



Country:  
Sri Lanka

### Project Document

<b>Project Title</b>	Equal Access to Justice
<b>UNDAF Outcome(s):</b>	<i>Governance mechanisms and practices enable the realisation of the principles of the Millennium Declaration and promote and protect human rights of all persons</i>
<b>Expected CP Outcome(s):</b>	Greater and more diverse access to justice redress mechanisms
<b>Expected Output(s):</b>	13. Duty bearers better able to deal with grievances experienced by disadvantaged groups; 14. Disadvantaged groups have increased knowledge of their rights and are able to access and benefit from legal services
<b>Implementing Partner:</b>	Ministry of Constitutional Affairs and National Integration
<b>Responsible Parties:</b>	Ministry of Justice, Legal Aid Commission, Bar Association of Sri Lanka, UNDP
Programme Period: 2009-2012 Key Result Area: Fostering Democratic Governance Atlas Award ID: 00056823 Project ID: 00069885,00070052,00070053 Start date: 1 March 2009 End Date: 31 December 2012  PAC Meeting Date: 17 February 2009  Management: National Implementation	Total resources required 2009-2012 \$ 7,740,000  Total allocated resources: \$ 3,562,750 <ul style="list-style-type: none"> <li>• Regular \$ 550,000</li> <li>• UNDP BCPR \$ 3,012,750</li> </ul> Unfunded budget: \$ 4,177,250

**Agreed by Ministry of Constitutional Affairs and National Integration:**

Title and Signature:

Date:

**Agreed by UNDP:**

Title and Signature:

Date:

**Project Document**

**Equal Access to Justice – Phase 2**

**(A2J II- Sri Lanka)**

**Brief Description**

The Equal Access to Justice Project – Phase II was developed to deepen and orient the activities of Phase I of the Equal Access to Justice Project within a conflict prevention framework, while also continuing the shift of the primary focus to the East and North, as well as to the estate sector, and addressing trust/confidence-building, gender-equity, peaceful conflict resolution and mediation. Phase II's outputs and activities are intended to build trust and faith in the justice system and to support confidence-building through the rule of law and access to justice. It seeks to address the causes of injustice, i.e. poverty, need for accountability and greater respect for minority rights, through its focus on priority communities/areas (IDPs in the North and East, estate workers, women and other groups affected by conflict and/or marginalization). Phase II takes a human rights based approach and focuses on providing a sequenced, balanced and timely response to the immediate needs of the people of Sri Lanka, with an eye towards ensuring long-term sustainability.

The total budget for the project is \$7,740,000 out of which the Country Office, in line with CPAP commitments, has allocated \$550,000 TRAC resources and BCPR/UNDP has committed US\$3,012,750. Efforts will be undertaken to mobilize the unfunded portion of the budget amounting to \$4,190,000 both through in country and global level avenues. To ensure the attainment of minimum project objectives even without the influx of additional resources beyond the currently secured financial envelope, the Project Board through the annual work-planning process will ensure the allocation of funds towards key priorities so as to ascertain the attainment of minimum project objectives.

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## I. SITUATIONAL ANALYSIS

UNDP defines access to justice as “empowering the poor and disadvantaged to seek remedies for injustice, strengthening linkages between formal and informal structures, and countering biases inherent in both systems, to provide access to justice for those who would otherwise be excluded.”<sup>1</sup> The UNDP Sri Lanka Equal Access to Justice Project was developed drawing on this definition and explicitly adopted a human rights based approach to justice. The focus was on the poor and disadvantaged living in remote geographic areas in the country.

The Equal Access to Justice Project was initially conceived in 2004 when a cease-fire agreement was in place and the assumption was that the country was moving towards peace. It was launched in August 2004, nationally executed (NEX) under the stewardship of the Ministry for Constitutional Affairs and National Integration (MoCA). The project was dedicated to the achievement of five objectives: (1) An increase in the number and diversity of persons receiving effective legal services; (2) An increase in the number and diversity of persons receiving information on their rights; (3) A decrease in barriers to accessing the legal system; (4) An increase in the number and diversity of persons receiving community level ADR services; and (5) Human rights better promoted and effectively protected.

However, since the launch of the Project, the situation has changed with the tsunami of December 2004 and the periods of escalating conflict in the North and the East of the country. These events have both contributed to numerous grievances as large numbers of people have been displaced often several times, livelihoods have been compromised and people face ongoing security concerns and threats from various armed groups. This changing situation led to a reformulation of the Project in 2007-2008 focusing on addressing the most pressing justice and human rights issues facing the more disadvantaged groups in the country. The Project changed its objectives accordingly to: (1) Focus its interventions on disadvantaged groups – conflict-affected groups, IDPs, estate sector workers, pre-trial detainees, female-headed households and victims of gender based violence; (2) Promote human rights based approaches through/within the project; (3) Ensure the effectiveness of the legal aid services provided; (4) Conduct mobile legal and documentation clinics in conflict affected areas and in the estate sector; and (5) Develop capacities of community-based duty-bearers.

Additionally, the UN in Sri Lanka undertook an exercise in 2006-2007 to develop its United Nations Development Assistance Framework (UNDAF) for the period of 2008-2012 where it identified “effective and efficient structures and mechanisms in place and operational to provide access to justice and redress mechanisms” as one of its outputs. UNDP thus re-committed itself to working on access to justice in its Country Programme Document (CPD) where it seeks to strengthen the capacity of duty-bearers and claim holders to ensure better access to justice. To that end, a baseline survey and a comprehensive assessment using participatory methods were undertaken to help map out the capacity gaps of duty-bearers and claim holders and identify the main access to justice issues facing the poor and disadvantaged throughout the country.

At the end of 2008, due to the abrogation of the 2002 Ceasefire Agreement earlier in the year, the situation in Sri Lanka remains volatile. While reintegration efforts in the East are reducing the number of IDPs, the on-going conflict in the North continues to generate new IDPs, who join long-term IDPs living in difficult conditions. This, coupled with high levels of poverty among displaced, estate workers and other disadvantaged groups, has also impacted women and girls who, in these situations, can be increasingly

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<sup>1</sup> Access to Justice Practice Note, UNDP, September 2004.

subjected to domestic violence. The conflict on one hand, and domestic violence on the other hand, exacerbates the burdens of poverty, insecurity and injustice borne by women.

On the positive side, local capacities (both justice professionals and NGOs) are comparatively strong and motivated, providing ample entry points for UNDP to empower local stakeholders in strengthening access to justice and address impunity. At the same time, the interdependence between poverty and marginalization with security and justice requires a comprehensive approach. The UNDP-supported Transition Recovery Programme promoting the socio-economic recovery of conflict affected communities in the North and East of the country is thus equally essential to these efforts. While the Transition Programme presently entails the provision of basic services, livelihood and economic opportunities, the deepened Phase 2 of the Equal Access to Justice Project will provide a substantive contribution to the social cohesion dimension of the Transition Recovery Programme by addressing trust/confidence-building, gender-equity, peaceful conflict resolution and mediation. In addition, the Project will continue to shift its primary focus to the North and East of the country, as well as to the estate sector areas, while also maintaining a degree of flexibility to address priority needs of the marginalized populations in other geographic areas.

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## **II. DRAFT RESOURCES, RESULTS FRAMEWORK AND ANNUAL WORK PLAN**

### Overall Project Strategy:

The project builds on Phase 1 of the Equal Access to Justice Project ending in 2008, its lessons learned and partnerships with a view to deepen and orient its activities towards upholding the rights of priority rights holders. In order to deepen and orient the activities of Phase I, the project will: a) strengthen its project staff component, particularly by supporting and developing the capacities of field offices operating in the districts ; and b) will streamline its activities to work with priority rights-holders (e.g. IDPs, estate workers, conflict affected persons, especially women and children, and victims of gender based violence). While maintaining a conflict sensitive approach and focusing on priority rights-holders in line with the Human Rights Based Approach, the project builds in sufficient flexibility to readjust its targets based on the needs of the population as well as the results of the access to justice baseline assessment – both of which will guide implementation of its activities. To support future adjustments, the project can be advised by the project formulation team both remotely and through periodical missions.

