication and coordination between West Bank and Gaza legal professionals, including through increased use of IT platforms</p> <p>Number of meetings held between Gaza and West Bank actors</p> <p>Number of exchange visits (PBA branches, law schools)</p> <p>Increasingly harmonised approach to rule of law development in the West Bank and Gaza</p>	<p><u>Targets (year 1):</u></p> <p>Opportunities for sharing Gaza experience with relevant partners in West Bank explored</p> <p>Comprehensive study of legislative developments in Palestine since 2007 conducted</p> <p>Validation workshops organised with the participation of legal professionals from both the West Bank and Gaza</p> <p>Academic exchange visit organised to bring together representatives from the different law schools</p> <p>At least two CSO roundtables organised with representatives from the West Bank and Gaza</p> <p><u>Targets (year 2):</u></p> <p>At least two exchange visits organised, including for the PBA branches in the West Bank and Gaza</p> <p>At least two CSO roundtables organised with representatives from the West Bank and Gaza</p> <p><u>Targets (year 3):</u></p> <p>At least two CSO roundtables organised with representatives from the West Bank and Gaza</p>	<p>3.5.1: Facilitate knowledge sharing and contact between West Bank and Gaza CSOs, law schools, law students, academics, lawyers and PBA branches</p> <p>3.5.2: Monitor legislative developments in the West Bank and Gaza and analyse prospects of a unified legal system</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>3.6: Formal and informal justice actors and processes monitored through the observatory, with a focus on access and impact on women and girls (UN Women, cross-cutting with outputs 3.1, 3.3 and 3.4)</p> <p><u>Baseline:</u></p> <p>No observatory mechanism existing in Gaza on women and girls' victims of violence access to justice</p> <p>Lack of monitoring mechanisms on informal justice processes and outcomes for women</p> <p><u>Indicators:</u></p> <p>Availability of an observatory on VAWG collecting data and information in Gaza related to justice service delivery and outcomes for women and girls, and their impact on beneficiaries' lives</p> <p>Targeted CSOs and other stakeholders collect data in an harmonised way on formal and informal justice service delivery and outcomes for women and girls, and their impact on beneficiaries' lives, and feed into the observatory</p>	<p><u>Targets (year 1):</u></p> <p>ICHR VAWG observatory in Gaza is established through selection of monitors, recruited and trained</p> <p><u>Targets (year 2):</u></p> <p>Research on women's access to justice in Gaza Strip is initiated</p> <p>One impact assessment of legal aid services to women in Gaza Strip conducted</p> <p>ICHR VAWG observatory in Gaza is functional and produces regular monitoring activities reports</p> <p>At least one training conducted for ICHR staff on discrimination and violence against women, including reporting and targeted staff understanding increased</p> <p>Partner CSOs collect data and information on women's access to justice in a harmonised way and share them with the ICHR Observatory on VAWG</p> <p><u>Targets (year 3):</u></p> <p>Research on women's access to justice in Gaza Strip is finalised and launched</p> <p>ICHR VAWG observatory in Gaza is able to regularly monitor justice institutions</p> <p>2 reports on impact on women and girls of informal justice processes and outcomes in Gaza, and linkages with the formal justice system produced</p> <p>Second impact assessment of legal aid services to women in Gaza Strip conducted</p>	<p>3.6.1: Conduct one research on women's access to justice in the Gaza Strip</p> <p>3.6.2: Undertake two impact assessments of legal aid services to women in the Gaza Strip</p> <p>3.6.3: Establish the observatory in Gaza and strengthen ICHR staff capacity, through making human resource available, training and coaching, in collecting information and data on women and girls victims of violence accessing, or attempting to access, justice, and in dealing, during their monitoring functions, with women and girls victims of discrimination and violence, including sexual violence, respecting confidentiality and providing security for victims</p> <p>3.6.4: Conduct two studies with the scope of assessing impact of use of IJ by the Joint Programme on women and girls and informing Joint Programme approach on IJS</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>3.7: Awareness of GBV, legal rights, available justice, security and social protection services and institutional roles and responsibilities increased amongst communities, CSOs and professionals (UN Women, cross-cutting with outputs 3.1, 3.2, 3.3 and 5.5)</p> <p><u>Baselines:</u></p> <p>Low rate of awareness on GBV and available justice, security and social protection services among women, girls and boys in the Gaza Strip (% to be assessed at the start up)</p> <p>Absence of a VAWG referral system</p> <p>Indicators:</p> <p>Level of awareness on GBV and available justice, security and social protection services among target groups, women, boys and girls</p> <p>Existence of a structured referral system for the protection and service delivery to women and girls victims of violence</p> <p>Number of organisations part of the referral system</p> <p>Number of cases handled through the referral system</p>	<p><u>Targets (year 1):</u></p> <p>20% increase in the level of awareness on GBV and available justice, security and social protection services among target groups, women, boys and girls</p> <p>Group of referral actors for the protection of VAWG established</p> <p><u>Targets (year 2):</u></p> <p>Training of trainers/CSOs delivering non-formal education programme for children and youth on GBV and VAW conducted</p> <p>Further 20% increase in the level of awareness on GBV and available justice, security and social protection services among target groups, women, boys and girls</p> <p>Further 2 organisations/institutions part of the originally established referral system group</p> <p>Referral procedures, based on protection and human rights principles, developed, approved and piloted by members of the women and girls protection referral system group</p> <p>Number of women and girls victims of violence cases referred through the system - to be monitored and determined at the end of year 2</p> <p><u>Targets (year 3):</u></p> <p>Non-formal education programme for children and youth on GBV and VAW conducted</p> <p>Further 10% increase in the level of awareness on GBV and available justice, security and social protection services among target groups, women, boys and girls</p> <p>Further 4 organisations / institutions part of the originally established referral system group</p> <p>Referral system assessed after pilot phase and adjusted according to the results of the pilot phase</p> <p>20% increase in number of cases of women and girls victims of violence referred through the referral system</p>	<p>3.7.1: Support partner CBOs and gender advocates in developing and conducting awareness raising multi-sectoral prevention and early detection interventions targeting boys and girls in schools / education institutions and youth centres in relation to GBV and VAW, rights and available support services</p> <p>3.7.2: Support delivery of non-formal education programme (e.g. "Voices against violence" handbook) for children and youth to help stop violence against young women and girls</p> <p>3.7.3: Support the establishment of a pilot referral system for women and girls' victims and survivors of violence (building on the experience of the national referral system developed/approved by the Ministry of Social Affairs in the West Bank)</p>

Outcome 4: Gender responsiveness of justice, security and legislative actors strengthened

Outcome Indicators	Outcome Targets	Risks/Assumptions	Means of Verification
<p>Justice and security institutions are better able to provide institutionalised, coordinated and implemented responses to gender issues</p> <p>Number of gender action plans developed and harmonised with other institutions, and being implemented</p> <p>% change in the number of female police officers</p> <p>% change in the number of female prosecutors</p> <p>% change in the number of female judges</p> <p>Number of draft/amended laws developed in participatory way to include gender equality principles and strengthen rights of women and girls</p> <p>Number of gender-responsive gender-equality-based services in place within justice, security and protection sectors</p>	<p>Gender responsiveness of the MOJ, MOI, MOSA, MOWA, PCP, AGO/PP, HJC, <i>shari'a</i> courts, PMF and PBA improved</p> <p>Baseline: 2 (2013) Target: 5</p> <p>Baseline: 3.3% (2013) Target: 5.0% (depending upon availability of posts)</p> <p>Baseline: 15.6% Target: 20.0% (depending upon availability of posts)</p> <p>Baseline: 15.0% (2011) Target: 20.0% (depending upon availability of posts)</p>	<ul style="list-style-type: none"> - Justice and security sector institutions prioritise capacity development on gender and women's rights - PA able to adequately fund and staff gender- equality activities - Insufficient professional knowledge and skills of staff to develop institutionalised gender and justice capacity - Limited posts to become available for female candidates - Limited institutional commitment to improve gender responsiveness 	<p>UNDP public perception surveys (baseline study 2011, then subsequent surveys for 2012, 2014 and 2016)</p> <p>PCBS survey of justice and sector data (baseline study 2013 then subsequent surveys 2014 and 2016)</p> <p>MIZAN2 records</p> <p><i>Al-Muqtafi</i> records of court judgements</p> <p>Data and records generated by justice and security institutions, including by UNDP and UN Women seconded staff</p> <p>Records of site visits and focus group discussions with staff and beneficiaries</p> <p>Study by Birzeit University on women's access to justice in the family courts</p> <p>Longitudinal comparative study by Birzeit University on public attitudes to family/personal status law reform</p> <p>UN Women, Access to Justice Study (forthcoming)</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>4.1: Capacity of the MOJ, HJC, shari'a courts, PMF and PBA to develop and implement gender responsive draft laws, policies and frameworks strengthened (UNDP, cross-cutting with outputs 1.1, 1.2, 1.3, 1.5, 1.6, 4.2 and 5.2)</p> <p><u>Baselines:</u></p> <p>Applicable laws critical to gender progress remain archaic</p> <p>Draft Penal Code prepared through inclusive consultation process but not enacted</p> <p>Gender units/expertise established in the MOJ but not in the HJC and the <i>shari'a</i> courts</p> <p>Gender strategies and action plans completed and approved in MOJ, not yet developed in the HJC and <i>shari'a</i> courts</p> <p>Gender responsive planning and budgeting capacity in MOJ but very limited/non-existent in other institutions</p> <p>PMF retrieval rate still relatively low (baseline: 20%)</p> <p><u>Indicators:</u></p> <p>Number of new laws and legislative amendments supportive of gender issues and women's rights</p> <p>Number of laws reviewed for gender responsiveness</p> <p>Number of public consultations held on draft laws/amendments supportive of improved gender justice</p> <p>Gender units/expertise established in relevant justice institutions</p> <p>Gender strategies and action plans developed in the HJC and the <i>shari'a</i> courts</p> <p>HR policies and mechanisms to support women's participation in the rule of law sector</p> <p>Percentage of institutional staff to receive gender awareness training</p> <p>Development of specialised gender services</p> <p>Increase in number of women PMF beneficiaries</p> <p>Increase in PMF retrieval rate</p>	<p><u>Targets (year 1):</u></p> <p>At least 1 draft law or amendment supportive of improved gender justice put forward</p> <p>At least three existing laws or bylaws reviewed through a 'gender' lens</p> <p>At least two public consultations held on draft laws/amendments supportive of improved gender justice</p> <p>Gender expertise established in the HJC and <i>shari'a</i> courts</p> <p>Gender strategies and action plans developed and approved in the HJC and the <i>shari'a</i> courts</p> <p>Gender policy embedded in HR policies and mechanisms in 2 PA institutions</p> <p>Gender planning, budgeting, space and facility allocations implemented in 2 PA institutions</p> <p>100 institutional staff to receive gender awareness training</p> <p>10% increase in women PMF beneficiaries</p> <p>PMF retrieval rate 22%</p> <p><u>Targets (year 2):</u></p> <p>At least 1 more draft law or amendment supportive of improved gender justice put forward</p> <p>At least three existing laws or bylaws reviewed through a 'gender' lens</p> <p>At least two public consultations held on draft laws/amendments supportive of improved gender justice</p> <p>Gender strategies and action plans implemented</p> <p>Gender policy embedded in HR policies and mechanisms in 3 PA institutions</p> <p>Gender planning, budgeting, space and facility allocations implemented in 3 PA institutions</p> <p>Further 100 institutional staff to receive gender awareness training</p> <p>Further 10% increase in women PMF beneficiaries</p> <p>PMF retrieval rate 24%</p> <p><u>Targets (year 3):</u></p> <p>At least 1 draft law or amendment supportive of improved gender justice put forward</p> <p>At least three existing laws or bylaws reviewed through a 'gender' lens</p>	<p>4.1.1: Based on national legislative priorities, work to ensure that all draft/amended legislation is compliant with international standards</p> <p>4.1.2: Support multi-stakeholder public consultations on the suggested revisions, including comparative law discussions</p> <p>4.1.3: Support the PBA and CSOs to draft recommendations for submission to MOJ and remain part of the legislative process from engagement with the MOJ, the Council of Ministers and the Office of the Legal Adviser to the President</p> <p>4.1.4: Undertake gender scoping/mapping exercise in the MOJ, HJC, <i>shari'a</i> courts, PMF and PBA to identify areas in need of gender responsive policy development</p> <p>4.1.5: Based on gender scoping/mapping exercise, promote development of HR policies and mechanisms to support women's participation</p> <p>4.1.6: Provide sustained capacity development support to the gender units/focal points in the MOJ, HJC, <i>shari'a</i> courts, PMF and PBA and raise gender awareness</p> <p>4.1.7: Provide gender expertise to core institutions on an on-going basis</p> <p>4.1.8: Continue to support female lawyers' network</p> <p>4.1.9: Provide support for traineeships for newly qualified female lawyers in justice related institutions and organisations</p> <p>4.1.10: Support the PMF to further develop the linkages with other PA institutions and increase its retrieval rate, including through working with the HJC's enforcement/execution department</p> <p>4.1.11: Support the PMF to develop and implement an engagement strategy to attract additional capacity development support</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
	<p>At least two public consultations held on draft laws/amendments supportive of improved gender justice</p> <p>Gender strategies and action plans implemented</p> <p>Gender policy embedded in HR policies and mechanisms in 3 PA institutions</p> <p>Gender planning, budgeting, space and facility allocations implemented in 3 PA institutions</p> <p>Further 100 institutional staff to receive gender awareness training</p> <p>Further 10% increase in women PMF beneficiaries</p> <p>PMF retrieval rate 26%</p>	