Within this overall strategy the project will:

- Seek to build trust and mutual understanding and support confidence-building through rule of law/access to justice;
- Seek to address the causes of injustices (minority rights, poverty and the need for accountability), by taking a Human Rights Based Approach;
- Focus on people and take a demand driven approach by targeting its support to priority rights-holders across the country to redress ongoing disparities and contribute to the mitigation of the conflict. To ensure maximum impact, by not spreading itself too thinly across the country, the project will channel most of its resources to the North and East and to the estate sector while maintaining a degree of flexibility to address priority needs in other areas;
- Develop and implement mechanisms to ensure protection and support to project staff and partners in conflict affected areas and in the estate sector;
- Build on the efforts of the first phase to apply a human rights based approach to develop a cadre of resources persons on HRBA, conflict and gender sensitivity;
- Work closely with the UN interagency project on Gender Based Violence and the interagency project on Human Rights to ensure synergy in their interventions. Specifically this project will focus

on providing access to a remedy for victims of gender based violence and supporting implementation of the Victims and Witness Protection Bill;

- Ensure a sequenced and balanced approach by providing timely responses to the immediate needs of the people of Sri Lanka while building the foundation for sustainable solutions;
- Be strategically framed within the CPAP, UNDP's Global Rule of Law Programme, the UNDP-BCPR Strategic Partnership, and UNDP's Transition Programme, and contribute to the achievement of their outputs.

**CPAP Output 13: Duty bearers better able to deal with grievances experienced by disadvantaged groups.**

**Key Result 1: Progress in achieving access to justice for all, particularly priority rights holders, is measured and monitored**

This output is tied to the completion of the ongoing Equal Access to Justice Baseline Survey commenced under Phase 1 and its subsequent implementation. The main targets include the establishment of set baselines which are used as key tools in the implementation of project activities. Furthermore, the Survey will be used as a starting point for participatory consultations and discussions with partners culminating in the adoption of the National Action Plan for Equal Access to Justice. The participatory consultations are central to ensuring that a human rights-based approach is taken by making certain that there is direct involvement of the rights holders. The assessment is strategic since it will provide government and partners with the data needed to ensure that longer term follow up project interventions are targeted and prioritised according to real and current needs. Lessons from the process and the outcome of the assessment will be carefully recorded and shared with other countries in the region which are undergoing similar exercises with support from the Regional Centre in Bangkok. To assess the implementation of the National Action Plan as well as the projects and activities therein, a participatory mechanism will be put in place for regular access to justice assessments. Finally, in 2012, there will be a review of the implementation of the National Action Plan which will set forth lessons learned and best practices for the way forward.

**Key Results 2-5: Detainees, particularly pre-trial detainees are informed of their legal rights, are better able to access legal aid services, and benefit from improved prison standards and conditions**

The state of prisons in Sri Lanka has been identified as a matter of great concern. Overcrowding, detainees being held for years with no formal charges, few counselling opportunities, few medical facilities, limited vocational rehabilitation programmes, and few reintegration options are all major challenges. To address these issues, the Project will continue to support legal aid services that aim at reducing the number of detainees being held on bail, while at the same time promoting the use of alternative sentences, i.e. community based sentencing and reduced bail terms. Detainees and inmates will be made aware of their legal rights, and will be supported with multi-sectoral programmes, including counselling. In parallel, the capacity of the prisons services to uphold and protect the rights of detained persons will be strengthened, through the expansion of the computerized tracking database piloted at Welikada Prison to additional prisons across the country, in addition to training on international best practices for prison management and staff, including officers.

At a strategic level, the project will continue and expand its support to the Prisons Working Group, chaired by the Commissioner General of Prisons, to ensure coordination of support and national ownership. Sub-committees will be established at the district/divisional level to coordinate the various services being provided to detainees and inmates and to provide immediate service delivery through a system of referrals

to governmental and nongovernmental services. Districts will be prioritised based on locations of prisons and the focus areas for the project.

A major challenge within the prisons service is the presence of women who are pregnant and/or have young children. Currently, these women and children are housed in the same prisons with other inmates. In order to ensure that the rights of children are protected, and in an attempt to provide a hospitable environment for these mothers, the Project will support the refurbishment of the Kulutara prison for women and children. The project will work closely with UNICEF and UNFPA in addressing the rights of women in detention and their children.

Key Results 6-9: Duty bearers within formal and quasi-formal justice institutions are better able to deal with grievances, specifically with regard to IDPs, estate workers and other priority rights holders

In parallel to its support to the legal service providers at the community level, the Project will support strengthening the confidence of rights holders in the formal judicial institutions to increase faith in the judiciary to deliver justice to the population, specifically those in priority areas. To support delivery of justice services particularly to priority rights holders, the project will support targeted capacity development interventions directed at duty bearers in the formal and quasi formal justice systems (e.g. Quazi courts). Working closely with the MoJ, the project will work to address the backlogs experienced in the court system by promoting more efficient systems and improving the services provided by the courts to the most disadvantaged, through training of staff on best practices, communication skills, leadership and management skills, etc. Access to jurisprudence, i.e. including jurisprudence relating to violence against women, will be facilitated for judges and lawyers. To build confidence in the formal justice system, judges and lawyers will be supported in their efforts to inform their communities, including government officials and the police, with regard to fundamental rights and alternative avenues of redress provided by the formal justice system to address pressures on the system created by the increased filing of fundamental rights cases in Sri Lanka. Legal professionals especially in priority areas, facing similar challenges will be supported through facilitating networking opportunities among them and their central agencies. Furthermore, informal courts, i.e. quazi courts, will be supported, specifically in relation to enhancing women's access to, and representation in, those courts. Training will also be provided for quazis on issues facing priority populations. In order to ensure sustainability of project efforts, the project will work with justice institutions and their respective training departments to develop training modules on human rights, HRBA, domestic violence, and conflict sensitivity, among others, that can be institutionalized in ongoing training of justice service providers. Distance learning opportunities and modules will be explored to expand outreach.

**CPAP Output 14: Disadvantaged groups have increased knowledge of their rights and are able to access and benefit from legal services.**

Key Results 10-16: IDPs, estate workers, and other right-holders more aware of their rights and have increased access to legal services

The lack of legal awareness and access to legal services has disproportionately affected IDPs, estate workers, and other populations in conflict areas. As such, activities will focus on the development of an overall strategy for the provision of legal services and legal aid, based on the findings and conclusions of the legal aid mapping conducted by Phase I of the project, with an eye towards enhancing the service delivery of legal aid to disadvantaged groups, supporting development of a mentality of pro bono lawyering, while concurrently building the capacity and confidence of rights holders towards justice and security providers, i.e. the Legal Aid Commission (LAC), the legal profession and the police. In its efforts to develop an attitude of community and pro bono lawyering and a spirit of volunteerism, and expanding

legal services to the communities, the project will work closely with ongoing efforts such as the VOICE project<sup>2</sup> and relevant NGO providers (e.g. Sarvodaya, Women in Need, Institute for Human Rights etc). The VOICE volunteerism project with the LAC ends in 2010 and the project will work with VOICE, the universities and LAC to review lessons learned from VOICE project and to explore possibilities for the institutionalisation of sustainable mechanisms for the provision of law students as volunteer legal aid interns. Crucially, the project seeks to expand legal aid to cover criminal cases, which have so far not benefited from provision of legal aid and support the implementation of the Victims and Witness Protection Bill, in partnership with the UN Joint Programmes on GBV and Human Rights.

The project will also work closely with the Bar Association of Sri Lanka (BASL) to support its efforts to strengthen outreach of BASL sections to people in conflict affected areas and the estate sector as well as to other priority communities by providing material for those sections and facilitating networking opportunities between the national Bar and the district Bars. Legal representation in the North, the East and the estate sector will be enhanced to include greater community outreach. One method of ensuring such outreach is the placement of law interns in organizations that provide such services to priority communities, providing the interns with training and mentoring in the provision of legal aid. At the same time, the capacity of the Legal Aid Commission to provide legal aid services will be supported through a focus on developing a cadre of criminal defence lawyers that will take on cases within priority communities that have otherwise been neglected. For particularly sensitive cases the project will consider supporting or establishing networks of lawyers and human rights organisations based in Colombo to take up sensitive cases that would otherwise put at risk those involved locally. At the same time, Grama Nildaris will be trained to provide legal advice and referral services while community based dispute resolution mechanisms will be supported to increase their capacity to better respond to the needs of the people. This will include increasing the representation of women. The Asia Foundation already promotes increased female representation on mediation boards, and therefore coordination will be sought with their initiatives, in particular to avoid duplication of efforts and to allow for sharing of best practice approaches.

Women often bear the brunt of conflict and Sri Lanka is no different in that respect. To address that challenge, an initial 15 villages will be targeted by paralegal and legal aid providers wherein the focus will be on redress for grievances specific to the female population, with a view to expanding these services once the model has proven successful. In focusing on victims of gender based violence the project will coordinate its intervention with the UN Interagency project on Gender Based Violence and UNFPA. The aim is to provide qualitative and quantitative support to vulnerable communities by facilitating cooperation between civil society groups and strengthening local civil society organisations and community based organisations to promote and protect human rights, particularly of women.

The issue of fear and lack of trust in the police is also a major challenge. To that end, the Project will support community forums that will be held each year in priority areas in order to build trust between police and priority communities. Interventions with the police will be coordinated with those of the UN Joint Programme on Human Rights which includes a comprehensive package of support for police training on human rights based approaches and positive attitude training. Within IDP camps specifically, already existing dialogue mechanisms will be expanded to include diverse members of the community and trainings will be held for police, Unit Heads, and camp managers on mediation, HRBA, conflict sensitivity, and gender sensitivity.

Key Results 16-17: IDPs, estate workers, and other priority right-holders are better able to obtain civic documentation (birth certificates, identity cards, citizenship certificates, etc.) and access legal services

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<sup>2</sup> The Voice Project aims to promote a culture of volunteerism in Sri Lankan society. One area of focus is the legal aid sector, and a pilot initiative has been established whereby university students undertake internships with the LAC.

Access to legal documentation is critical in areas of conflict, specifically as it pertains to basic civil rights such as freedom of movement. Phase I of the Equal Access to Justice Project supported mobile documentation clinics in priority areas that provided documentation services to large segments of the population. Phase II will continue its support to these clinics, working in close conjunction with UNHCR. At the same time, the Project will support long term sustainability of these actions through assisting the Registrar General and the Registration of Persons Department in the development of a national mechanism for the provision of civic documents by supporting a capacity assessment of the different departments involved and providing strategic support to meet identified capacity development needs. In addition, the Project will build legal awareness on basic civil and human rights, as well as on the importance of civic documentation, through radio campaigns, schools, hospitals and other social services.

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### **Project Management**

#### **Key Results 18-19: Project staff, partners and the public benefit from effective project administration, documentation and monitoring**

Continuing the support provided in Phase I, the project will provide opportunities to project staff to be exposed to the issues facing priority communities and provided with training on how to apply the HRBA to their work. In this regard, the Project will support training for all staff on HRBA as trained trainers that can in turn be a resource for the country and will provide for exposure to regional and global seminars on issues related to the Project in cooperation with BCPR Rule of Law Programme and the Regional Centre in Bangkok. Furthermore, in order to promote accountability and transparency, as well as to serve as a tool for resource mobilization, a newsletter will be published by the project staff highlighting project achievements and human touch stories. Finally, a complaints mechanism will be established that will allow the populations served by the Project to comment on the activities carried out. This will serve to enhance the services provided to maximize their impact on the priority communities and ensure accountability to rights holders.



Draft Resources and Results Framework and Annual Work Plan. The RRF and AWP provided below is also attached in Excel format which contains a more detailed AWP breakdown by Q1-4 for each year of the Project.

**Intended Outcome as in the CPAP: Greater and more diverse access to justice redress mechanisms**

**Partnership Strategy:** This project will be implemented through the Ministry of Constitutional Affairs and National Integration in close cooperation with the Ministry of Justice and Law as a responsible party. It will work closely with other duty bearers such as the Judiciary, the Police, Prisons, as well as human rights and other civil society organizations working on justice issues. In addition, it will seek to consult claim holders and ensure their feedback is channelled to refine the project. The project will partner with other UN Agencies (UNHCR, UNFPA) and service providers (NGOS) to maximize in-country resources for delivery of specific outputs. The project will rely on close working relationships with other UN programmes active in the targeted areas (i.e. UNDP's Transition Programme, UN Joint Programmes on GBV and Human Rights, respectively). The UNDP Regional Centre in Bangkok and UNDP's Bureau of Crisis Prevention and Recovery can be called upon to provide technical inputs to key phases of the project and its components.

Key Activity Results (Atlas Activity wording underlined)	Indicative Activities [Activity Description]	Responsible Parties	Inputs	2009	2010	2011	2012
<b>Output 13: Duty bearers better able to deal with grievances experienced by disadvantaged groups</b>							
<b>1. Progress in achieving <u>access to justice</u> for all, particularly priority rights holders, is <u>measured and monitored</u></b>	1.1 Stakeholder discussions are held at the national and district level to disseminate and validate findings with priority rights holders	MoCA, MoJ	50,000				
	1.2a. Publish and disseminate final results of the Nationwide Assessment on Access to Justice		25,000				
	1.2b Publish and disseminate lessons learnt paper on A2J assessment						
	1.3 Establish Working Group that includes government actors, international players, and NGOs as well as regional and national forums (including government, civil society, legal service providers, and priority communities) to provide input to the National Action Plan on Access to Justice		50,000				
	1.4 Stakeholder discussions at district level in priority areas to evaluate the impact and relevance of the National Action Plan		50,000				

	1.5a Consultative meetings between MoCA and MOJ and other stakeholders, including priority communities, to identify options for a regular assessment mechanism for monitoring impact of the National Action Plan		110,000			
	1.5b Establish an assessment mechanism at the identified national institution					
	1.5c Conduct regular assessments of national progress on Access to Justice					
	1.6 Project conducts sample survey in one focus area per year		20,000			
<b>Key Activity Result 1 Subtotal</b>			<b>305,000</b>			
<b>2. Prison subcommittee members provide regular and coordinated <u>legal aid and vocational training services to inmates</u></b>	2.1a Conduct workshops for inmates on their rights within the judicial process, rehabilitation options etc.	MoCA, MOJ, LAC	350,000			
	2.1b Provide legal aid services to pre-trial detainees and inmates, especially with bail applications					
	2.2a Establish and/or expand vocational training programmes in at least 3 prisons with a focus on rehabilitation and reintegration		300,000			
	2.2b Develop multi-sectoral programmes for all inmates, which target economic and social needs as well as legal, with a specific focus on women inmates					
	2.2c In collaboration with UNICEF assess applicability of vocational training programmes to juvenile detention centres – and roll out if required.					
<b>Key Activity Result 2 Subtotal</b>			<b>650,000</b>			
<b>3. <u>Alternative sentencing mechanisms promoted with the judiciary</u></b>	3.1a Conduct workshops and discussion forums involving stakeholders, e.g. judiciary, on bail alternatives as well as on alternate sentencing, i.e. community based sentencing	MoCA, MOJ, LAC, NGOs	225,000			
	3.1b. Organise discussion forums with the judiciary and relevant stakeholders on improving accountability mechanisms with regard to the condition of remand prisoners					
	3.1c Support government programmes and initiatives on alternative sentencing mechanisms					
<b>Key Activity Result 3 Subtotal</b>			<b>225,000</b>			