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>4.2: Capacity of the MOI, PCP, AGO/PP, MOSA and MOWA to develop and implement gender responsive draft laws, policies and frameworks strengthened, including guidelines and tools for the rehabilitation of women and girls in conflict with the law (UN Women, cross-cutting with outputs 1.1, 1.2, 1.3, 1.5, 1.6, 4.1, 4.3, 5.1, 5.2 and 5.4)</p> <p><u>Baselines:</u></p> <p>Weak capacity of MOI/PCP policies, frameworks and procedures to address gender equality issues within institutions as well as in relations to services provided</p> <p>PCP/FPU newly endorsed strategy and regulations not yet tested in the practice</p> <p>PCP/FPU newly developed standard operation procedures not officially adopted</p> <p>AGO/PP standard operation procedures not developed</p> <p>MOSA/Mehwar Centre pilot policy and practice guidelines for sheltering services not officially adopted</p> <p>Support and rehabilitation services targeting female inmates in CRCs not institutionalised</p> <p>MOWA's role in monitoring the implementation of justice and security sectors' action plans related to the implementation of the National Strategy to Combat VAW is partially implemented</p> <p>Women and girls in conflict with the law receive rehabilitation and reintegration services and social support services in a non-institutionalised way</p> <p>Women and girls in conflict with the law do not benefit from income generating activities</p> <p>1 out of 4 women's sections of CRC have space dedicated to rehabilitation, reintegration and recreation activities, with no one having space specifically dedicated to rehabilitation and reintegration activities</p> <p>Women and girls in CRC do not receive psycho-social counselling</p> <p><u>Indicators:</u></p> <p>Level of understanding and capacity of security institutions to develop and implement gender responsive processes</p> <p>Availability of a gender strategy and action plan to promote gender sensitivity of policing service</p> <p>Availability of guidelines for the social protection and rehabilitation of female inmates in CRC based on human rights principles</p> <p>Satisfaction level of PCP women staff members with policing environment</p> <p>Number of women staff in MOI and PCP demonstrating an increased level of networking capacity and leadership skills</p> <p>Satisfaction level of women beneficiaries of policing services, including women victims of violence</p>	<p><u>Targets (year 1):</u></p> <p>Application of FPU Regulations across all FPU</p> <p>Implementation of FPU Strategy, and its minimum standard guidelines as feasible, in 3 FPU's</p> <p>MOI / Security Sector Gender Units work plan drafted</p> <p>PCP Gender Strategy drafted through participatory process</p> <p>Acknowledgement by AGO/PP of internal level of understanding and of gender concepts and application of gender equality principles within AGO/PP</p> <p>AGO/PP gender strategy started being implemented</p> <p>Implementation of MOU and actions plans is revitalised and the coordination meetings are called regularly</p> <p>MOSA delivers psycho-social sessions to women and girls in CRC on regular basis applying human rights standards to psycho-social counselling and rehabilitation and recreation activities for women inmates are conducted</p> <p><u>Targets (year 2):</u></p> <p>Implementation of FPU Strategy, and its minimum standard guidelines as feasible, in further 3 FPU's</p> <p>MOI/PCP Gender Strategy started to be implemented in relation to recruitment, retention, career, etc., within the institution as well as in relation to the services provided to the public</p> <p>MOI/PCP women staff members build a network of female police officers and security sector's staff members</p> <p>Increase by 15% of the level of understanding of gender considerations and gender equality principles within MOI/PCP/Security Forces Gender Units</p> <p>AGO/PP women prosecutors build a network of female public prosecutors advocating for their instances</p> <p>Increase by 15% of the level of understanding of gender considerations and gender equality principles within AGO/PP</p> <p>MOSA and CRC agree and implement a plan for provision of rehabilitation and reintegration services for women, including income generating activities</p> <p><u>Targets (year 3):</u></p> <p>Implementation of FPU Strategy, and its minimum standard guidelines as feasible, in further 4 FPU's</p> <p>MOI/PCP women staff members are part of regional/international network of female police officers and security sector's staff members</p>	<p>4.2.1: Support strengthening of MOI and PCP gender expertise to be applied to all aspects covered by the programme, via provision of technical support and secondment of gender experts, adopting on-the-job coaching modality</p> <p>4.2.2: Support MOI and PCP Gender Units in the development and implementation of a gender scoping exercise informing the development of a gender strategy to promote and achieve greater equity for women within the police and greater gender sensitivity of policing services</p> <p>4.2.3: Support PCP in developing in-house skills to conduct gender analysis of women and girls cases received (by the Public Prosecution, governmental and non-governmental organisations) in order to assess, as well, challenges and remedies related to women's access to the justice and protection</p> <p>4.2.4: Support MOI and PCP in the development and adoption of gender sensitive recruitment / retention policies, women's careers' development, police women networks, integration of gender in training, application of gender considerations in police / security services infrastructure/premises, etc.</p> <p>4.2.5: Support AGO/PP to develop a strategic vision to integrate gender in its work and to implement the existing Gender Strategy, together with M&E mechanism, via provision of continuous technical support, including through recruitment of consultants working directly with the Gender Associate at AGO (shall the post of Gender Associate no longer be funded by current donor, UN Women will support that position)</p> <p>4.2.6: Support AGO/PP in developing in-house skills to conduct gender analysis of cases of women in contact with the law in order to assess challenges and remedies related to women's access to the Public Prosecution services</p> <p>4.2.7: Support AGO/PP in the development and adoption of gender sensitive recruitment / retention policies, women's careers' development, women prosecutors networks, integration of gender in PP training, application of gender considerations in PP infrastructure / premises, that ensure the creation of an equal opportunities environment</p> <p>4.2.8: Provide technical assistance in implementation of existing Memorandum of Understandings between MOWA, MOSA, MOI, AGO/PP, and PCP, and existing action plans</p> <p>4.2.9: Support capacity development of networking and leadership skills of women staff in MOI, PCP and AGO /PP</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>MOWA increased capacity to monitor the implementation of justice and security sectors' action plans related to the implementation of the National Strategy to Combat VAW is partially implemented</p> <p>Satisfaction level of women vis-à-vis prosecutorial services</p> <p>Number of AGO/PP women prosecutors demonstrating an increased level of networking capacity and leadership skills.</p> <p>Women and girls in CRC receive rehabilitation, reintegration and social services in an institutionalised manner</p>	<p>Women beneficiaries and women victims of violence report increased satisfaction of policing and prosecution services</p> <p>MOI/PCP Gender Strategy is applied across the departments</p> <p>Further 20% increase of the level of understanding of gender considerations and gender equality principles within MOI/PCP/Security Forces Gender Units</p> <p>Further increase by 20% of the level of understanding of gender considerations and gender equality principles within AGO/PP</p> <p>Income generating activities for women in CRC are regularly conducted and women perceive income from them</p>	

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>4.3: Capacity of the Council of Ministers and its sub-committees enhanced to include gender equality principles and reflect human rights norms and standards (UN Women, cross-cutting with outputs 1.4, 4.1 and 4.2)</p> <p><u>Baselines:</u></p> <p>PLC not active</p> <p>Draft/amended laws and normative frameworks in the process to be endorsed by Council of Ministers do not address gender equality principles</p> <p>Legislative processes within Council of Ministers do not foresee a gender review mechanism</p> <p><u>Indicators:</u></p> <p>Number of draft/amended laws including principles of gender equality and women's rights as set in the CEDAW</p> <p>Availability of gender expertise within Council of Ministers to revise draft/amended laws from a gender equality perspective</p> <p>Level of capacity of Council of Ministers to review draft laws from a gender-impact perspective and to address gender equality gaps</p>	<p><u>Targets (year 1):</u></p> <p>Gender expertise embedded within Council of Ministers</p> <p>Gender review mechanism concerning draft/amended laws in place within Council of Ministers</p> <p>According to national priorities, at least one gender analysis of draft law is conducted</p> <p>At least one draft law is reviewed accordingly from a gender perspective, in line with CEDAW principles, improving gender justice</p> <p>10% increase of capacity to include gender equality principles and reflect human rights norms and standards within draft laws</p> <p><u>Targets (year 2):</u></p> <p>According to national priorities, further two gender analysis of draft laws are conducted and the draft laws reviewed accordingly from a gender perspective, in line with CEDAW principles</p> <p>Further 20% increase of capacity to include gender equality principles and reflect human rights norms and standards within draft laws</p> <p>At least two consultations held on draft law/amendment supportive of improved gender justice</p> <p><u>Targets (year 3):</u></p> <p>According to national priorities, further two gender analysis of draft laws are conducted and the draft laws reviewed accordingly from a gender perspective, in line with CEDAW principles</p> <p>Further 20% increase of capacity to include gender equality principles and reflect human rights norms and standards within draft laws, with in-house capacity to include gender equality principles and human rights standards remaining at the end of the assignment of the gender expert</p>	<p>4.3.1: Support strengthening of Council of Ministers and its committees' capacity to undertake gender impact analysis of laws and to reflect gender and women's rights considerations into drafts.</p> <p>4.3.2 Provide technical assistance and capacity development on CEDAW and on drafting of reports (core document and treaty specific document) to the CEDAW Committee and other treaty bodies.</p> <p>4.3.3 Second one human resource expert on gender impact analysis and on CEDAW to the Council of Minister, providing as well support in the revision of draft/amended legislation, in accordance with national legislative priorities, to ensure compliance with international standards relating to women.</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>4.4: Gender sensitive M&E systems developed and implemented in the justice and security sectors in conjunction with PCBS (UN Women, cross-cutting with outputs 7.1, 7.2, 7.3 and 7.4)</p> <p><u>Baselines:</u></p> <p>Lack of harmonised M&E/reporting systems across the justice and security sectors</p> <p>Lack of gender-specific indicators related to access to justice and security, within the sectors</p> <p>Lack of baseline study on women's access to legal services, justice and security for the purpose of overall monitoring of the results and impact of programme on women</p> <p><u>Indicators:</u></p> <p>Number of gender sensitive indicators and targets in the M&E framework within justice and security institutions</p> <p>Number of gender -specific indicators in relation to access to justice and security (including legal services) used by PCBS</p> <p>Baseline study and monitoring of progresses</p>	<p><u>Target Year 1:</u></p> <p>Indicators for M&E of women's access to justice and security services are agreed upon, in conjunction with PCBS</p> <p>Baseline study of women's access to legal services, justice and security for the purpose of overall monitoring of results and impact of programme on women conducted</p> <p>Monitoring of UN Women programme component and of impact of the overall programme interventions on women and girls regularly conducted and data collected</p> <p><u>Targets (year 2):</u></p> <p>Gender-specific indicators are monitored by justice and security institutions in relation to access to justice and security services (including legal services)</p> <p>Monitoring of UN Women programme component and of impact of the overall programme interventions on women and girls continues to be regularly conducted and data collected</p> <p><u>Targets (year 3):</u></p> <p>M&E gender responsive systems across the Justice and Security sectors are in place and within each institution and harmonised</p> <p>PCBS includes gender-specific indicators in relation to access to justice and security services</p> <p>Monitoring of UN Women programme component and of impact of the overall programme interventions on women and girls continues to be regularly conducted and data collected</p>	<p>4.4.1: Provide technical expertise applied to M&E within the justice and security sectors through the programme, ensuring that M&E of women's access to justice and security is monitored, and that monitoring informs yearly planning..</p> <p>4.4.2: Conduct baseline study</p>

Outcome 5: Women's and girls' access to justice and security improved by ensuring accountable service provision to prevent, protect and respond to violence, and by addressing their broader legal needs