<b>4. <u>Prison Databases</u> installed in high priority prisons</b>	4.1a Evaluate the operation of the database at Welikada prison	MoCA, MoJ, Prisons,	775,000				
	4.1b Expand computerized tracking system database to other locations						
<b>Key Activity Result 4 Subtotal</b>			<b>775,000</b>				
<b>5. <u>Conditions in prioritised prisons</u> are in line with international standards</b>	5.1. Train prison officers on prison management best practices, including protection from torture and women's rights	MoCA, MoJ, Prisons,	75,000				
	5.2 Establish in-house counselling services for all inmates and prison officers		45,000				
	5.3a Organise a discussion forum on the institutionalisation of the PWG		30,000				
	5.3b Establish a coordination mechanism to oversee and provide quality assurance for all services provided to inmates and their families and to provide strategic advice and coordination to the relevant line Ministries on issues related to prisons						
	5.3c Establish PWG sub-committees at the district/divisional level, prioritised according to project focus areas and prison location, to coordinate the various services being provided to inmates and to provide immediate service delivery through a system of referrals						
	5.4a Refurbish Kulutara prison for women and children		60,000				
	5.4b Conduct training for women on child rights, basic hygiene, child development etc.						
	5.4c Conduct vocational training programmes for women especially targeted towards rehabilitation and reintegration after release to decrease the number of repeat offenders						
<b>Key Activity Result 5 Subtotal</b>			<b>210,000</b>				
<b>6. <u>Judges and Lawyers</u> better able to deal with grievances, specifically with regard to IDPs, estate workers and other priority rights holders)</b>	6.1. Develop curriculum and conduct training programmes for judges and lawyers on: [a] The interpretation of laws, [b] Handling domestic violence, child protection and GBV cases	MoCA, Judiciary, MOJ, BASL	80,000				
	6.2a Conduct public forums, specially in priority areas . with the communities to inform on fundamental rights and access to justice		90,000				

	6.2b Hold information sessions, especially in priority areas with the Government officials, police and security forces at the district/divisional level with regard to protection of fundamental rights, accountability and impunity and access to justice for priority communities					
	6.3a Develop a network especially in priority areas among members of the judiciary, and others that can provide support and protection;		90,000			
	6.3b Establish network and referral systems among NGOs and Legal Aid Lawyers so that sensitive case can be addressed by mobile teams (less exposed to risks than the resident lawyers)					
<b>Key Activity Result 6 Subtotal</b>			<b>260,000</b>			
<b>7. Key Stakeholders have a better understanding of <u>HRBA principles</u></b>	7.1a Review training provided in 2008-2009	MoCA	90,000			
	7.1b Refine the training programmes within national institutions					
	7.1c Develop a strategy to mainstream tailored modules for training within relevant national institutions and partners					
	7.1d Develop distance training modules to expand coverage and sustainability of regular training					
	7.1e Conduct training on n human rights, HRBA, domestic violence, GBV, child protection, conflict sensitivity, gender sensitivity to be conducted by the relevant institutions as part of their regular training					
<b>Key Result 7 Subtotal</b>			90,000			
<b>8. The administrative branch of selected courts function more efficiently and effectively (<u>Courts administration</u>)</b>	8.1a Conduct training for court staff on best practices and management skills	MoCA, MoJ	80,000			
	8.1b Provision of basic equipment to support efficient systems					
<b>Key Result 8 Subtotal</b>			80,000			
<b>9. <u>Quazi courts</u> are more accessible and are better able to deal with grievances of women and other priority groups</b>	9.1a Awareness raising of the rights of population vis-à-vis the Quazi courts	MoCA, MoJ	45,000			
	9.1b Conduct training for Quazi's on human rights with special emphasis on women's rights					

	9.1c Organise discussions between Quazi's and Muslim religious leaders in issues related to family law )									
	9.1d Conduct workshops on conflict resolution and with focus on Quazi's role in dispute resolution both in conflict and non conflict settings									
	9.2a Establish women's collectives – CBO based , and conduct training programs for these groups on their rights and dispute resolution mechanisms coupled with vocational training programmes						40,000			
	9.2b Organise discussion forums with quazis and women collectives									
	9.2c Organise group discussions with relevant stakeholders to review existing laws relating to appointments, and selection criteria to quazi courts									
	9.3a Support construction of special court houses to hold sittings						40,000			
	9.3b Support the development of a structured administrative mechanism for the Quazi system									
<b>Key Result 9 Subtotal</b>							<b>125,000</b>			
<b>TOTAL OUTPUT 13</b>							<b>2,720,000</b>			
<b>Output 14: Disadvantaged groups have increased knowledge of their rights and are able to access and benefit from legal services</b>										
10. <u>Legal Aid Strategy</u> prepared and presented to GoSL for approval	10.1a Organise consultative discussions on the development of a strategic vision of legal aid delivery in Sri Lanka targeting priority rights holders					MoCA, MOJ, BASL, LAC, Police	135,000			
	10.1b Support development and implementation of a national policy on legal aid									
	10.1c Transitional strategy developed for sustainable LAF financing (with promotion of synergies with other providers)									
	10.1d Conduct a Capacity assessment of the LAC									
	10.1e Establish linkages with international/regional legal aid champions to share lessons learned and best practices on the provision of legal aid, paralegal services, criminal defence, promotion of a pro bono culture, and other legal services, specifically targeting priority rights holders, i.e. IDPs and women									

	10.1f Establish linkages with private sector actors to expand financial and other support for the provision of legal aid services for priority rights holders					
<b>Key Result 10 Subtotal</b>			<b>135,000</b>			
11. <u>Legal Aid services</u> provided to priority groups covering civil and criminal cases	11.1a Provide resource materials, including law books and electronic legal databases to national bar and District Bar Associations	LAC,BASL,LA W Teaching institutions	225,000			
	11.1b Organise discussions between BASL and district bars to establish and strengthen networks including ensuring regular visits from the BASL to its district offices to provide periodical updates on legal developments, support and protection					
	11.2a Develop an internship/apprenticeship scheme every year for law graduates to provide legal aid to priority rights holders at the rural level through: a) support of stipend for internship, transportation costs; b) establishment of clear mentoring responsibilities for lawyers supported through the internship schemes; and c) establishment of criteria to prioritise cases and minimum targets of legal aid cases to be taken up by each provider		100,000			
	<i>11.2ai Organise consultations with relevant stakeholders to review VOICE lessons learned and determine way forward</i>					
	<i>11.2aii. Establish MoUs between Law teaching institutions and Legal Aid Providers to promote volunteer legal aid interns</i>					
	<i>To support the implementation of the ICCPR Act, specifically with regard to legal aid for criminal defence, develop a cadre of specialized lawyers within the BASL, LAC and other providers to handle criminal cases particularly affecting women and priority rights holders by:</i>		105,000			
	11.3a Developing professional training modules on criminal defence					
	11.3b Conduct a 3 month training course on criminal defence for specialised lawyers					
	11.3c Establish a mentoring programme and identify opportunities for practical hands-on experience on criminal defence for lawyers					
	11.3d Organise discussions with the three law teaching institutions to revise curricular to include clinical legal education including criminal defence					

	11.4a Provide technical and logistical support for legal aid institutions focusing on criminal cases		100,000				
	11.4b Provide training on criminal legal defence to cadre of LAC criminal lawyers						
<b>Key Result 11 Subtotal</b>			<b>530,000</b>				
12. Rights holders in remote areas are sensitised on legal issues and have <u>access to paralegal</u> services	12.1a Train at least 15 paralegal and women's groups in HRBA, human rights and legal awareness, standard operating procedures and protocols for referral systems, domestic violence, GBV, child protection etc.	MoCA, NGOs	260,000				
	12.1b Establish standard operating procedures for referrals to legal aid providers and formal justice system at division/district level to address cases that require a remedy by the formal justice system (i.e.. criminal cases, domestic violence, )						
	12.2 Conduct training for GNs, village heads, and other local level duty bearers in identified priority areas on HRBA and conflict resolution mechanisms and roles and responsibilities, protocols and standard operating procedures for referrals to other justice providers (i.e. particularly for domestic violence and GBV), to enhance their relationships vis-à-vis their communities		400,000				
	12.3a Key issues for awareness raising identified from results of baseline survey		30,000				
	12.3b Awareness material produced and disseminated						
	12.3c Awareness programme conducted						
<b>Key Result 12 Subtotal</b>			<b>690,000</b>				
13. <u>Legal Aid</u> services are provided in a <u>coordinated</u> , efficient and effective way	13.1 Partners given hands on technical guidance and support to implement new activities through project	ALD Int	150,000				
		2 Project Officers (East and Estate)	106,000				
		Admin Asst. (East)	26,000				
		Driver	18,000				