Outcome Indicators	Outcome Targets	Risks/Assumptions	Means of Verification
<p>Change in gap between women and men's legal literacy</p> <p>Percentage of legal aid services targeting women and girls across the West Bank and Gaza increased</p> <p>Change in the number of honour killings</p> <p>% change in number of female litigants who have access to a lawyer</p> <p>Change in the number of convictions for crimes of violence against women and girls</p> <p>Level of satisfaction of women with the outcome and impact on their lives of justice and security services (including legal services)</p> <p>Level of accountability of justice and security institutions to women's rights and gender equality</p> <p>Decreased rate of attrition</p> <p>% increase in the number of lawsuits against VAWG perpetrators</p>	<p>Baseline: 43.2 % (2011) Target: 30.0%</p> <p>Baseline: 49.0%, women and girls (2011) Target: 56%</p> <p>Baseline: 27 (2013)</p>	<ul style="list-style-type: none"> - Women and girls continue to be constrained by limited economic resources and mobility - Strong community resistance to women and girls reporting violence and seeking redress - PCP will continue to provide political and resources support to the FPU - Justice and security institutions will continue to provide political support and resources to achieve gender equality, to increase women's access to services and institutions' accountability to women - Women are able to participate in legal literacy activities - Women continue to demand legal aid services and CSO partners expand capacity to provide tailored services to women including in 'Area C' and East Jerusalem. - National VAWG referral piloted, revised accordingly, regularly monitored and supported by the PA, in line with partner institutions' capacity and requirements, and based on women's benefit and needs - Steps of the justice/social protection chain remain gender blind and are not addressed by the PA and other relevant stakeholders 	<p>UNDP public perception surveys (baseline study 2011, then subsequent surveys for 2012, 2014 and 2016)</p> <p>PCBS survey of justice and security sector data (baseline study 2013 then subsequent surveys in 2014 and 2016)</p> <p>MIZAN2 records</p> <p><i>Al-Muqtafi</i> records of court judgements</p> <p>PCP crime statistics</p> <p>Programme statistics (prepared on basis of partner reports)</p> <p>Records of site visits and focus group discussions with staff and beneficiaries</p> <p>Records of spot-checks on randomly selected advice files</p> <p>ICHR observatory reports</p> <p>Shelters' reports</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>5.1: Availability, accessibility and appropriateness of policing services (inter alia through the FPU) for women and girls, including those threatened by or experiencing violence, improved (UN Women, cross-cutting with outputs 1.6, 3.6, 4.1, 4.2, 5.7 and 6.4)</p> <p><u>Baselines:</u></p> <p>PCP has developed and endorsed a strategy for FPU and minimum standard guidelines; both are to be implemented, in accordance with action plan developed</p> <p>PCP has endorsed regulations for FPU, whose implementation has to be monitored and assessed</p> <p>PCP has developed draft SOPs for FPU, not yet endorsed nor implemented</p> <p>FPU staff has received training on strategy and regulations</p> <p>AGO/PP and HJC lack specific tools to address women's cases</p> <p>Gender equality is not addressed by public prosecution and court services</p> <p>No data and information are available regarding women's access to prosecution services and prosecution outcomes for women</p> <p>Women beneficiaries of prosecution and judicial services' dissatisfaction</p> <p><u>Indicators</u></p> <p>Level of implementation and monitoring of application of FPU strategy and minimum standard guidelines</p> <p>Level of implementation and monitoring of application of FPU regulations</p> <p>% of targeted police officers assigned in administration, departments and units who demonstrate an increased level of knowledge in gender, VAWG and human rights</p> <p>Level of satisfaction of women beneficiaries regarding policing services</p> <p>Number of functioning coordination and cooperation mechanisms between police and governmental and non-governmental service providers targeting women and girls</p>	<p><u>Targets (year 1):</u></p> <p>FPU Strategy starts to be implemented and minimum standard guidelines applied</p> <p>At least 10% of targeted police officers assigned in administration, departments and units who demonstrate an increased level of knowledge in gender, VAWG and human rights</p> <p>At least 10% of targeted police officers directly working with women beneficiaries demonstrate an increased level of sensitisation towards women's needs, whether in regards to women victims of violence, women witnesses of crimes, and women in conflict with the law</p> <p>10% increase in the level of satisfaction of women beneficiaries regarding FPU sites and services</p> <p>At least one tool for PP developed</p> <p><u>Targets (year 2):</u></p> <p>40% of the FPU Strategy implemented</p> <p>At least 5 FPU comply with MSG</p> <p>Further 20% increase in the level of satisfaction of women beneficiaries regarding FPU sites and services</p> <p>At least 2 functioning coordination mechanisms between police and governmental and non-governmental service providers targeting women and girls</p> <p>At least further 20% of targeted police officers directly working with women beneficiaries demonstrate an increased level of sensitisation towards women's needs, whether in regards to women victims of violence, women witnesses of crimes, and women in conflict with the law</p> <p><u>Targets (year 3):</u></p> <p>70% of the FPU Strategy implemented</p> <p>Further 20% increase in the level of satisfaction of women beneficiaries regarding FPU sites and services</p> <p>At least 2 functioning coordination mechanisms/fora between police and governmental and non-governmental service providers targeting women and girls continue to be fully functional</p> <p>At least further 20% of targeted police officers directly working with women beneficiaries demonstrate an increased level of sensitisation towards women's needs, whether in regards to women victims of violence, women witnesses of crimes, and women in conflict with the law</p>	<p>5.1.1: Support implementation and monitoring of FPU regulations and procedures, to protect and increase accountability to women and girls, support development and implementation of right-based protection-centred coordination with juvenile police (under unified administration) and other Departments</p> <p>5.1.2: Support the implementation of the FPU Strategy, including in relation to capacity development/training according to already developed training programme, information and data collection/storage/management, coaching on use of risk assessment and management and other tools developed, coordination with MOSA and social and legal service providers for women and girls victims of violence</p> <p>5.1.3: Provide support in application of minimum standard guidelines related to FPU equipment and infrastructure for 10 FPU, including in relation allocation and refurbishment of space</p> <p>5.1.4: Support sensitisation of police on women's specific needs, including needs and rights of women and girls victims of violence or entering in contact the law, reducing discriminatory attitudes and behaviours</p> <p>5.1.5: Strengthen coordination between police and governmental and non-governmental providers of social and legal services for women and girls victims of violence, suspects or witnesses, and pilot existing referral system</p> <p>5.1.6: Support capacity development of police research unit(s) to collect and analyze information related to women and girls access to justice, whether victims, suspects or witness</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>5.2: Availability, accessibility and appropriateness of prosecutorial, judicial and legal services for women and girls, including those threatened by or experiencing violence, improved (UN Women, cross-cutting with outputs 1.2, 1.3, 1.6, 3.6, 4.1, 4.2 and 5.7)</p> <p><u>Baselines:</u></p> <p>AGO/PP and HJC lack understanding, capacities and specific tools to address women's cases</p> <p>Gender equality is not addressed by PP and court services</p> <p>No data and information are available regarding women's access to prosecution services, prosecution outcomes for women and rate of attrition related to cases of VAWG</p> <p>Women beneficiaries of prosecution and judicial services' low satisfaction</p> <p><u>Indicators:</u></p> <p>Number of targeted prosecutors and AGO staff demonstrating increased level of gender sensitivity and understanding of gender equality, women's needs and rights.</p> <p>Level of satisfaction of women and girls beneficiaries of prosecution, judicial and legal services increased</p> <p>Availability of prosecutorial/judicial tools (e.g. operating procedures, guidelines, policy papers, etc.) to protect and increase accountability to women and girls</p> <p>Availability and use by AGO of gender sensitive data collection methods</p> <p>Level of coordination and cooperation between police, prosecution and judicial authorities on cases of women and girls</p>	<p><u>Targets (year 1):</u></p> <p>20 public prosecutors selected and trained on how to address women's cases, with focus on VAWG</p> <p>10% increase in the level of satisfaction of women beneficiaries regarding prosecution services</p> <p>PP standard operation procedures on women's cases drafted and shared with relevant stakeholders</p> <p>Coordination platform between police and prosecution on cases of women and girls established</p> <p><u>Targets (year 2):</u></p> <p>Informal specialisation of 20 prosecutors for family violence cases</p> <p>Further 10% increase in the level of satisfaction of women beneficiaries regarding prosecution and judicial sites and services</p> <p>PP standard operation procedures on women's cases finalised</p> <p>10 judges identified and sensitised on how to address women's cases, with focus on VAWG</p> <p>Mechanism to collect and document gender sensitive statistics on women's access to prosecution and judicial services is developed</p> <p>Coordination platform between police and prosecution on cases of women and girls continues to be utilised with a minimum of 5 cases dealt in one year</p> <p><u>Targets (year 3):</u></p> <p>Gender sensitised prosecutors assigned to work on women's cases across the West Bank</p> <p>Further 10% increase in the level of satisfaction of women beneficiaries regarding prosecution and judicial sites and services</p> <p>PP standard operation procedures on women's cases piloted</p> <p>10 judges apply developed knowledge on how to deal with women's cases</p> <p>Coordination platform between police and prosecution on cases of women and girls continues to be utilised with a minimum of further 5 cases dealt in one year</p> <p>Gender sensitive statistical reports related to women's access to prosecution and judicial services available for dissemination and use</p> <p>Further 10% increase in the level of satisfaction of women beneficiaries regarding prosecution and judicial sites and services</p>	<p>5.2.1: Support sensitisation of prosecutorial, court and legal services institutions and actors towards women's specific needs, including needs and rights of women and girls victims of violence, reducing discriminatory attitudes and behaviours</p> <p>5.2.2: Support prosecutorial and judges and legal services providers in developing and applying tools (e.g. operating procedures, guidelines, policy papers etc.) to manage cases, protect and increase accountability to women and girls, including for the prosecution of cases of domestic violence, ensuring equitable investigation, representation and referral procedures</p> <p>5.2.3: Support AGO and HJC in creating gender-friendly environment, including but not limited to allocation of proper gender-sensitive space for women and girls accessing the justice chain</p> <p>5.2.4: Support networking events and partnership among governmental, nongovernmental and women's organisations to increase understanding, mutual trust and shared vision of women's needs and rights when entering into the justice chain, with participation of MOWA and MOSA</p> <p>5.2.5: Support development of a mechanism to collect and document gender sensitive statistics on cases related to women, whether complainants, accused or witnesses, accessing the justice chain</p> <p>5.2.6: Support strengthening of collaborative framework of joint efforts among justice sector institutions, including on legislations that may affect women and girls, via gender expertise seconded to relevant ministries and work of the programme pool of gender experts coordinated by a team coordinator</p> <p>5.2.7 Support fulfilment of State responsibilities in relation to women in prison and detention</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>5.3: Lawyers' capacity to provide gender sensitive legal services and rights-based advocacy for women and girls strengthened and monitored (UN Women, cross-cutting with outputs 2.1, 2.2, 3.1, 3.2 and 5.4)</p> <p><u>Baselines:</u></p> <p>Lack of specific capacity among lawyers to legally represent and advocate for cases of women and girls</p> <p>PBA guidelines for lawyers to address gender equality and legally represent and counsel women in draft format</p> <p>Assessment of impact of legal aid services provided to women on judicial outcomes unavailable</p> <p><u>Indicators:</u></p> <p>% of targeted lawyers demonstrating increased level of gender sensitivity and capacity to legally represent women and to advocate for women's rights</p> <p>Number of lawyers implementing PBA guidelines on how to address gender equality while providing legal advice and representation to women</p> <p>% of judicial outcomes respectful of women's rights and gender equality principles issued upon provision of targeted legal aid services</p>	<p><u>Targets (year 1):</u></p> <p>20 lawyers selected and trained to provide legal aid services and legal representation to women and girls in line with human rights and gender equality principles</p> <p>PBA guidelines for lawyers to address gender equality and legally represent and counsel women finalised</p> <p><u>Targets (year 2):</u></p> <p>65% of lawyers trained in year 1 implementing PBA guidelines for women's cases</p> <p>Further 20 lawyers selected and trained to provide legal aid services and legal representation to women and girls in line with rights and gender equality principles, and in compliance with PBA guidelines for women's cases</p> <p>First assessment of legal aid services upon women and girls' access to justice and rights At least 2 judicial outcomes respectful of women's rights issued upon provision of legal aid services supported through the Joint Programme</p> <p><u>Targets (year 3):</u></p> <p>65% of lawyers trained in year 2 implementing PBA guidelines for women's cases</p> <p>Further 20 lawyers trained to provide legal aid services and legal representation to women and girls in line with rights and gender equality principles, and in compliance with PBA guidelines for women's cases</p> <p>Second assessments of legal aid services upon women and girls' access to justice and rights</p> <p>At least 4 judicial outcomes respectful of women's rights issued upon provision of legal aid services supported through the Joint Programme</p>	<p>5.3.1: Support regular delivery of training programme for lawyers on provision of gender sensitive legal services (as developed through UN Women, DFID-funded, Access to Justice project) for representing and providing legal advice to women</p> <p>5.3.2: Support capacity development, including through coaching and exchange of experience, on rights-based advocacy for defending women's rights and representing them</p> <p>5.3.3: Regularly monitor application of international standards when delivering legal aid and services to women and the impact of the legal aid and services on women and children</p> <p>5.3.4: Conduct two assessments of impact on women and children of legal aid and services provided to women</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>5.4: Tailored legal aid services provided to women and girls (UNDP, cross-cutting with outputs 2.1, 2.2, 3.1, 3.2 and 5.3)</p> <p><u>Baselines:</u></p> <p>1,800 women received free legal representation (2012)</p> <p>3,500 women provided with legal consultation and mediation services (2012)</p> <p>17,600 women provided with legal information and advice (2012)</p> <p><u>Indicators:</u></p> <p>Total number of women provided with legal information, consultation/mediation and representation</p> <p>Percentage of women clients who feel satisfied with legal aid services provided</p> <p>Percentage of women clients satisfied with outcome of the case/matter</p>	<p><u>Targets (year 1):</u></p> <p>15% increase in female legal aid beneficiaries</p> <p>At least 70% of women clients feel satisfied with legal aid services provided</p> <p>First audit of legal aid services provided to women undertaken</p> <p><u>Targets (year 2):</u></p> <p>Further 15% increase in female legal aid beneficiaries</p> <p>At least 75% of women clients feel satisfied with legal aid services provided</p> <p><u>Targets (year 3):</u></p> <p>Further 15% increase in female legal aid beneficiaries</p> <p>At least 75% of women clients feel satisfied with legal aid services provided</p>	<p>5.4.1: Support CSOs to provide specialised legal aid to women and girls</p> <p>5.4.2: Support capacity development of CSOs for increased scope and quality of service delivery</p> <p>5.4.3: Development clear guidelines and a client service charter aimed at improving the quality of services provided</p> <p>5.4.4: Monitor client satisfaction with legal representation provided and respond as needed</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>5.5: Awareness of GBV, legal rights, available justice, security and social protection services and institutional roles and responsibilities increased amongst communities, CSOs and professionals (UN Women, crossing cutting with outputs 1.1, 1.2, 1.3, 1.5, 1.6, 2.3, 3.3, 4.3 and 4.4)</p> <p><u>Baselines:</u></p> <p>Low level of youth's awareness on GBV/VAWG rights and available support services</p> <p>Limited cooperation and coordination between governmental and non-governmental service providers in the prevention and early detection of GBV/VAWG</p> <p><u>Indicators:</u></p> <p>Level of awareness of targeted boys and girls, and schools /centres staff on GBV and VAWG, rights and available support services</p> <p>Joint contribution and participation of governmental and non-governmental service providers in the implementation of awareness raising programmes for girls and boys on GBV/VAW prevention, early detection and response promoted through the Joint Programme</p>	<p><u>Targets (year 1):</u></p> <p>Awareness raising plan on GBV/VAWG prevention, early detection and response drafted through a participatory manner involving governmental and non-governmental service providers</p> <p>At least 2 awareness raising sessions targeting boys and girls in schools/education institutions and youth centres in relation to GBV/VAWG implemented in coordination and cooperation between governmental and non-governmental service providers</p> <p>10% increase in the level of targeted youth's awareness on GBV/VAWG, rights and available support services</p> <p><u>Targets (year 2):</u></p> <p>Further 10% increase in the level of targeted youth's awareness on GBV/VAWG, rights and available support services</p> <p><u>Targets (year 3):</u></p> <p>Further 4 awareness raising sessions targeting boys and girls in schools/education institutions and youth centres in relation to GBV/VAWG implemented in coordination and cooperation between governmental and non-governmental service providers</p> <p>Further 10% increase in the level of targeted youth's awareness on GBV/VAWG, rights and available support services</p>	<p>5.5.1: Support awareness raising multi-sectoral (police/ governmental and non-governmental service providers) prevention and early detection interventions targeting boys and girls in relation to GBV and VAWG, rights and available support services</p> <p>5.5.2: Support delivery of formal and non-formal education programme for children and youth to help stop violence against young women and girls</p>
<p>5.6: Multi-sectoral coordination and cooperation improved to enhance, monitor and document women's and girls' access to justice and security (UN Women, cross-cutting with outputs 1.9, 4.3 and 4.4)</p> <p><u>Baselines:</u></p> <p>Cases of femicide remain unaddressed by the justice and protection systems</p> <p>Prosecutors are not engaged in any coordination mechanism for women's protection and access to justice</p> <p>Existing case conference mechanism is implemented regularly only by shelter and ad hoc without official framework by other institutions</p> <p>Women victims of violence exiting sheltering services or CRCs not targeted by multi-sectoral reintegration support plans, thus remaining unsafe and vulnerable to re-victimisation</p> <p>Limited MOWA role in monitoring and coordinating justice and security institutions' action plans for the implementation of the National Strategy to Combat VAW</p> <p><u>Indicators:</u></p> <p>Number of cases reviewed through the application of the Serious Case Review mechanism and % of recommendations adopted</p>	<p><u>Targets (year 1):</u></p> <p>MOWA action plan for the implementation of the MOUs with line ministries related to the Strategy to Combat VAW Actions Plans drafted</p> <p>First Serious Case Review process implemented and documented</p> <p>Guidelines for the implementation of the case conference mechanism drafted, including follow-up modality to ensure implementation of case conferences' recommendations</p> <p>At least 5 cases of women victims of violence and/or in conflict with the law were supported to access justice and security services thanks to the case conference mechanism</p> <p><u>Targets (year 2):</u></p> <p>MOWA report on the status of the implementation of MOUs related to the National Strategy to Combat Violence against Women</p> <p>Activation of Serious Case Review for at least 2 cases</p> <p>Further 5 cases of women victims of violence and/or in conflict with the law were supported to access justice and security services thanks to the case conference mechanism</p>	<p>5.6.1: Support codification, piloting and implementation of inter-sectoral mechanisms to detect and address protection system gaps (e.g. serious case review)</p> <p>5.6.2: Support development, application and codification of coordination mechanisms for women and girls' protection and access to justice and security (e.g. case conference), involving, besides justice and security institutions MOWA and MOSA, and the National Committee to Combat VAW</p> <p>5.6.3: Provide capacity development support to justice and security institutions as well as MOWA and MOSA on coordinating for women and girls' protection, security and access to justice, via Joint Programme gender experts' team coordinator</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>Number of cases reviewed through the application of the Case Conference mechanism and in % of recommendations implemented</p> <p>Number of justice institutions actively participating in coordination mechanisms</p> <p>Level of multi-sectoral coordination and cooperation in the implementation of justice and security sectors action plans related to the National Strategy to Combat VAW</p>	<p>Use of case conference guidelines by at least 2 protection and/or justice services</p> <p>PP participating in multi-sectoral coordination mechanisms</p> <p><u>Targets (year 3):</u></p> <p>MOWA report on the status of the implementation of MOUs related to the National Strategy to Combat VAW</p> <p>Activation of Serious Case Review for further 2 cases</p> <p>Recommendations of previous Serious Case Review addressed by at least 2 institutions</p> <p>Further 5 cases of women victims of violence and/or in conflict with the law were supported to access justice and security services thanks to the case conference mechanism</p>	

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>5.7: Formal and informal justice actors and processes monitored through the Observatory,⁵⁶ with a focus on access and impact on women (UN Women, cross-cutting with outputs 2.3, 2.4 and 3.3)</p> <p><u>Baselines:</u></p> <p>Observatory on VAWG operating in the West Bank through a pilot phase</p> <p>Observatory on VAWG operating in the West Bank addresses only formal justice system</p> <p>CSOs collecting data and information on women and girls' victims of violence access to justice a fragmented way, lacking consistency and focus on women's access to justice, security and protection</p> <p>Lack of monitoring mechanisms on informal justice processes and outcomes for women</p> <p><u>Indicators:</u></p> <p>Level of access by ICHR observatory to data and information generated within the justice and security sectors</p> <p>Number of reports issued by ICHR observatory on women's access to justice</p> <p>Targeted CSOs and other stakeholders collect data in an harmonised way on formal and informal justice service delivery and outcomes for women and girls, and their impact on beneficiaries' lives, and feed into the observatory. Number of ICHR staff assigned and trained to collect, document and report on women's access to justice processes and outcomes</p> <p>Level of cooperation between ICHR and CSOs with regards to the observatory on VAW</p>	<p><u>Targets (year 1):</u></p> <p>ICHR observatory reporting format and guidelines drafted</p> <p>Monitors and coordinator seconded to the ICHR</p> <p>Monitoring conducted and reports drafted</p> <p>Review of ICHR observatory data collection and documentation system implemented</p> <p>CSOs and ICHR agree on data/information collection and reports production methods in relation to formal and informal justice processes and outcomes for women</p> <p>Base-line study on IJS human rights standards compliance, attitudes on gender issues and gender analysis of IJS decisions and their effectiveness</p> <p><u>Targets (year 2):</u></p> <p>ICHR Observatory 2014 report issued on the base of agreed upon format and guidelines</p> <p>Partner CSOs collect data and information on women's access to justice in a harmonised way and share them with the ICHR observatory on VAWG</p> <p>First study developed jointly with UNDP/PAPP assessing the impact of use of Informal Justice on women and girls and informing Joint Programme approach on IJS</p> <p><u>Targets (year 3):</u></p> <p>ICHR observatory on VAWG 2015 report on the base of agreed upon format and guidelines</p> <p>Partner CSOs continue to collect data and information on women's access to justice in a harmonised way and share them with the ICHR observatory on VAWG</p> <p>Second study developed jointly with UNDP/PAPP assessing the impact of use of Informal Justice on women and girls and informing Joint Programme approach on IJS.</p> <p>Research on women's access to justice in East Jerusalem</p>	<p>5.7.1: Support ICHR staff capacity development in dealing, during their monitoring functions, with women and girls victims of discrimination and violence, including sexual violence, respecting confidentiality and providing security for victims, to report cases of discrimination against women and girls, including through confidential arrangements for reporting or targeted outreach, to conduct investigations and to handle complaints, in line with CEDAW</p> <p>5.7.2: Support strengthening of cooperation between ICHR and CSOs, ensuring that civil society actors and CSOs and women's rights organisations have the capacity to collect data and information for the observatory and become key partners of ICHR, including in providing relevant information</p> <p>5.7.3 Support, through secondment of staff and tailored training, enhancement of ICHR capacity to collect data and information, enter them into available database, monitor and analyze them, including in terms of human rights-protection responsibilities, and to apply this competencies when writing opinions, recommendations, proposals and reports to the government, Parliament and any other competent body</p> <p>5.7.4: Conduct two studies with the scope of assessing impact of use of IJ on women and girls through Joint Programme and informing Joint Programme approach on IJS</p> <p>5.7.5: Conduct research on women's access to justice in East Jerusalem</p> <p>5.7.6: Undertake two impact assessments of legal aid services on women</p>

⁵⁶ To be carried-out in close conjunction with civil society actors

Outcome 6: Juvenile justice and adherence to child rights improved

Outcome Indicators	Outcome Targets	Risks/Assumptions	Means of Verification
<p>Percentage of UNDP provided legal aid services targeting children across the West Bank and Gaza</p> <p>Number of juvenile justice institutional action plans developed and harmonised with other institutions, and being implemented</p> <p>Number of draft/amended laws developed in participatory way to strengthen rights of children</p> <p>Number of children coming into contact with the police</p> <p>Number of children held in detention</p> <p>% change in the number of children interviewed by police in presence of their parents and/or a lawyer</p> <p>Number of children diverted from criminal justice system, released on non-custodial restrictive measures in lieu of detention</p>	<p>Baseline: 2.6%, children (2011) Target: 5.0%</p> <p>Baseline: 1 juvenile justice work plan developed, harmonised and being implemented (2013) Target: 4</p> <p>Baseline: 3 (draft Juvenile Justice Law, draft Penal Code and amendments to Child Law) Target: 3 additional</p> <p>Baseline: 2,729</p> <p>Baseline: 740</p> <p>Baseline: 9% (spot-check, 2012/2013)</p>	<ul style="list-style-type: none"> - Juvenile Justice Law not enacted - Data on juvenile justice is not reliably kept across the justice chain - CSO partners expand capacity to provide tailored services to children including in 'Area C' and East Jerusalem. - Justice and security sector institutions prioritise juvenile justice capacity development - PA able to adequately fund and staff juvenile justice activities - Insufficient professional knowledge and skills of staff to develop institutionalised juvenile justice capacity 	<p>UNDP public perception surveys (baseline study 2011, then subsequent surveys for 2012, 2014 and 2016)</p> <p>PCBS survey of justice and sector data (baseline study 2013 then subsequent surveys 2014, 2015, 2016)</p> <p>Data and records generated by justice and security institutions, including by UNDP seconded staff</p> <p>MIZAN2 records</p> <p><i>Al-Muqtafi</i> records of court judgements</p> <p>Data generated by PCP's Juvenile Police Unit</p> <p>Programme statistics (prepared on basis of partner reports)</p> <p>Records of site visits and focus group discussions with staff and beneficiaries</p> <p>Records of spot-checks on randomly selected advice files</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>6.1: Legislation related to juvenile justice and its enforcement introduced/amended in line with international standards and accession to CRC supported (UNDP, cross-cutting with outputs 1.1, 1.4, 4.1 and 4.2)</p> <p><u>Baselines:</u></p> <p>Applicable laws relating to juvenile justice remain archaic</p> <p>CRC not ratified</p> <p><u>Indicators:</u></p> <p>Number of new laws and legislative amendments supportive of improved juvenile justice</p> <p>Number of reviews through a 'juvenile justice lens'</p> <p>Number of public consultations held on draft laws/amendments supportive of improved juvenile justice</p> <p>Expertise on juvenile justice established in different justice and security sector institutions</p> <p>Formal ratification of CRC</p>	<p><u>Targets (year 1):</u></p> <p>At least 1 draft law or amendment supportive of improved juvenile justice put forward</p> <p>At least three existing laws or bylaws reviewed through a 'juvenile justice' lens</p> <p>At least two public consultations held on draft laws/amendments supportive of improved juvenile justice</p> <p><u>Targets (year 2):</u></p> <p>At least 1 more draft law or amendment supportive of improved juvenile justice put forward</p> <p>At least three existing laws or bylaws reviewed through a 'juvenile justice' lens</p> <p>At least two public consultations held on draft laws/amendments supportive of improved juvenile justice</p> <p><u>Targets (year 3):</u></p> <p>At least 1 more draft law or amendment supportive of improved juvenile justice put forward</p> <p>At least three existing laws or bylaws reviewed through a 'juvenile justice' lens</p> <p>At least two public consultations held on draft laws/amendments supportive of improved juvenile justice</p>	<p>6.1.1: Based on national legislative priorities, work to ensure that all draft/amended legislation is compliant with international standards relating to children</p> <p>6.1.2: Support multi-stakeholder public consultations on the suggested revisions, including comparative law discussions</p> <p>6.1.3: Support CSOs to draft recommendations for submission to MOJ and remain part of the legislative process from engagement with the MOJ, the Council of Ministers and the Office of the Legal Adviser to the President</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>6.2: Children's access to justice improved through tailored legal aid services and more equitable informal justice processes (UNDP, cross-cutting with outputs 2.1 and 3.1)</p> <p><u>Baselines:</u></p> <p>266 children received free legal representation (2012)</p> <p>467 children provided with legal consultation and mediation services (2012)</p> <p>297 children provided with legal information and advice (2012)</p> <p><u>Indicators:</u></p> <p>Total number of children provided with legal information, consultation/mediation and representation</p> <p>Percentage of child clients who feel satisfied with legal aid services provided</p> <p>Percentage of child clients satisfied with outcome of the case/matter</p>	<p><u>Targets (year 1):</u></p> <p>10% increase in child legal aid beneficiaries</p> <p>At least 70% of child clients feel satisfied with legal aid services provided</p> <p>First audit of legal aid services provided to children undertaken</p> <p><u>Targets (year 2):</u></p> <p>Further 10% increase in child legal aid beneficiaries</p> <p>At least 75% of child clients feel satisfied with legal aid services provided</p> <p>Second audit of legal aid services provided to children undertaken</p> <p><u>Targets (year 3):</u></p> <p>Further 10% increase in child legal aid beneficiaries</p> <p>At least 80% of child clients feel satisfied with legal aid services provided</p>	<p>6.2.1: Support CSOs to provide specialised legal aid services to children</p> <p>6.2.2: Support capacity development of CSOs for increased scope and quality of service delivery</p> <p>6.2.3: Support MOSA to provide specialised legal aid services to children</p> <p>6.2.4: Undertake two audits of legal aid services provided to children, including by measuring client satisfaction</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>6.3: Institutional juvenile/child responsiveness enhanced by ‘mainstreaming’ policies and procedures relating to children’s rights (UNDP, cross cutting with outputs 1.1, 1.2, 1.3, 1.5, 1.6, 4.1 and 4.2)</p> <p><u>Baselines:</u></p> <p>Juvenile justice units/expertise established in the MOJ and the PCP but not in the HJC, the AGO/PP and the <i>shari’a</i> courts</p> <p>Juvenile justice strategies and action plans completed and approved in MOJ and PCP but not in the HJC, the AGO/PP and <i>shari’a</i> courts</p> <p>Juvenile justice policies yet to be embedded within institutional frameworks except for MOJ and MOSA</p> <p>Child Protection Network led by MOSA in place</p> <p>Limited use of juvenile rehabilitation centre <i>Dar Al-Amal</i></p> <p><u>Indicators:</u></p> <p>Juvenile justice units/expertise established in different justice and security sector institutions</p> <p>Juvenile justice strategies and action plans developed in the PCP, the HJC, the AGO/PP and the <i>shari’a</i> courts</p> <p>Number of children coming into contact with the police (baseline: 2,729)</p> <p>Number of children held in detention (baseline: 740)</p> <p>Percentage of institutional staff to receive training on juvenile justice</p> <p>Development of specialised juvenile justice/child protection services</p> <p>Increase in number of child PMF beneficiaries</p>	<p><u>Targets (year 1):</u></p> <p>Juvenile justice units/expertise established in the HJC, the AGO/PP and <i>shari’a</i> courts</p> <p>Juvenile justice strategies and action plans developed and approved in the HJC, the AGO/PP and the <i>shari’a</i> courts</p> <p>Juvenile justice policies embedded within institutional frameworks in 3 PA institutions</p> <p>100 institutional staff to receive training on juvenile justice</p> <p>10% increase in child PMF beneficiaries</p> <p><u>Targets (year 2):</u></p> <p>Juvenile justice strategies and action plans implemented</p> <p>Juvenile justice policies embedded within institutional frameworks in 4 PA institutions</p> <p>Further 100 institutional staff to receive training on juvenile justice</p> <p>Further 10% increase in child PMF beneficiaries</p> <p><u>Targets (year 3):</u></p> <p>Juvenile justice strategies and action plans implemented</p> <p>Juvenile justice policies embedded within institutional frameworks in 5 PA institutions</p> <p>Further 100 institutional staff to receive training on juvenile justice</p> <p>Further 10% increase in child PMF beneficiaries</p>	<p>6.3.1: Develop specialised services for juveniles in MOJ/AGO/HJC especially once Juvenile Justice Law is passed</p> <p>6.3.2: Work with <i>shari’a</i> courts (custody, access, guardianship, maintenance)</p> <p>6.3.3: Work with PMF to strengthen linkages to other bodies to increase retrieval rates and reliably provide child support</p> <p>6.3.4: Work with MOSA (secretary child protection network, <i>Dar Al-Amal</i>, child protection officers, probation officers, legal aid)</p> <p>6.3.5: Based on the juvenile justice cases audit, interventions will be initiated in the PCP, the AGO/PP, the HJC and the PBA</p> <p>6.3.6: Develop monitoring system to measure how well each institutions meets the needs of children</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>6.4: Institutional development of the PCP's Juvenile Police Unit supported (UNDP, cross-cutting with output 1.6 and 5.1)</p> <p><u>Baselines:</u></p> <p>JPU's established and operational in all 11 districts but without an organisational and policy framework</p> <p>Decision to amalgamate administration of FPU and JPU but without implementation</p> <p>Many children interviewed by police without parents and/or a lawyer present</p> <p>JPU officers have received basic training on contact with children</p> <p>No PCP policy framework on contact with children</p> <p>Draft SOPs developed but without consultation/buy-in from other stakeholders</p> <p>No minimum standard guidelines for operation of JPU</p> <p><u>Indicators:</u></p> <p>Number of children coming into contact with the police (baseline: 2,729)</p> <p>Percentage of children held in detention (baseline: 740)</p> <p>Number of children diverted from criminal justice system by police</p> <p>Number of children released on non-custodial restrictive measures in lieu of detention</p> <p>Number of children interviewed by police in presence of their parents and/or a lawyer</p>	<p><u>Targets (year 1):</u></p> <p>PCP policies and procedures for police contact with children finalised</p> <p>Training on PCP policies and procedures conducted for 100 police officers</p> <p><u>Targets (year 2):</u></p> <p>Training on PCP policies and procedures conducted for another 100 police officers</p> <p>10% decrease in the number of children who come into contact with the law who are held in detention</p> <p>10% increase in the number of children interviewed in the presence of their parents and/or a lawyer</p> <p>10% increase in the number of children diverted from criminal justice//placed on non-custodial restrictive measures in lieu of detention</p> <p>Audit of police records relating to detention of juveniles, diversion from criminal justice system and use of non-custodial restrictive measures in lieu of detention completed</p> <p>Complete audit of police records regarding decisions taken to detain children</p> <p><u>Targets (year 3):</u></p> <p>Training on policy re police contact with children provided to a further 100 police</p> <p>Further 10% decrease in the number of children who come into contact with the law who are held in detention</p> <p>Further 10% increase in the number of children interviewed in the presence of their parents and/or a lawyer</p> <p>10% increase in the number of children diverted from criminal justice//placed on non-custodial restrictive measures in lieu of detention</p>	<p>6.4.1: Support the PCP in developing a strategy for the Juvenile Police Unit and a policy framework for the PCP's contact with children</p> <p>6.4.2: In conjunction with the PCP training administration, develop and implement a training programme on policies and procedures relating to police contact with children</p> <p>6.4.3: Provide support to the implementation of the SOPs and monitoring of the work of the unit</p> <p>6.4.4: Support the PCP to generate additional capacity development support to ensure that the JPU's logistical needs are met</p> <p>6.4.5: Develop monitoring tools for reliable data collection in relation to children in contact with the police</p> <p>6.4.6: Conduct an audit of police records relating to detention of juveniles, diversion from criminal justice system and use of non-custodial restrictive measures in lieu of detention</p> <p>6.4.7: Provide police stations with updated lists of available legal aid lawyers for children in contact with the police</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>6.5: Development and implementation of specialised juvenile prosecution and court services in both the regular and <i>shari'a</i> courts supported (UNDP, cross-cutting with outputs 1.2, 1.3, 1.5 and 5.1)</p> <p><u>Baselines:</u></p> <p>Juvenile justice units/expertise established in the MOJ and the PCP but not in the HJC, the AGO/PP and the <i>shari'a</i> courts</p> <p>Low capacity of prosecutors, judges and probation officers to treat children in accordance with international standards</p> <p>Lengthy delays in finalising juvenile cases</p> <p>Insufficient diversion of children from criminal justice system</p> <p><u>Indicators:</u></p> <p>Number of juvenile cases dealt with by prosecutors and judges with specialist knowledge</p> <p>Number of juvenile cases to be resolved within one year</p> <p>Number of children to be diverted by prosecutors from the criminal justice system.</p> <p>Number of children released on non-custodial restrictive measures in lieu of detention</p>	<p><u>Targets (year 1):</u></p> <p>SOPs for juvenile cases established</p> <p>Training provided to at least 25 prosecutors and 40 judges</p> <p>Specialist prosecutor appointed in each PPO</p> <p>30% of juvenile cases dealt with by prosecutors with specialist knowledge</p> <p>30% of juvenile cases dealt with by judges with specialise knowledge</p> <p><u>Targets (year 2):</u></p> <p>50% of juvenile cases dealt with by prosecutors with specialist knowledge</p> <p>50% of juvenile cases dealt with by judges with specialise knowledge</p> <p>20% increase in the number of juvenile cases that are resolved within one year</p> <p><u>Targets (year 3):</u></p> <p>70% of juvenile cases dealt with by prosecutors with specialist knowledge</p> <p>70% of juvenile cases dealt with by judges with specialise knowledge</p> <p>20% increase in the number of juvenile cases that are resolved within one year</p>	<p>6.5.1: Develop a tailor-made training curriculum for prosecutors and judges handling juvenile cases</p> <p>6.5.2: Monitor handling of juvenile case by the AGO/PP, the HJC and the <i>shari'a</i> courts according to SOPs</p> <p>6.5.3: Review case processing periods across the justice system and identify key stages and causes of delay</p> <p>6.5.4: Coordinate with the PCP, the AGO/PP, the HJC, the <i>shari'a</i> courts, MOSA and CSOs to develop priority system for scheduling juvenile cases and avoiding delays</p>