		Vehicle costs	50,000				
		Fuel and maintenance	50,000				
<b>Key Result 13 Subtotal</b>			400,000				
14. <u>Communities</u> are able to more effectively communicate needs to justice service providers	14.1a Conduct training on the provisions of the Bill, specifically for the agencies/departments responsible for protection	MoCA, MoJ	200,000				
	14.1b Conduct training for legal aid providers and police on the Victims and Witness Protection Bill and its implications for their day-to-day work						
	14.1c organise community forums on the implications of the Bill and protection mechanisms, self protection mechanisms, community vigilance, etc						
	14.1d provide equipment and furniture for victim and witness protection units						
	14.1e In partnership with the joint Programme on Human Rights, train police, Unit Heads, and camp managers in IDP camps on mediation, HRBA, conflict sensitivity, attitudinal change, positive thinking, leadership and gender sensitivity						
	14.1f Organise discussions with police and relevant stakeholders to promote on-going programs promoting inclusiveness and representation of priority communities within the police force, i.e. through recruitment of more Tamil officers						
14.2a Hold community forums at the district/division level to sensitize the police, security forces and home guards with regard to issues facing priority communities		250,000					
14.2b Establish quarterly community forums that address legal issues facing priority communities and facilitate dialogue between IDPs and host communities to establish confidence and build trust (build on existing forums such as the IDP Protection Group at the GA level)							
14.3 District based support and monitoring provided through project	2 Project Officers (East and North)	106,000					



		Admin Ast. (North)	26,000				
		Driver	18,000				
		Vehicle costs	50,000				
		Fuel and maintenance	50,000				
<b>Key Result 14 Subtotal</b>			700,000				
15. Increased representation of disadvantaged groups in community based justice redress mechanisms <u>(ADRs)</u>	15.1a Develop initiatives to promote the representation of women in community based justice redress mechanisms	MOJ	200,000				
	15.1b Develop initiatives through local government offices and CBOs to encourage women's participation in community based justice forums						
	15.2. Conduct discussions with relevant stakeholders to include and promote active participation of members of IDP camps in existing dialogue mechanisms between Unit leaders, police and other relevant authorities on mediation, domestic violence, and other issues	A2j, UNHCR	20,000				
<b>Key Result 15</b>			220,000				
16. <u>Mobile clinics</u> provide civic documentation and legal services to IDPs, estate workers, and other priority right-holders (i.e., birth certificates, national identity cards, citizenship certificates etc.)	16.1a Continue support to the mobile documentation clinics in the North, the East, the estate sector, and other priority areas (in partnership with UNHCR),	MoCA, Registrar General	500,000				
	16.1b Train staff on HRBA, conflict and gender sensitivity						
	16.1c Establish a grievances/ complaints mechanism at the mobile documentation clinics for users						
	16.2a Enter into MOUs with relevant partners to Expand the services provided at the mobile documentation clinics to include legal aid services for both civil and criminal cases, psycho-social support, and activities on legal issues, i.e. domestic violence, GBV, child protection, through performances, music, etc.		150,000				
	16.2b Enter into a MoU between UNDP and UNHCR to coordinate support for mobile documentation clinics in priority areas						

	16.3. Provide information to communities on registration and documentation through radio campaigns, hospitals, and other social services		50,000				
	16.4 Dedicated project officer and finance assistant coordinate logistics of mobiles and ensure services provided meet the needs of local population	2 Project Officers (Estates and North)	106,000				
		Admin Ast. (Estates)	26,000				
		Driver	18,000				
		Vehicle costs	50,000				
		Fuel and maintenance	50,000				
<b>Key Result 16 Subtotal</b>			<b>950,000</b>				
<b>17. Sustainable national mechanism in place for provision of legal documents (Sustainable documentation)</b>	17.1a Conduct a Capacity assessment of the national institutions with regard to the provision of documentation services	MoCA, RGP	200,000				
	17.1b Based on the results of the assessment, provide resources to RPD and RG staff and other relevant departments for the development of a nationwide sustainable mechanism for civic documentation						
<b>Key Result 17 Subtotal</b>			<b>200,000</b>				
<b>18. Project staff, partners and the public benefit from the effective administration, documentation and monitoring of the project (Project training and outreach)</b>	18.1a HRBA induction for new staff	MoCA, UNDP	50,000				
	18.1b ToTs for all staff on HRBA national as well as regional workshops						
	18.2 Global and regional seminars and trainings relevant to Access to Justice work		20,000				
	18.3 Publish a newsletter every two months for donors highlighting project achievements and human touch stories		15,000				
	18.4 Establish complaints mechanism to address local grievances regarding project implementation , i.e. hotline		15,000				

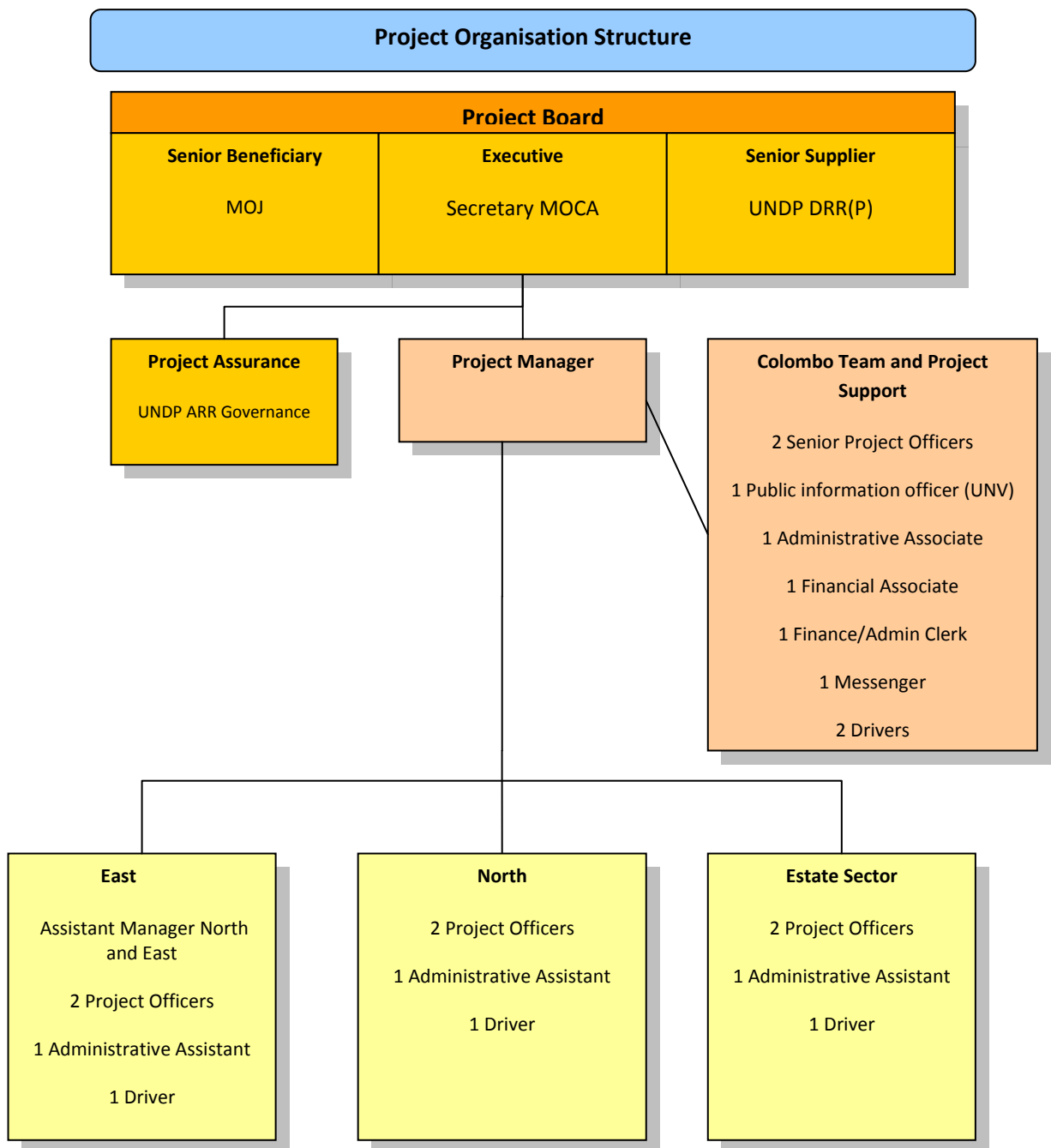
	18.5. Conduct internal evaluation of project 2009-2018, including review of key results and operational effectiveness of project structures		15,000				
<b>Key Result 18 Subtotal</b>			<b>115,000</b>				
<b>19. Ministry of Constitutional Affairs and National Integration is supported in project management and implementation (PMU)</b>	Project Manager- Colombo	MoCA, UNDP	75,000				
	Senior Project Officers (including M&E responsibilities) - Colombo (X2)		132,000				
	Administrative Associate - Colombo		39,000				
	Public Information Officer (UNV) – Colombo		37,000				
	Finance Associate - Colombo		44,000				
	Finance/Admin Clerk - Colombo (x1)		26,000				
	1 messenger		26,000				
	Drivers (X2 – Colombo)		36,000				
	Fuel and Maintenance		25,000				
	IT Equipment and furniture, and outstation rent		100,000				
	Rent		500,000				
	Office Management costs		40,000				
<b>Key Result 19 Subtotal</b>			<b>1,080,000</b>				
<b>TOTAL OUTPUT 13</b>			<b>2,720,000</b>				
<b>TOTAL OUTPUT 14</b>			<b>3,940,000</b>				
<b>PMU</b>			<b>1,080,000</b>				
<b>TOTAL</b>			<b>7,740,000</b>				