Outcome 7: Capacity of key actors and stakeholders to monitor progress and results in rule of law development increased

Outcome Indicators	Outcome Targets	Risks/Assumptions	Means of Verification
Number of institutional partners with functioning M&E and data collection systems	Baseline: 0 (2013) Target: 5	- Justice and security institutions willing to commit resources and effort to improving their M&E and data collection capacity	UNDP public perception surveys (baseline study 2011, then subsequent surveys for 2012, 2014 and 2016)
Number of institutional partners with dedicated and trained M&E/data collection human resources	Baseline: 0 (2013) Target: 5	- Justice and security institutions are able to successfully equip a wide enough circle of their staff with the knowledge and skills to sustain M&E systems and maintain proper follow-up on data collection	PCBS survey of justice and sector data (baseline study 2013 then subsequent surveys for 2014 and 2016)
Number of CSO partners with functioning M&E and data collection systems	Baseline: 10 (2013) Target: 30	- Justice and security institutions are able to develop their capacity to analyse data to feed into policy/planning processes	MIZAN2 records
Number of CSO partners with dedicated and trained M&E/data collection human resources	Baseline: 10 (2013) Target: 15	- Justice and security institutions willing to continue their data collection cooperation with each other and with PCBS	Reports and data produced regularly by institutions and by CSOs
Completion of public perceptions surveys	Baseline: 2 (2013) Target: 4	- CSOs willing to commit resources and effort and to support each other in improving their M&E and data collection capacity	Staffing tables demonstrating M&E/data collection posts in institutions and CSOs
Completion of PCBS surveys of justice and security sector data	Baseline: 1 (2013) Target: 3	- Political and security environment is conducive to completion of the surveys for the public perception survey and the survey of justice and security sector data in both West Bank and Gaza	Programme-wide beneficiary training evaluation
% of beneficiaries of trainings to participate in training impact evaluation	Baseline: 25% (2013) Target: 75%		
% of legal aid beneficiaries to participate in legal aid impact evaluation	Baseline: 15% (2013) Target: 50%		
(Gender M&E indicators in Outcomes 4&5, especially output 4.5)			

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>7.1: Enhanced national capacities to establish a robust M&E, data collection, reporting and policy-development strategy across the rule of law sector by providing technical support to sustainably implement the strategy in each institution (UNDP, cross-cutting with outputs 1.1, 1.2, 1.3, 1.5, 1.6, 1.7, 1.8 and 4.4)</p> <p><u>Baselines:</u></p> <p>Limited M&E capacity/expertise in justice and security institutions</p> <p>MOJ has developed M&E strategy which requires review and endorsement. However, MOJ has limited capacity to operationalise strategy and to lead the sectoral M&E strategy</p> <p>Preliminary M&E needs assessment conducted in AGO/PP and HJC indicate weak capacity to conduct M&E/data collection</p> <p>Public perceptions survey and survey of justice and security institutions' data provide important empirical data but gaps remain</p> <p>MIZAN2 operational but data yet to feed into policy/planning processes</p> <p><u>Indicators:</u></p> <p>Implementation of M&E strategy in each institution</p> <p>Knowledge and skills transfer milestones met from M&E experts to permanent staff are met</p> <p>Development of sector-wide M&E, data collection, reporting and policy-development strategy harmonised across all institutions</p>	<p><u>Targets (year 1):</u></p> <p>M&E strategies the PCP, AGO/PP, HJC and <i>shari'a</i> courts finalised and endorsed</p> <p>UNDP M&E experts working with permanent staff counterparts in justice and security institutions in accordance with knowledge transfer work plans</p> <p>Harmonised indicators developed for the justice and security sectors</p> <p>M&E processes implemented in justice institutions and first data collected for reporting back on first year of the justice sector strategy</p> <p><u>Targets (year 2):</u></p> <p>Permanent counterparts to play lead role with secondees support in monitoring/ensuring regular data collection is taking place and M&E strategy on track within each institution</p> <p>Implementation of M&E strategies and work plans in each institutions</p> <p>Analysis of data undertaken and report on policy implications produced in each institution</p> <p><u>Targets (year 3):</u></p> <p>Secondees phased out and permanent counterparts provided advisory support from programme</p> <p>Implementation of M&E strategies and work plans in each institutions</p> <p>Analysis of data undertaken and report on policy implications produced in each institution</p>	<p>7.1.1: UNDP M&E Analyst and PCBS to support the JSWG's M&E thematic subgroup in developing and implementing harmonised M&E/reporting framework across the sector</p> <p>7.1.2: Support the development of M&E capacity within the justice and security sectors via co-location of seconded staff for two years with 'shadowing' and knowledge transfer milestones</p> <p>7.1.3: Develop M&E strategies and work plans in each institution as well as harmonised indicators for the justice and security sectors</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>7.2: Capacity of PCBS developed to conduct empirical knowledge products including public perception surveys, surveys of justice and security sector data and other surveys/studies as needed to fill knowledge and data gaps (UNDP, cross-cutting with outputs 4.4, 7.1 and 7.4)</p> <p><u>Baselines:</u></p> <p>PCBS experience with data collection in the justice and security sectors is growing; however, capacity to undertake analysis of the data is still limited</p> <p>Inaugural justice and security sector data completed (2013)</p> <p><u>Indicators:</u></p> <p>Enhanced PCBS capacity to monitor developments in the rule of law sector enhanced</p> <p>PCBS able to conduct analysis of data in-house</p>	<p><u>Targets (year 1):</u></p> <p>Public perception survey conducted by PCBS within agreed upon timeframes</p> <p>Survey of justice and security data conducted by PCBS within agreed upon timeframes</p> <p>Justice and security sector expertise embedded in PCBS</p> <p><u>Targets (year 2):</u></p> <p>PCBS' in-house justice and security sector expertise strengthened</p> <p><u>Targets (year 3):</u></p> <p>Public perception survey conducted by PCBS within agreed upon timeframes</p> <p>Survey of justice and security data conducted by PCBS within agreed upon timeframes</p> <p>PCBS' in-house justice and security sector expertise strengthened</p>	<p>7.2.1: Conduct public perception surveys to establish the extent to which Palestinians engage with and trust justice and security institutions</p> <p>7.2.2: Conduct survey of available justice and security sector data with a view to tracking the effectiveness of existing investments in justice and security sector institutions, identifying areas where additional efforts are needed, and prioritising interventions accordingly</p> <p>7.2.3: Strengthen PCBS capacity to monitor developments in the rule of law sector</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>7.3: Capacity of CSO partners developed to enhance their capacity to monitor, evaluate and report on results (UNDP, cross-cutting with outputs 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 7.1 and 7.4)</p> <p><u>Baselines:</u></p> <p>CSO partners have mixed capacity (some high and others low) to report on results and undertake M&E activities</p> <p><u>Indicators:</u></p> <p>Timely submission of statistical results</p> <p>Increased capacity to regularly and reliably monitor, evaluate and report on results</p> <p>Capacity of CSO partners to support programme's M&E systems enhanced</p> <p>Successful sharing of 'best practice' M&E models and reporting systems amongst CSO partners</p>	<p><u>Targets (year 1):</u></p> <p>Assessment of M&E capacity of CSO partners undertaken</p> <p>All CSO partners in need of M&E capacity development participate in M&E/results reporting training</p> <p>All CSO partners develop M&E/results reporting framework tailored to their programmes</p> <p><u>Targets (year 2):</u></p> <p>All CSO partners in need of M&E capacity development participate in M&E/results reporting training</p> <p>Sharing of 'best practice' M&E models and reporting systems amongst CSO partners</p> <p><u>Targets (year 3):</u></p> <p>M&E/results reporting training</p> <p>Sharing of 'best practice' M&E models and reporting systems amongst CSO partners</p> <p>Evaluation of M&E capacity of CSO partners undertaken</p>	<p>7.3.1: Assess M&E capacity of CSO partners</p> <p>7.3.2: Provide training programmes for CSOs on developing and implementing M&E strategies and reporting on results</p> <p>7.3.3: Provide on-going advice and assistance to CSO partners to improve data collection and M&E</p> <p>7.3.4: Support sharing of 'best practice' M&E models and reporting systems amongst CSO partners</p>

Outputs Baseline(s) / Indicator(s)	Output Targets (for years)	Indicative Activities
<p>7.4: A coordinated, programme-wide, results-based approach to monitoring, evaluating and reporting on programme results adopted (UNDP, cross-cutting with outputs 7.1, 7.2 and 7.3)</p> <p><u>Baselines:</u></p> <p>Weak capacity amongst partners to support programme's M&E systems</p> <p>Dedicated M&E expertise in place but a need to scale-up M&E capacity across the programme (see Outputs 5.1, 5.2 and 5.3 for details)</p> <p>Partnership with PCBS requires further strengthening to enhance data analysis capacity</p> <p><u>Indicators:</u></p> <p>All institutional M&E work coordinated and linked to programme's M&E systems</p> <p>All CSO partners' M&E work coordinated and linked to programme's M&E systems</p> <p>Successful completion of programme's M&E milestones</p>	<p><u>Targets (year 1):</u></p> <p>Programme-wide M&E plan developed and approved</p> <p>High quality annual work plans and annual reports based on empirical data and evidence</p> <p><u>Targets (year 2):</u></p> <p>High quality annual work plans and annual reports based on empirical data and evidence</p> <p>Mid-term review conducted in conjunction with UNDP/BCPR</p> <p><u>Targets (year 3):</u></p> <p>High quality annual work plans and annual reports based on empirical data and evidence</p> <p>Independent outcome evaluation undertaken and completed</p> <p>Financial audit completed</p>	<p>7.4.1: Develop programme-wide M&E plan and submit high quality annual work plans and annual reports in a timely manner</p> <p>7.4.2: Undertake regular M&E assessments of all activities and interventions (progress reports, data collection and analysis, focus group discussions, field visits, spot-checks etc.)</p> <p>7.4.3: Conduct a mid-term review in conjunction with UNDP/BCPR with a view to addressing the challenges impacting the programme</p> <p>7.4.4: Commission an independent outcome evaluation to assess the level of progress made towards achieving the outputs and outcomes listed in the programme document</p> <p>7.4.5: Commission a financial audit to ascertain compliance with UNDP's accounting standards and internal control framework</p>

Annex A: Risk Log

The risk log has been designed to reflect risks to the implementation of the programme and their respective foreseen mitigation measures. It includes risks related to the overall geopolitical, fiscal and humanitarian environment in which the programme operates, risks related to the interaction with and between national counterparts, as well as risks related to the programme itself and its joint implementation by UNDP/PAPP and UN Women.

As with any developmental intervention, there are multiple foreseeable risks on all levels, ranging from the activity level to the macro-political level. There is always the possibility of risks created by the development intervention itself. If, for instance, assistance is directed too much towards one institution, this is likely to affect the others, and may hamper processes for which the institutions are jointly responsible. For example, if the balance of assistance between the AGO/PP and the HJC is too much in favour of the former, this potentially not only jeopardises the (working) relationship between the institutions, but also risks distorting mandates and the effectiveness of the criminal justice system.

Another main risk, especially relevant in the oPt where the legislative system is impaired, is that institutions 'stretch' themselves to occupy vacuums not fulfilled by mandated but non-functioning institutions, such as the PLC. This can result in institutional strengthening, but in the 'wrong' places, and can result in adverse consequences for the population and civil society. Vice versa, a robust civil oversight system dominated by strong civil society organisations over weak government institutions is also not likely to contribute to strengthened rule of law and improved access to justice. Therefore, the Joint Programme aims to carefully balance and sequence its capacity development assistance between institutions, and between institutions and civil society. In order to do this correctly, it will periodically review this balance.

UNDP/PAPP and UN Women strongly believe that they can contribute to the (pre-emptive) mitigation of many (potential) risks by the manner in which they work with all counterparts at all levels throughout the programme cycle. Among the pillars upon which successful implementation of previous programming was built were crucial concepts of national ownership, broad-based consultations, participation, empowerment, consensus-building, facilitation and dialogue, non-discrimination and the active promotion of gender equality and human rights, as well as a strong focus on support for the most vulnerable groups in Palestinian society - striking a proper balance between institutional capacity building (supply side), civil society capacity development and addressing pressing (legal) needs of the most vulnerable groups in Palestinian society (demand side). With this approach, it is foreseen that the Joint Programme interventions will not contribute to the creation, prolongation or aggravation of risks.

It is difficult to apply the concept of sustainability to the current development context in the oPt. The context is not sustainable from almost every perspective, whether political, financial, or territorial. However, there are several ways in which the Joint Programme aims to contribute to the sustainability of its capacity development interventions, by focusing on developing the capacities of individuals, systems as well as institutions (and how these all interact) in a manner that empowers the targeted counterparts with increased professional skills, legal frameworks and strategies, improved and standardised work processes, and a service-oriented approach. A sizeable engagement of national capacities in academia, civil society organisations, both in the West Bank and Gaza, complements what is effectively a national development methodology. No matter how the situation in the oPt develops, the Joint Programme will contribute to improving Palestinian capacities to deal with the challenges of the future.

Description	Programme Activities Affected	Risk Impact & Probability			Mitigation Measures
		Likelihood	Impact	Level	
1. Tensions and conflict in the region (Syria, Egypt)	All activities might be affected if the programme is forced to suspend implementation due to increased security risks. The risk of this is greater in relation to Gaza in the event of further deterioration of the situation there due to developments in Egypt. In the event of security risks affecting the whole of the oPt, work with the PA institutions would likely be more affected than civil society components of the programme, due to greater involvement of international expertise in the interactions with the institutions and differences in implementation modalities.	Medium	High	Medium	Through making extensive use of national implementation mechanisms, empowering national programme staff, and continuing to build capacities with all programme counterparts, the Joint Programme will be able to continue implementation of activities under adverse conditions. Should heightened security risks eventuate, a shift to increased implementation through civil society actors might be considered.
2. Israeli occupation, military actions and incursions	All programme activities might be affected due to increased access and movement restrictions, especially in relation to 'Area C' and East Jerusalem. In Gaza, another major military attack by Israel and a further deterioration of the humanitarian situation might result in delays or suspension of some or all programme activities.	High	High	High	The Joint Programme will continue to empower national programme staff and will increase the decentralisation of programme management, while consistently incorporating elements of national execution of programme components. Additionally, UNDP/PAPP and UN Women will need to continue to improve communication with COGAT, while working on improved capacities of the PA to engage in coordination and negotiation capacities. Ensuring political donor support to facilitate programme activities would complement the programme's 'bottom-up' approach as described above.
3. Deterioration in ongoing coordination and cooperation with the government of Israel	This risk potentially affects all activities and interventions under the Joint Programme, as access to the West Bank and Gaza depends on coordination with - and authorisation by - the government of Israel. In addition to impacting programme implementation directly, deterioration in the ongoing coordination and cooperation with the government of Israel might affect the functioning of the PA more broadly, jeopardising the long-term sustainability of the programme.	Medium	High	Medium	UNDP/PAPP and UN Women have no direct influence on the coordination and cooperation with the government of Israel, although mitigating measures could be taken to circumvent access and movement restrictions (e.g. by using Skype or videoconference facilities). If and when the functioning of the PA more broadly would be at risk, support would need to be made available to prevent the PA from collapsing. As has occurred in the past, when civil servants have gone on prolonged strike or reduced their work hours due to non-payment of salaries, the UN secondments have proven to be essential to arranging for and supporting the continuance of skeleton service provision to mitigate the adverse impact upon the Palestinian public.
4. Ongoing peace talks	While a breakthrough in the ongoing peace talks would likely have a positive impact upon programme implementation, a breakdown will likely have an adverse effect on the development context, both in terms of a deterioration of the security situation and the proper functioning of the PA. A breakdown is likely to increase internal political divisions; at the same time, there is a real risk of further disengagement by the international community.	High	Medium	High	In all likelihood, the Joint Programme will benefit from a breakthrough in the ongoing peace talks, although UNDP/PAPP and UN Women might have to make some adjustments to ensure alignment and indeed appropriateness of their activities and interventions. In the case of a breakdown or even suspension, the Joint Programme might have to take measures to mitigate the impact on implementation of the programme, for instance by focusing on national implementation mechanisms and/or shifting focus away from the PA to support civil society partners to help fill gaps in service provision where possible. At the same time, continued acceleration of settlement expansion and demolitions may require a greater investment in the provision of legal aid services and the development of legal strategies to provide what limited legal protection is available to retard the deleterious impact of these activities.

5. Increase in internal political divisions	A further increase in internal political divisions will have detrimental effect on all activities and interventions under the Joint Programme. In addition to further undermining the credibility and legitimacy of the PA, internal divisions are likely to further deepen the geographical 'split' between the West Bank and Gaza. Violations against perceived political opponents may increase and place additional politically sensitive demands upon the Joint Programme, while programme partners may face additional pressures from the <i>de facto</i> authorities in Gaza and possibly the PA.	Medium	Medium	Medium	While keeping track of all political developments, the Joint Programme will continue to build strong relationships with all local partners, with a focus on supporting a harmonised approach to rule of law development across the oPt. In addition to continuing to work closely with Palestinian civil society, UNDP/PAPP and UN Women will remain impartial and objective, working to uphold and safeguard human rights of Palestinians across the West Bank and Gaza.
6. Reconciliation between Fatah and Hamas	In addition to increased political unrest and, possibly, a further deterioration of the security situation, reconciliation between Fatah and Hamas might result in further international disengagement or even a suspension of development cooperation support.	Low	High	Medium	The mitigation measures for this risk appear to be largely outside of the programme's realm. From a development perspective, it is likely that major adjustments to the programme would be required, in close consultation with all relevant actors and stakeholders. In all likelihood, UNDP/PAPP and UN Women will try to build upon all the work done to date, including by facilitating knowledge-sharing and contact between legal professionals from the West Bank and Gaza. Strong buy-in and support from donors/development partners would be essential in this process.
7. Increasing lack of PA legitimacy	As the Joint Programme invests heavily in the provision of capacity development support to the PA's justice and security institutions, this is likely to impact most programme activities, particularly with regard to outcome 1. In view of the fact that presidential and parliamentary elections have been postponed several times, the PA effectively lacks the mandate to govern. Coupled with the fact that the PLC is not functioning, the PA lacks credibility and legitimacy - severely hampering its efforts to pursue justice and security sector reform. The worst-case scenario would be that community frustrations boil over and popular protests result in the collapse of the PA.	High	High	Medium	Although the increasing lack of PA legitimacy affects the Joint Programme in various ways, there appears to be a general consensus that there is currently no viable alternative. In terms of mitigating risks, the Joint Programme will continue to work very closely with different civil society actors, including the PBA, civil society organisations and academic institutions. As noted above, if the security situation deteriorates, the programme will increase its use of national implementation mechanisms. A decentralised programme management structure, already in place in Gaza, further contributes to the ability to be able to implement under restricted access and movement conditions.
8. Elections	The potential impact of presidential and parliamentary elections on programme implementation cannot be overestimated, with the possibility of dramatic changes to the political landscape. Depending on the election outcomes, the Joint Programme would probably have to adapt its interventions.	Medium	High	High	Depending on the outcome of the elections, major changes to the programme interventions might be required. Possible mitigation measures include a continued focus on technical capacity development of institutional counterparts, while support to civil society is likely to continue, albeit with possible change in both scope and focus. Close cooperation and consultations would be required with all relevant actors and stakeholders, in order to reach consensus on the best manner in which to support the Palestinian people in the post-election realities on the ground.
9. Non-functioning of the PLC	This risk affects most programme activities. In addition to the increasing lack of PA legitimacy, the non-functioning of the PLC creates a perturbing gap in democratic oversight. In addition, it continues to hamper the PA's legal reform efforts, which impacts not only the capacity development support provided to institutions but also activities aimed at improving access to justice and increasing legal literacy.	High	High	High	Already, UNDP/PAPP and UN Women attempt to empower civil society actors to contribute to legal reform processes, play a watchdog role and influence policy-making. Simultaneously, it encourages the PA to ensure, to the extent possible, inclusive and participatory law and policy making processes. Especially in the absence of a functioning PLC, it will be important to avoid the further cementing of the legal divergence between the West Bank and Gaza. Instead, the Joint Programme will continue to focus on increasing the capacity of lawyers, prosecutors and judges to more effectively use the Basic Law to strike out laws or particular provisions that violate basic rights and to achieve more progressive rights-friendly interpretations of existing laws.
10. Constraints in engaging with the <i>de facto</i> authorities in Gaza	Constraints in engaging with the <i>de facto</i> authorities in Gaza – as defined in the UN engagement policy set by the Secretary-General Policy Committee, poses a number of interrelated risks to the Joint Programme, particularly with regard to outcome 3. In addition to exacerbating the geographical 'split' between the West Bank and Gaza, it increasingly raises human rights concerns as ordinary people in Gaza bear the brunt of the economic malaise caused by the blockade and economic sanctions.	High	High	High	In Gaza, the Joint Programme is largely unable to influence the 'supply' side of the rule of law equation, other than by making significant efforts to improve access to justice for the most vulnerable people. At the same time, efforts will be made to facilitate knowledge-sharing and contact between legal professionals from the West Bank and Gaza.

11. Corruption, nepotism and favouritism	Corruption, in its many forms, constitutes a serious risk to any institutional development process and public perceptions of justice and the rule of law. As such, it represents an important risk not only at the level of individual activities and interventions but for the Joint Programme as a whole.	High	High	High	Serious efforts are being made by the PA to fight corruption, including by establishing the PACC and implementing of the national anti-corruption strategy. The Joint Programme will continue to work very closely with the PACC and CCC; at the same time many checks and balances are in place to prevent corruption and favouritism in contracting and tender procedures, all aimed at obtaining best value for money.
12. Lack of high level political will	The fact that the functional mandates of the main justice institutions remain unclear continues to weaken justice service delivery. While the current situation has been discussed many times, no changes have occurred and this situation continues to pose a risk to programme implementation, particularly with regard to outcome 1.	High	High	Medium	The Joint Programme will continue to advocate for changes in the (legal) framework. In addition to fostering technical level cooperation, UNDP/PAPP and UN Women will continue to support the PA in its efforts to clarify functional mandates, possibly with the assistance of the programme donors.
13. Strained government-civil society relations	The fact that some of the relationships between programme partners and counterparts are strained, or lack the required trust could, if not properly addressed, hamper the implementation of some of the programme activities.	High	Medium	Medium	UNDP/PAPP and UN Women have a good understanding of the different relationships between programme partners and counterparts and are generally considered reliable partners. As such, it is expected that the Joint Programme will be able to build bridges and enable improved cooperation by encouraging partners to recognise the synergies between them and to work constructively on concrete issues to help each other. For example, UNDP/PAPP and UN Women will continue to encourage the PA to draw on the expertise of various civil society actors while also deepening its understanding of CSOs' monitoring role. In the same vein, the Joint Programme will continue to encourage Palestinian and Israeli civil society organisations to use their common and respective strengths to work together.
14. Resistance to change	The Joint Programme operates in an environment where many existing work processes are changing. This is often a difficult and slow process, as there are often vested interests and entrenched differences of opinion.	High	High	Medium	Changing existing work processes require careful planning and full counterpart buy-in to ensure that the introduction of new ways of working are not being resisted and undermined. Hence, these processes will, as much as possible, be elaborated in such a manner that wide consensus can be reached, prior to final approval and implementation of the agreed upon changes. Once consensus has been achieved, the Joint Programme will work to institutionalise the process and where possible, bolster the change process by involving trusted third parties to encourage its continuance.
15. Slow and centralised decision-making	This risk refers to the protracted and sometimes unclear decision making-processes in some programme counterpart institutions. Additionally, the rotation of staff members over positions occasionally creates a lack of continuity.	Medium	Medium	Medium	The Joint Programme will adequately plan for time required for certain counterpart decisions to be made and will continue to work on the basis of inclusion and consensus. In addition, UNDP/PAPP and UN Women will work to ensure 'quick gains' to demonstrate in concrete ways the potential benefits of reform and to foster commitment to the agreed upon timeframes for change processes. The Joint Programme will focus on empowering middle managers, decentralising decision-making and supporting proper delegation of authority.
16. Lack of commitment to gender mainstreaming	While the PA has made strong public commitments to supporting women's rights and gender equality, results on the ground are mixed. While through the work of UNDP/PAPP and UN Women's previous rule of law programmes some institutions have demonstrated commitment to gender programming, others remain less knowledgeable, or even resistant to supporting a focus on women's access to justice and human rights.	Medium	Medium	Medium	UNDP/PAPP and UN Women have had considerable success in mainstreaming gender and supporting specialised justice and security services for women. The key lesson learned through this engagement is that an incremental approach through intense engagement, with a focus on concrete work and activities, produces the best results. The Joint Programme will use this approach to foster and support gender mainstreaming efforts across all its institutional partners.
		High	High	Medium	