### III. MANAGEMENT ARRANGEMENTS

#### Project management arrangements:

The project will be implemented through National Implementation Modality [NIM]

The project organizational structure will be as follows:



The Project Board (PB) will have overall responsibility for project implementation, oversight & quality assurance. The PB will provide policy guidance and monitor the performance of the project, review progress on a periodic basis, approve progress reports and end of project report as well as manage risks and issues. It will approve the appointment and responsibilities of the Project Manager and the project staff and will define their responsibilities. It will provide consensus based management decisions, when guidance is required by the Project Manager. In addition, it will ensure that required resources are committed and arbitrate any conflicts within the project as well as negotiate solutions to any problems between the project and external bodies. The PB will review and make recommendations for Implementing Partner approval as well as authorize any major deviations in project work plans. It will also be responsible for assessing and deciding on substantive project changes through revisions. The PB will meet at minimum bi-annually or more frequently if deemed necessary. The Project Working Group will meet monthly and since this brings together all project partners and relevant stakeholders at the working level, it serves as an excellent forum for reviewing progress and addressing minor implementation issues. (see section on Working Group below) The proceedings of all Project Board meetings will be recorded. The extent to which the UNDP ARR Governance will be delegated quality assurance responsibilities will be determined during the first Project Board meeting and will be indicated in writing. Project reviews will take place on an annual basis (or as otherwise deemed necessary by the Project Board).

The Project Board contains three roles each responsible for specific functions.

The Executive role, representing the project ownership, is to chair the group. The executive will have ultimate responsibility for the project, supported by the Beneficiary and Supplier. As part of the responsibilities of the Project Board, the Executive will ensure that the project is focused, throughout the project cycle, on achieving outputs that will contribute to higher level outcomes. Additional responsibilities include monitoring and controlling the progress of the project at a strategic level [i.e. contribution to national priorities], ensuring that risks are being tracked and mitigated as effectively as possible and organizing, chairing and ensuring that the Project Board meet in a timely manner, as stipulated in the project document. The Executive will be responsible for approving and signing the Annual Work Plan (AWP) for the following year on behalf of the Implementing Partner and approving and signing the Combined Delivery Report (CDR) at the end of the year. The Executive will be responsible for delegating authority to a Responsible Officer within the Ministry for signature of the Funding Authorization and Certificate of Expenditures (FACE) form as well as any other project related documentation. The Secretary of the Ministry of Constitutional Affairs and National Integration, the National Project Director, will serve as Executive.

- The Senior Supplier represents the interests of those designing and developing the project deliverables and providing project resources. The primary function of the Senior Supplier will be to provide guidance regarding the technical feasibility of the project. The Senior Supplier will have authority to commit or acquire supplier resources as required. As part of the responsibilities of the Project Board, Senior Supplier will advise on the selection of the strategy, design and methods to carry out project activities. Quality assurance and oversight roles include ensuring that standards defined for the project are met and used to good effect, monitoring potential changes and their impact on the quality of deliverables and monitoring any risks in project implementation. Within the context of the Project Board, the Senior Supplier will also be responsible for ensuring that progress towards outputs remains consistent, contributing the supplier's perspective & opinions on implementing any proposed changes and arbitrating on and ensuring resolution of

input/resource related priorities or conflicts. This role will be represented by the UNDP DRR (Programme). Donors will also be invited to participate in Project Board meetings.

- The Senior Beneficiary role is to ensure the realization of project benefits from the perspective of project beneficiaries. As part of the responsibilities for the Project Board, the Senior Beneficiary will be responsible for ensuring that specification of the Beneficiary's needs are accurate, complete and unambiguous, implementation of activities at all stages is monitored to ensure that they will meet the beneficiary's needs and are progressing towards identified targets, impact of potential changes is evaluated from the beneficiary point of view, risks to the beneficiaries are frequently monitored, providing the opinion of beneficiaries of implementation of any proposed changes, and helping to resolve priority conflicts. This role will be represented by Ministry of Justice. Other beneficiaries will also be invited to participate in Project Board meetings, including the key responsible parties: the Legal Aid Commission, Bar Association of Sri Lanka (BASL), and at least three representatives from civil society organisations active in access to justice and human rights issues, particularly for the protection of priority rights-holders and/or active in the project priority areas (e.g. the North, the East and Estate Sector);

Project Assurance: As delegated by the Project Board, the UNDP ARR Governance, supported by the UNDP Programme Associate will assist the Project Board in its role as Project Assurance. In undertaking this role, the UNDP ARR Governance will take action to address as well as alert the Project Board of issues with regard to project quality assurance such as alignment with the overall Country Programme, availability of funds, observation of UNDP rules and regulations and adherence to Project Board decisions. The UNDP ARR Governance will assist the Project Board by performing some oversight activities, such as periodic monitoring visits and "spot checks," ensuring that revisions are managed in line with the required procedures, RMG monitoring and reporting requirements and standards are maintained, Project output(s) & activities, including description and quality criteria, risks and issues are properly recorded and are regularly updated in Atlas. The UNDP ARR Governance will also assist the Project Board in ensuring that the project follows the approved plans, meets planned targets as well as project Quarterly Progress Reports are prepared and submitted on time, and according to standards. During project closure, the UNDP ARR Governance will work to ensure that the project is operationally closed in Atlas, financial transactions are in Atlas based on final accounting of expenditures and project accounts are closed and status set in Atlas accordingly.

The Project Support Unit: The project support office through the Project Manager will act, inter alia, as a secretariat for the project board. The project structure will need to be re-organized to align itself behind the focus of the project.