17. Entrenched legal and social discrimination against women	This is a known risk to implementation of some aspects of the programme but is also one of the key reasons why the programme is needed. It is the role of UNDP/PAPP and UN Women to contest these patriarchal norms and values and address the symptoms, such as high levels of violence against women.				UNDP/PAPP and UN Women have cumulatively a wealth of experience and expertise in developing effective strategies for advancing women's access to justice and rights. The Joint Programme will support women's organisations to lead grassroots community efforts to acculturate increased support for women's rights. These 'bottom-up' approaches will be complemented by support to institutions to ensure that they become more responsive to women's justice and security needs, and adopt a rights-based approach to gender equality.
18. Lack of donor engagement	Given the complexity of the programme, and the number of policy-related issues it aims to address, the support of the programme donors (and the wider international community) on policy-related decisions and changes might be required frequently. Lack of donor engagement on key policy issues might constitute a risk to the success of the programme.	Medium	Medium	Medium	Engaging the programme donors in attempts to achieve policy changes and working together towards achieving the intended results is likely to be more successful than when attempted by UNDP/PAPP and UN Women alone. The Joint Programme is well-positioned to work from within to bring about policy changes but these efforts need to be coupled with strong and consistent messaging from the donor community, including through the co-chairs of the Justice and Security Sector Working Groups.
19. Joint programme modality	The joint programme modality used for the implementation of this programme could, besides many opportunities and synergies, pose certain risks related to issues such as reporting as well as overall coherence in delivery and coordination	Medium	Medium	Low	The design of the Joint Programme has been well planned and prepared in order to mitigate any risks to implementation. The roles and responsibilities, work planning, meeting schedules, formats and reporting arrangements are fully agreed upon and will be overseen by the senior management of each agency, so as to avoid any implementation risks and to maximise the opportunities and synergies of the partnership.
20. Cumbersome internal support processes	A risk to the programme could be that the internal support processes are not keeping up with the required pace of implementation. In particular, the efforts on the recruitment of human resources will be extensive and time-consuming.	Medium	Medium	Medium	This risk can be mitigated by proper planning, both internally and with the counterparts. Where feasible, activities across the different outcomes should be planned in such a manner that bottlenecks are avoided as much as possible. Identified well in advance, unavoidable coincidence of support requirements will be solved with appropriate measures, such as overtime, assignments and temporary recruitments. If necessary, the programme will appeal to its senior management to ensure that service units are responsive to the programme implementation needs.
21. Programme geographical division	There are potential risks associated with the fact that UNDP/PAPP and UN Women implement their activities in different geographical locations. These risks include differences in development context, as well as access and movement issues and security.	Medium	Medium	Medium	The extensive consultation of the counterparts and beneficiaries, the different approaches to implementation and the previous experience of operating in Gaza, will all contribute to sufficient mitigation of the involved risks. That said, the programme is committed to the 'one country-one people-one programme' approach and will proactively address the geographic division by ensuring that staff members are provided ample opportunity to confer and consult, including by organising regular team meetings and retreats as well as frequent exchange visits between the West Bank and Gaza.
22. Lack of reliable data to make informed decisions	Although good progress has been made in recent years, the lack of reliable, consistently collected and analysed data poses a considerable risk to the Joint Programme, as it renders making informed decisions about programme implementation extremely difficult.	Medium	High	Medium	The Joint Programme will mitigate this risk through its efforts to create baselines and fill data gaps, including by commissioning regular public perception surveys and justice and security sector data reports. The activities and interventions under outcome 7, which focus exclusively on the building of systems and capacities for monitoring and evaluation, will ensure a dedicated focus on collecting reliable data and ensuring a programme-wide, results-based approach to monitoring, evaluating and reporting.

Annex B: Programme institutional counterparts

Ministry of Justice

The MOJ is responsible for providing leadership and coordination of the justice sector and ensuring that the justice sector is capable of effectively upholding citizens' human and legal rights and ensuring that public justice services are efficient, accountable and non-discriminatory. When the MOJ was established in 1994, it inherited broad roles under Egyptian and Jordanian law including in relation to the public prosecution, the courts and additional new roles in the management of land registration, commercial and company registration and forensic medicine. The passage of the Judicial Authority Law No. 1 (2002) and its subsequent interpretation has resulted in a number of key areas of legal uncertainty concerning areas such as the administration of the courts, the character of the public prosecution, and the role and accountability of the *diwan al-fatwa tashri*. All attempts to resolve this issue through law reform have subsequently failed.

In 2011, the MOJ and MOWA signed a MOU relating to the implementation of the National Strategy to Combat Violence against Women (2011-2019). According to the MOU, the MOJ has the responsibility to adopt all policies, objectives and interventions that are mentioned in the National Strategy, which should become part of the ministry's strategic objectives.

Ministry of Interior

The MOI is responsible for providing public safety and security, including maintaining public order, protecting the rights and freedoms of citizens, establishing criminal forensic laboratory capacity, registering charitable and civil society organisations, and issuing identity and travel documents. The Ministry is responsible for *internal* security and in that capacity directs and oversees the Palestinian Civil Police (PCP); *external* security remains the direct responsibility of the President's Office.

The Strategic Planning and Development Unit (SPDU) is responsible for the coordination and cooperation with donors and development partners. It coordinates external assistance programmes towards achievement of its strategic objectives and supports the Security Sector Working Group (SSWG), which is co-chaired by the MOI and the DFID/UK.

As with the MOJ, the MOI and MOWA signed an MOU in 2011 for the implementation of the National Strategy to Combat Violence against Women. This MOU specifies the MOI's commitment to enhance the protection system to defend women's rights. As part of this commitment, MOWA initiated the implementation of the strategy through the development of a number of action plans for different sectors - with the MOI assuming responsibility in relation to the action plan for the security sector.

Palestinian Civil Police

The Palestinian Civil Police, comprised of 7,675 police officers in the West Bank (and 8,660 in Gaza), only 3.3% of whom are female officers,⁵⁷ is responsible for maintaining public order and safety. As per the PCP's strategic framework, the organisation's vision is to deliver 'effective, modern and democratic Palestinian policing'.⁵⁸ Overall, the PCP enjoys strong public confidence; however, recent survey results indicate that public satisfaction with the PCP in the West Bank may have slipped somewhat, suggesting the need for continuous efforts to further improve police services.⁵⁹

Commencing in 2008, the PCP developed specialised Family Protection Units to handle cases of family and domestic violence against women and children. Following this in 2011, specialised Juvenile Policing Units for cases involving children in conflict with the law. With the support of UN Women,

⁵⁷See: A Review of Palestinian Justice and Security Data (UNDP, August 2013)

⁵⁸ PCP Strategic Framework (2010-2013), see: http://www.lacs.ps/documentsShow.aspx?ATT_ID=611

⁵⁹ See: Public Perceptions of Palestinian Justice and Security Institutions (UNDP, forthcoming)

and the technical advice of EUPOL COPPS, the PCP developed the first Strategy and the first Regulations for the Family Protection Units, which have been approved by the Chief of Police in June 2013. The strategy, which also includes minimum standard guidelines for the FPU and an action plan, now requires allocation of resources for its implementation.

The Judicial Police (JP), established in July 2005 (Resolution 99/2005) has a mandate which includes the implementation of final court decisions, execution of judicial memos to witnesses and accused to appear in court and undertaking legal notifications. Earlier attempts by EUPOL COPPS and UNOPS (funded by NRO) to develop the capacities of the Judicial Police have faced mayor obstacles and have eventually been stopped, predominantly due to the failure to assign the foreseen number of (700) police officers. Over the years, this has lead to an important backlog in both notifications and judgment execution, which has now become one of the weakest links in the criminal justice 'chain'.

The PCP has three internal oversight bodies to initially address issues such as human rights abuses, complaints handling, internal discipline and security service delivery: the Inspector-General's Office (IGO), the Bureau for Grievances and Human Rights (BGHR) and the Police Security and Discipline Department (PSDD). The UNDP/EUPOL COPPS Joint Programme worked to increase the ability of these bodies to discharge their duties through streamlining mandates and processes and supporting the development of relevant legal and policy frameworks. The PCP also has a nascent Gender Unit and a committee under the MOI to coordinate the work of gender units across all security service.

Attorney-General's Office (AGO)

The AGO administers and supervises the work of the Public Prosecution in the areas of case review, planning, human resources, finance, and IT, in addition to providing the Public Prosecution with logistical support to perform their work. The Public Prosecution is responsible for conducting criminal investigations, supervising and directing police investigations, prosecuting misdemeanours and felonies, receiving complaints from the public, and representing the government in civil cases. At present 15% of prosecutors are women. An institutional gender mainstreaming strategy has been developed and further technical and financial assistance is needed to support its implementation.

Of note, the Judicial Authority Law No. 1 (2002) regulates the Public Prosecution and its members are equal to judges in terms of appointments, promotions, hierarchy and accountability. However, the law also bestows upon the Minister of Justice a range of powers in relation to prosecutors thus the unresolved debate as to whether the Public Prosecution should be characterised as a judicial or executive authority.

Palestinian Anti-Corruption Commission

The Palestinian Anti-Corruption Commission (PACC) is an administrative body established in 2010 tasked to receive, investigate and prosecute corruption cases. The AGO has delegated seven prosecutors to work with the PACC, including a Deputy Attorney-General. To date the PACC has investigated 575 cases which have led to prosecution of 65 matters.⁶⁰ The PACC is working to implement the National Anti-Corruption Strategy (2012-2014), which, in addition to focusing on accountability for corruption, also addresses the need for community awareness raising and encouragement of whistle-blowers where corruption is suspected.

High Judicial Council

⁶⁰ See: Progress Report UNDP/EUPOL COPPS Joint Programme (UNDP, August 2013)

The HJC is the administrative body responsible for instituting policies relevant to the judiciary, supervising judges, and organising the work of the regular courts, including by building courts and equipping them with modern technology.⁶¹ The strategic plan of the HJC states that its aims are to deliver judgments pursuant to the applicable legislation, to guarantee speedy trials while ensuring the principles of fair trial, to enforce judgments, provide legal services by specialised staff, contribute to the protection of human rights and public freedoms and the preservation of the stability and security of Palestinian society.⁶²

The regular courts, covering both civil and criminal jurisdictions, are divided into four levels. From lowest to highest in the appellate hierarchy, these are the Conciliation Courts, the First Instance Courts, the Courts of Appeal and the High Court (comprised of the Cassation Court and the High Court of Justice). There are 23 courts in total, including ten Conciliation Courts, ten Courts of First Instance, two Courts of Appeal and a High Court. In 2011, the regular courts carried an annual caseload of approximately 110,000 incoming and disposed cases.⁶³ A gender mainstreaming approach is yet to be developed and endorsed by the HJC and at present only 15% of judges are women

The HJC also oversees the Corruption Crimes Court (CCC), which began work in October 2010. The CCC is a specialised court composed of three first-instance judges and hears cases referred to it by the PACC. To date, it has adjudicated 27 cases.⁶⁴

Shari'a Courts/Palestinian Maintenance Fund

The *shari'a* courts operate under the authority of the *Shari'a* High Judicial Council and encompass 23 *shari'a* courts in the West Bank and 13 in Gaza, with one in East Jerusalem under Israeli jurisdiction. In addition, there are a number of ecclesiastical courts for Christians.⁶⁵

The courts are mandated to implement the personal status laws,⁶⁶ manage funds for orphans and minors, and determine the status of religious properties. Underpinned by religious principles, these latter laws have been found to depart from international standards for women's rights.⁶⁷ However, socio-legal studies have thus far found *shari'a* courts 'legally and socially dynamic, and that judges, lawyers and litigants are [still] able to achieve positive outcomes for women.'⁶⁸ The *shari'a* courts are currently linked to the HJC for execution of *shari'a* court judgments through their enforcement offices. Informal and *ad hoc* communications with the Ministry of Social Affairs (MOSA) and the PCP's Family Protection Units also exist as needs arise.

Part of the *shari'a* courts system and operational since 2011, the PMF is a statutory national body established pursuant to the Maintenance Fund Law No. 6 (2005). The PMF directly pays alimony entitlements pursuant to *shari'a* court orders when the liable party fails to do so, and then seeks to recoup the payments from the liable party, while also adding a five percent additional penalty fee. In this way the fund seeks to reliably provide entitlements to those women and children who are most vulnerable. The PMF is funded predominantly through revenue generated from *shari'a* court fees,

⁶¹ *Idem*

⁶² See: HJC Strategic Plan (2011-2013)

⁶³ See: A Review of Palestinian Justice and Security Data (UNDP, August 2013)

⁶⁴ See: Progress Report UNDP/EUPOL COPPS Joint Programme (UNDP, August 2013)

⁶⁵ The main denominations are Western Latin Catholic Church, Eastern Catholic Churches, Arab Episcopal Anglican Church, Orthodox Churches

⁶⁶ Jordanian Personal Status Law of 1976 (in force in the West Bank but with updated versions used in East Jerusalem), the Egyptian Law of Family Rights of 1954 (in force in the Gaza Strip) and the Personal Status Law for Orthodox Christians and the Personal Status Law of the Coptic Orthodox Church of 1938

⁶⁷ See: A Review of Palestinian Legislation from a Women's Rights Perspective (UNDP, March 2012)

⁶⁸ In UNDP/PAPP's perception surveys, the Palestinian public consistently voiced greater satisfaction with the performance of religious courts than with regular courts. The higher satisfaction levels relates both to normative performance (on notions of independence, honesty and fairness) as well as technical performance (e.g. queuing systems and case processing times)

mainly for marriage and divorce contract verification processes. The PMF has branches in Ramallah, Nablus and Hebron.