Project Personnel will include:

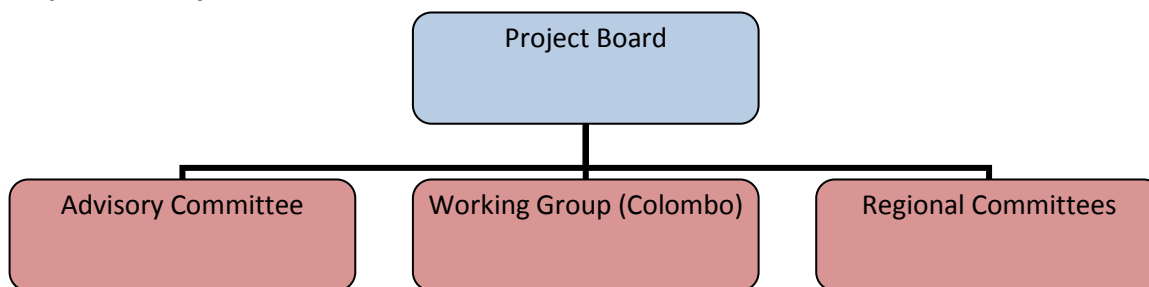
- 1 Project Manager- Located in Colombo
- 1 Assistant Manager –North and East , based in the North or the East to advise the project on best practices, draw in lessons learnt from other countries and promote project interventions to mobilise funds
- 2 Senior Project Officers for general project assistance and specifically monitoring and knowledge management purposes , located in Colombo

- 6 District Project Officers – Based in the North (Vavuniya), East (Trincomalee) and Estate Sector and co-located with UNDP, UNHCR or Government offices.
- 1 Administrative Associate located in Colombo
- 1 Financial Associate located in Colombo
- 1 Finance/Admin Clerk located in Colombo
- 1 Messenger located in Colombo
- 3 Administrative assistants (1 each for district offices)
- 5 Drivers (2 located in Colombo and 1 each with the district offices)
- 1 Public information officer (UNV), in Colombo

The Project Managers (PM), as appointed by the Implementing Partner, will have the authority to run the project on a day-to-day basis on behalf of and within the constraints outlined by the Project Board. The Project Manager is responsible for project implementation, financial management, administration, monitoring and reporting. This includes providing direction and guidance to the PMU and responsible party (ies) and liaising with the Project Board & UNDP Advisor Local Governance and Administrative Reforms to monitor the direction and integrity of the project. Under the guidance of the Executives of the Project Board, the PM shall ensure efficient coordination efforts between the project, UNDP, Relevant partners. The PM should act as secretariat of the Project Board with the responsibility to call meetings, distribute information and follow up on their recommendations. The PM will be responsible for managing the delivery of project activities as specified in a jointly agreed annual work plan and within specified constraints of time and cost. This includes: planning activities, preparing annual work plans & monitoring progress against quality criteria; monitoring events and updating the Monitoring & Communication Plan; liaising with any suppliers to mobilize goods and services to initiative activities; monitoring financial resources & accounting to ensure accuracy & reliability of financial reports; managing requests for the provision of financial resources using advance of funds, direct payments, or reimbursement using the FACE (Fund Authorization and Certificate of Expenditures); managing, monitoring and updating the project risks as initially identified and submitting new risks to the Project Board for consideration and decision on possible actions; managing issues & requests for change by maintaining an Issues Log; preparing the Project Quarterly Progress, Annual and Final Reports and submitting reports to the Project Board and UNDP Advisor Local Governance and Administrative Reforms and managing and facilitating transfer of project deliverables, documents, files, equipment and materials to national beneficiaries at project closure.

While the PM will be responsible for the preparation of Quality Assessments and Project Reports (as outlined in the M&E section below), he/she will be supported by the Senior Project Officers who will each take responsibility for collecting the data from the field and from partners for the parts of the workplan for which they are assigned responsibility. The frequency of M&E activities is outlined in the M&E Section below.

### **Project Advisory Structures:**



The project will benefit from the following advisory structures:

- The Advisory Committee: The Advisory Committee will meet once a year to provide strategic inputs to the project. Additionally, the advisory committee will be used as a forum for discussion on policy solutions on access to justice issues emerging from project findings. The advisory committee will be chaired by the Chief Justice.
- The Working Group: the Working Group will function as a forum to share experiences on specific areas of ‘access to justice’ and human rights and provide substantive inputs to the following stage of the project. Civil society organisations and other UN agencies active in protection of human rights especially of priority rights-holders of the projects (i.e. conflict affected population, IDPs and estate workers) and the Human Rights Commission should be included as members of the Working Group together with relevant institutions such as Ministry for Human Rights and Disaster Management and the Ministry of Resettlement. The Working Group is chaired by the Project Director (Secretary Min of Constitutional Affairs), and the composition of the working group will be discussed at the first meeting of the project board. The Working Group will also serve as a forum for addressing minor implementation issues and deciding on necessary adjustments within permissible margins of tolerance, but will escalate major issues, for example anything requiring a substantial shift in strategy or focus, to the Project Board.
- Regional Committees: The project can make use of regional committees at the division level where the project has the most ongoing activities and functioning offices. The regional committees are composed by representatives of key stakeholders of the project both government and civil society. The regional committees will help the project identify key priorities and needs and existing access to justice efforts.

### **Financial Arrangements-**

The total budget for the project is \$7,740,000 out of which the Country Office, in line with CPAP commitments, has allocated \$550,000 TRAC resources and BCPR/UNDP has committed US\$3,012,750. Efforts will be undertaken to mobilize the unfunded portion of the budget amounting to \$4,190,000 both through in country and global level avenues.

Under the Harmonized Cash Transfer system (HACT) to be introduced by the UN EXCOM Agencies (UNDP, UNICEF, WFP and UNFPA) as part of the UN reform commitment to reduce transaction costs on implementing partners, four modalities of payments are foreseen for nationally implemented projects. They include: 1) Prior to the start of activities against agreed work plan cash transferred (direct cash transfer) to the Treasury, Ministry of Finance and Planning, for forwarding to the Implementing Partner; 2) Reimbursements after completion of eligible activities by the Implementing Partner; 3) Direct payment to vendors or third parties for obligations incurred by the Implementing Partners on the basis of requests



signed by the designated official of the Implementing Partner; 4) Direct payments to vendors or third parties for obligations incurred by UN agencies in support of activities agreed with Implementing Partners.

In order to receive the funds advanced by UNDP, the IP/project must either: a). Open a bank account, under the name of the project, to be used only for receiving UNDP advances and to make payments of the project; or b). In agreement with UNDP, identify an existing bank account under the IP's name, that would be used solely for the purposes of receiving UNDP advances to the project and making payments with these advances. Under no circumstances will the Direct Cash Transfer Modality be used to advance funds to any individual inside or any entity or individual outside of the Implementing Partner or to any account other than the identified official project bank account.

As per requirements under the Harmonized Cash Transfer (HACT) system, direct payments will be the preferred modality applied to the project until completion of a satisfactory assessment of the financial management systems and internal control frameworks of the Commission as the project Implementing Partner.

It will be the responsibility of the Project Manager to liaise with the UNDP Programme Associate to prepare a consolidated financial report, in the required format, and provide it to UNDP at regular and necessary intervals.

Under the project's national implementation Modality (NIM) Government guidelines for competitive procurement of goods and services (advertising, tender bidding, evaluation, and approval) in line with international standards will apply for all project-related activities.

Upon specific request of the implementing partner UNDP can in line with UNDP procurement policy provide procurement and recruitment services to the implementing partner including:

- a). Identification and recruitment of project and programme personnel
- b). Identification and facilitation of training activities
- c). Procurement of goods and services

As per the letter of agreement between the Government of Sri Lanka and UNDP for the provision of support services signed on 5th July 2002, UNDP shall recover the cost of providing the support services outlined above. A Cost Recovery rate of up to 3% will be charged for the value of the amount of the contracts of the services to be procured or obtained through UNDP **[See Annex: II ]**

In accordance with the decisions and directives of UNDP's Executive Board, all non-core contributions shall be charged a fee equal to **7%** to cover the cost of general management support (GMS) services provided by UNDP headquarters and country offices.

It will be the responsibility of the beneficiary line ministry or the government institution to ensure the upfront payment of all duties/taxes on imported goods and services as required by the Ministry of Finance and Planning Circular on the "Expeditious Clearance of Vehicles/Goods Imported by UN Agencies" (Circular No. FP/T/2/3/18 Vol 1 dated 14<sup>th</sup> July 2005) and a further circular on the same subject (Circular No. TTIP/1/86 (Tsunami) dated 16<sup>th</sup> April 2007

The Implementing Partner will be audited periodically as per the annual audit plan prepared by the government coordinating authority in consultation with the UNDP Sri Lanka. **MoCA** will be responsible for ensuring that all audit requirements are met.