Palestinian Bar Association

The Palestinian Bar Association (PBA) represents all lawyers in the West Bank and Gaza and is responsible for defending the interests of Palestinian lawyers, and regulating and strengthening the legal profession. While the Law of the Legal Profession No. 3 (1999) requires the PBA to provide legal aid to those charged with felonies who cannot afford legal representation, its capacity to do so remains limited.⁶⁹ The need for strong continuing legal education remains critical to ensure further 'professionalisation' and the development of a *pro bono* culture in the ranks of the PBA.

Through partnering with civil society legal aid providers, the PBA branch in Gaza has successfully extended significant legal aid assistance especially to women in civil, mainly family law, related cases. This focus upon provision of legal aid services may explain why public satisfaction with lawyers in both the West Bank and especially in Gaza, improved significantly in recent years.⁷⁰

The oPt does not suffer from a scarcity of lawyers (2,084 lawyers registered in the West Bank and 974 in Gaza); the profile of lawyers is young as most lawyers are under the age of 40. The profession, as a whole, has low capacity to effectively represent and defend women. Women constitute only 19 percent of the lawyers in the West Bank and 10 percent of the lawyers in Gaza. In addition, women lawyers face discrimination and stereotyping within the profession and are largely excluded from the bar's leadership.⁷¹

Independent Commission for Human Rights

Established by presidential decree in 1993, the Independent Commission for Human Rights is a full member of the International Coordinating Committee of National Human Rights Institutions of the United Nations and is responsible for following-up and ensuring that different Palestinian laws and the work of government departments, agencies and institutions, including the Palestine Liberation Organisation, safeguard human rights. With the support of UN Women, ICHR has established an observatory to monitor judicial processes and outcomes in cases of violence against women, and to document any violation of women's rights through discriminatory laws.

Civil society organisations

The absence of a state authority until 1993 led Palestinian CSOs to often assume quasi-governmental functions. As a result, the oPt is known for a robust civil society culture, and Palestinian CSOs have been extremely active in providing legal advice and representation in civil, criminal and family law matters, legal awareness raising, monitoring of justice institutions, advocacy, and engaging in sensitive and complex areas such as informal justice.

The active engagement and continuity that CSOs represent has likely contributed to CSOs engendering greater public confidence than most governmental institutions.⁷² In addition to legal aid services, CSOs are becoming increasingly sophisticated in their monitoring of justice and security institutions while

⁶⁹ According to a mapping study of PA-provided legal aid services in 2009-2010, only 80 legal aid cases were handled by the PBA out of approximately 39,000 felony cases which came before the courts (most which would have been eligible for legal aid given prevailing poverty rates). See: Mapping Study: Legal Aid Services Provided by the Palestinian National Authority (UNDP, 2011)

⁷⁰ The public satisfaction index for both West Bank and the Gaza Strip lawyers rose from 2.65 to 2.80

⁷¹ There are no women members of the board in the West Bank and only one in Gaza

⁷² See: Public Perceptions of Palestinian Justice and Security Institutions (UNDP, forthcoming)

simultaneously expanding their collaborative partnerships with the PA through providing training and other capacity development activities for PA actors in specialist fields.⁷³

Academic institutions

Law is a relatively new discipline in the oPt due to Israeli prohibitions upon the teaching of law which were only lifted in 1995.⁷⁴ Academic institutions are increasingly active in the rule of law sector through providing opportunities for students to take ‘applied law’ subjects such as legal aid clinics, moot court competitions or internship programmes. As universities are the entry point of the legal profession, enhancing legal education in academic institutions is an important strategy for improving the quality of the legal profession, especially when combined with enhanced internship programmes for law graduates and continuing professional development opportunities for practising lawyers.

⁷³ For example in relation to services for victims of GBV, children, legal aid services provided through the Wall and Settlements Unit within the Ministry of Local Government and expertise on human rights treaties reporting requirements and related areas

⁷⁴ ‘The Role of Legal Clinics in Leading Legal Education: A Model from the Middle East’, Qafisheh, M., *Law Foundation of New South Wales’ Legal Education Review (Volume 22/2012)*

Annex C: Past Achievements

UNDP's Rule of Law and Access to Justice Programme in the oPt (2010-2014)

In mid-2010, UNDP/PAPP launched a comprehensive programme aimed at strengthening the institutional capacity of the Palestinian justice system to uphold the rule of law and improving access to justice through legal empowerment of the poor and disadvantaged. The programme attracted funding in excess of US\$ 20 million, with critical support from the governments of Canada, Sweden and the Netherlands, as well direct investment from UNDP/PAPP itself.

In order to achieve the defined goal, five key outcomes were formulated at the inception of the first phase of the programme:

- Capacity of rule of law institutions strengthened
- Access to justice at local and grassroots levels enhanced;
- Gender and juvenile justice improved;
- Rule of law in the Gaza Strip initiated; and
- Confidence-building amongst stakeholders promoted.

Efforts to achieve these outcomes on the 'supply' side were geared mainly towards strengthening the institutional capacity of the Ministry of Justice and, to a lesser extent, other justice sector institutions; improving gender and juvenile justice conditions; and exploring modalities for engagement with informal justice actors and understanding their interdependence with the formal justice system. On the 'demand' side, assistance was provided to expand the scope and breadth of existing legal literacy and legal aid programmes; support networks of legal professionals; and enhance public confidence in the justice system through supporting robust monitoring of justice institutions; and nurturing links within and between the full gambit of justice actors in the West Bank and the Gaza Strip.

In mid-2013, an independent outcome evaluation established that the UNDP's Rule of Law & Access to Justice Programme in the oPt had a strong impact and achieved outcome-level change across all five outcomes of the programme. Especially critical was UNDP/PAPP's support to women and children via grassroots legal aid initiatives in both the West Bank and Gaza, as well as its support to the PA justice institutions, lawyers and the PBA.⁷⁵

The evaluation further concluded that:

“At the beginning of the programme, key justice institutions were operating well below capacity, few systematic efforts were made with regards to training for legal professionals, and legislative activity was low. Access to justice and public respect for the rule of law were significantly hindered by the absence of strong legal aid programmes and a concerted public relations effort to improve awareness of and respect for formal justice institutions.

When the programme began, there was very limited institutional support for the special needs of women and juveniles, and no comprehensive picture of the way the law affected gender and gender-based violence issues. In Gaza, efforts to improve access to justice in the face of enormous political and resource obstacles were almost non-existent. Among institutions and between the institutions, distrust, miscommunication and misunderstanding were deeply entrenched.

⁷⁵ See: Independent Outcome Evaluation - UNDP Rule of Law & Access to Justice Programme in the oPt (Langan, R.H., May 2013)

Today, the legal landscape in the oPt is dramatically different, and UNDP-sponsored rule of law and access to justice initiatives can be credited for contributing to change in both justice institutions, levels of access, gender equality and the strengthening of civil society.”⁷⁶

At the end of Phase I of the programme, the following key achievements can be reported:

Palestinian justice institutions are better able to propel their own development and fulfil core functions, in spite of the acute PA financial crisis: Embedded planning and project management units were established and enabled the three foundational justice institutions (MOJ, HJC and AGO) to work according to strategic plans, liaise with donors, manage major projects, build human resource capacities, integrate gender and juvenile justice responsiveness and, increasingly, collect data for development and accountability purposes. Institutionalised accredited training programmes established a ‘best practice’ for developing the capacities of legal, administrative and management staff of justice institutions and a sustainable modality was established to bolster the human resources base of the MOJ to meet critical needs and gaps, and enabled the smooth transfer of 25 out of 32 contracted staff onto civil servant posts.

Development of electronic resources to increase the functionality, quality and efficiency of justice services: The *Al-Muqtafi* electronic legal database was further expanded, developed and linked directly to the MOJ, the HJC and the *shari’a* courts and became the source of legal information for the entire profession and sector, providing easy and searchable access to applicable laws, court judgements and commentary on judgments and legal developments. In addition, the MIZAN2 electronic case management system was further developed and rolled-out across the justice and security sector and is now in full operational use in all regular courts, AGO/PP, MOJ, MOI, Ministry of Transportation, PBA and linkages have been established with the *shari’a* courts and military courts. MIZAN2 has improved case management across the justice system and created new opportunities for generating justice data, increasing institutional accountability and creating functional linkages between justice institutions.

Results measurement tools improved through collection of baseline data and increased national capacity to generate reliable data: Annual national public perceptions and justice and security sector data surveys were established, both of which have become seminal sources of baseline data for all those working across the justice and security sectors. The partnership with the PCBS enhanced the ability of justice and security institutions to reliably collect their own data and address data gaps and enabled the PCBS to become further engaged and develop expertise in the justice and security sectors.

Improved quality of legal services provided by the legal profession in relation to sustainable legal aid: Increased sustainability of legal aid services was achieved through the creation of a network of legal aid providers in Gaza, contribution towards establishment of a nationalised legal aid system and inculcation of a *pro bono* culture across the legal profession and in law schools. By investing in continuous training programmes, client satisfaction increased and public perceptions of the legal profession improved. The clinical legal education programme resulted in the founding of seven legal aid clinics, as well as several internship programmes and moot court competitions. While the impact of this investment is yet to be fully realised, the programme contributed to a likely future shift towards a more socially engaged and responsible legal profession to support sustainable legal aid provision.

Legal aid services expanded to target marginalised groups (women, children and communities in ‘Area C’ and East Jerusalem): The programme succeeded in providing legal aid services to 45,000 women, helping to significantly reduce the legal literacy gender gap.⁷⁷ Through the programme’s efforts to train women as customary law decision makers and promote their acceptance amongst male customary authorities, the first woman *mukhtar* in the Gaza Strip was recognised and was able to establish her

⁷⁶ *Idem*

⁷⁷ According to UNDP/PAPP’s latest public perceptions survey, the legal literacy gender gap was reduced from 43.2% in 2011 to 38.0% in 2012, representing a significant achievement. These services were tailored to women’s needs by focusing on family law, gender-based violence, inheritance and property rights and small business legal support, and by providing holistic services with referral mechanisms to psychosocial, health and housing services

authority, successfully adjudicate cases and create more equitable outcomes for women parties. The programme also succeeded in significantly scaling-up its legal aid services in 'Area C' and East Jerusalem, with a focus on contesting orders for land confiscations and property demolitions and pursuing complaints of settler violence. In conjunction with MOSA, the programme established a new specialist legal aid service for children in conflict with the law which now handles around one quarter of all juvenile cases in the West Bank. In addition, through specialist legal aid services provided by experienced CSOs, 5,390 children were provided with legal aid in relation to legal issues arising in Palestinian and Israeli jurisdictions, including the Israeli military courts and more than 370 children per month received maintenance support through strengthening the work of the PMF.

Careful 'unpacking' and stocktaking of the Phase I experience has informed all stages of the development of this new programme document. Detailed de-briefings have been conducted with members of the programme team as well as with an array of national and international partners. The independent outcome evaluation process conducted in early 2013 triggered a substantial process of critical reflection and resulted in the production of key observations through 'fresh' but expert eyes.

UN Women's Support for Delivery of Justice and Security Services for Women (2011-2014)

UN Women supports and closely cooperates with the PA to advance recognition and women's enjoyment of human rights, fostering actual application of principles embedded in CEDAW. In consideration of the lessons learned through the direct work with women as well as at the institutional level, access to justice and security services has become one of UN Women's priority areas. Protecting women from violence while achieving long lasting enjoyment of their rights - first and foremost the right to live safely and free from violence - remains challenging unless women's access to justice and security are coupled with access to social protection and support services.

Building on prior efforts to establish and institutionalise specialised shelters offering effective protection to women victims of violence, UN Women launched a three-year programme aimed at improving women victims of violence's access to justice. Working with the PCP, AGO, HJC and PBA, UN Women has set up a system of specialised professionals capable of dealing with women victims of violence from a gender perspective. In addition, UN Women has supported ICHR to set up an observatory to monitor judicial processes and outcomes in cases of violence against women, the first of its kind in the Middle East.

At the end of Phase I of the programme, the following key achievements can be reported:

Endorsement of FPU strategy and regulations: Upon UN Women technical support in partnership with EUPOL COPPS, the FPU strategy and regulations were endorsed by Chief of Police in June 2013. In September 2013, the FPU standard operating procedures were adopted which include forms for case reporting, risk assessment and case management.

Delivery of customised FPU training materials: A comprehensive training package specifically tailored for FPU police officers was finalised in conjunction with the PCP Training Department and benefitting from UN Women and EUPOL COPPS joint technical support. Customised recruitment procedures were also developed with the aim of ensuring that police officers joining the FPUs possess the most appropriate set of skills and motivation.

Establishment of a judicial observatory: The observatory established within the ICHR is mandated to collect data and information related to violence against women, and advocate for improved policies and services. Based on data and information collected by the observatory, the first comprehensive research on women's access to justice in the oPt was developed.

Development of guidelines for legal representation of women: In conjunction with the PBA, UN Women developed specialised guidelines aimed at sustainably improving the quality of legal aid services provided to women. Aimed at obtaining favourable judicial outcomes for women, the

guidelines specifically focus on the importance of the rights enshrined in the Palestinian Basic Law and on empowering women to take an active role within the judicial procedures.

Activation of the rehabilitation component for female inmates: Although female inmates and detainees constitute a small minority, they often face discrimination and hardship. Frequently, their criminalisation stem from a history of violence and abuse and their imprisonment represents the extreme consequence of marginalisation, a ‘social death’. As their rehabilitation is conditional upon proper access to psychosocial and legal aid services as well as vocational training and stress-relief activities, UN Women provides a wide range of services, including tailored legal aid and assistance and psychosocial counselling.

Establishment of serious case review mechanism: Following a sharp increase in the number of cases of violence against women (including so-called honour killings) earlier this year, UN Women has supported MOWA to set up a comprehensive case review mechanism for violence against women cases.

Specialised training for prosecutors: Earlier this year, the AGO agreed to nominate and train a group of prosecutors to work on violence against women cases. Subsequently, these prosecutors will develop standard operating procedures on how to handle violence against women cases.

Development of knowledge management strategy: In September 2013, UN Women finalised a specialised knowledge management strategy which focuses on the human aspects of the work with women in pursuit of justice, capturing the experiences of women pursuing justice and the impact their pursuit has had, for them and their families.