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### III. Monitoring & Evaluation

The project will be monitored against the annexed M & E Framework, which builds on the CPAP M & E Framework. Progress against each of the indicators will be reviewed at least annually, and the tracking table updated accordingly.

#### Within the annual cycle

- On a quarterly basis, a **quality assessment** prepared by the PM shall record progress towards the completion of key results, based on quality criteria and methods captured in the Project M & E Framework.
- An **Issue Log** shall be activated in Atlas and updated by the ARR in consultation with the PM to facilitate tracking and resolution of potential problems or requests for change.
- Based on the initial risk analysis submitted (see annex 1), a **risk log** shall be activated in Atlas and regularly updated by the ARR in consultation with the PM by reviewing the external environment that may affect the project implementation.
- Based on the above information recorded in Atlas, **Quarterly Progress Reports (QPR)** shall be submitted by the ARR to the Project Board in advance of Project Board Meetings, using the standard UNDP report format.
- A project **Lesson-learned log** shall be activated and regularly updated by the PM to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project.
- A **Monitoring Schedule Plan** shall be activated in Atlas and updated by the ARR in consultation with the PM to track key management actions/events

#### Annually

- Field visits will take place as required, but at minimum, once a quarter.
- Annual Review Report. An Annual Review Report shall be prepared by the Project Manager and submitted to the Project Board for review and approval. As minimum requirement, the Annual Review Report shall consist of the Atlas standard format for the QPR covering the whole year with updated information for each above element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level. The M & E Framework and updated Tracking Tool will be annexed to the Annual Review Report.
- Annual Project Review. Based on the above report, an annual project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. This review is driven by the Project Board and may involve other stakeholders as

required. It shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes. If necessary, following the Annual Project Review, the Annual Review Report should be revised and finalized.

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**M & E Framework: See next page**

***Please note that all data will be disaggregated by gender and geographical area where possible (for example, legal aid clients, workshop participants, recipients of new ID cards etc). For areas where the intervention is specifically targeting women gender specific indicators were formulated (for example % increase in representation of women in community redress mechanisms)***

Monitoring and Evaluation Framework  
DRAFT – TO BE FINALISED THROUGH STAKEHOLDER WORKSHOP

Outcome, Output & Key Activity Results	Indicator	Baseline	Target[s]	Means/Source of Verification	Timing	Assumptions
<b>CPAP Outcome 5</b> Greater and more diverse access to justice redress mechanisms	<i>% of citizens who [a] know about their rights to assistance and [b] how to access institutions that can solve their disputes [disaggregated by sex, ethnicity, age and district]</i>	<i>To be established through the national access to justice baseline survey</i>	<i>Targets to be set Q 4 - 2009 based on results from national access to justice survey</i>	National access to justice survey/ perception survey or small group interviews	2010, 2011, 2012	<ul style="list-style-type: none"> <li>• High level of literacy</li> <li>• Availability of justice mechanisms</li> <li>• Access not bared due to external factors (i.e. security situation)</li> <li>• economic, social and cultural ability to access</li> </ul>
	<i>% of accused persons legally represented at one or more court appearances in their cases [disaggregated as above]</i>	<i>To be established through the national access to justice baseline survey</i>	<i>Targets to be set Q4 2009 based on results from national access to justice survey</i>	National access to justice survey/Legal Aid Providers	Annually	<ul style="list-style-type: none"> <li>• Adequate awareness on legal aid</li> <li>• Availability of resources i.e. Man power and infrastructural facilities</li> </ul>
	<i>% of citizens who say that the police will respond to them to resolve their grievances [disaggregated as above]</i>	<i>To be established through the national access to justice baseline survey</i>	<i>Targets to be set Q4 2009 based on results from national access to justice survey</i>	National access to justice survey/ perception survey or small group interviews	Annually	<ul style="list-style-type: none"> <li>• Availability of resources i.e. Man power and infrastructural facilities</li> <li>• Police service effective and functional</li> </ul>
	<i># of complaints filed against a justice sector institution (including security services) received by HRCSL and NPC</i>	<i>Base line to be established in consultation with HRC and NPC</i>	<i>Q 4 – 2009</i>	HRC and NPC	Annually	<ul style="list-style-type: none"> <li>• Capacity of HRCSL to document and disseminate data</li> </ul>
	<i># of courts and quasi- courts functioning in conflict affected areas [disaggregated by District]</i>	<i>To be set following consultation with MoJ</i>	<i>To be set following consultation with MoJ</i>	MoJ	Annually	<ul style="list-style-type: none"> <li>• Availability of resources i.e. Man power and infrastructural facilities</li> </ul>
	<i>Average period in remand</i>	<i>Baseline to be established in 2009</i>	<i>Targets to be set once baseline established in</i>	Prisons databases	Annually	<ul style="list-style-type: none"> <li>• Availability of functioning computerised</li> </ul>

		<i>after operationalising database at Welikada</i>	<i>consultation with MoJ</i>			<ul style="list-style-type: none"> <li>database at prisons</li> <li>Availability of man power to operate</li> </ul>
<b>CPAP Output 13:</b> Duty bearers better able to deal with grievances experienced by disadvantaged groups	# backlog cases	To be established	20% annual reduction	court records	Annually	<ul style="list-style-type: none"> <li></li> </ul>
	<i># of prisons with databases of pre-trial detainees</i>	In 2008, a Database was established in Welikada prison	2 additional prisons each year starting from 2010 (subject to satisfactory usage of pilot system during 2009 in Welikada)	Joint site visits/ site visit reports	Annually starting from 2010	<ul style="list-style-type: none"> <li>Availability of functioning computerised database at prisons</li> <li>Availability of adequate facilities and man power to operate</li> </ul>
	<i>Frequency of national access to justice data collection and updates</i>	National access to justice baseline survey concluded in 2009	2 follow up surveys/ sample surveys conducted	Review of survey reports	2010 and 2012	<ul style="list-style-type: none"> <li>Successful completion of nationwide survey on A2J in June</li> <li>Security situation in the country allows completion of survey</li> </ul>
	% of judges that participate in training on new jurisprudence and interpretation	250 Judges in Sri Lanka[2008]	30% in focused areas	List of training participants cross referenced with list of relevant judges	Annually	<ul style="list-style-type: none"> <li>sufficient interest and will</li> <li>Availability of resources and facilities</li> </ul>
	<i># of legal aid institutions (govt. And NGO) that provide legal aid in criminal cases</i>	TBD	TARGET to be set	Access to justice surveys	Annually	<ul style="list-style-type: none"> <li>Legal Aid institutions agree to increase focus on criminal cases</li> </ul>
<b>Key Activity Result 1: Progress in achieving access to justice for all, particularly priority rights holders, is measured and monitored</b>	1.1. ratio of districts that participated in National Access to Justice Baseline Survey to districts who receive feedback on findings and with whom results are shared	1.1. 23 districts are planned to be included in the national access to justice baseline survey – Baseline for feedback = 0	1.1. Target = 23 (or all districts surveyed)	Field reports , meeting reports , A2J reports , reports on distinct consultations submitted by survey teams	Q4/2010	<ul style="list-style-type: none"> <li>Successful completion of nationwide survey on A2J in June</li> </ul>
	1.2 Availability of National Action Plan on Access to Justice	Currently no national access to justice action plan is in place	1.2. National A2J baseline established for preparation of National Action Plan (2009)  1.3. National Action plan adopted by Government	Progress Reports submitted by MoCA/ review reports generated through National Action Plan	2010, 2011, 2012	<ul style="list-style-type: none"> <li>Successful completion of nationwide survey on A2J in June</li> <li>Acceptance of findings and consensus on NAP</li> <li>Security situation</li> </ul>

			[2012] 1.4. Participatory monitoring and review mechanism established [2010] 1.5 institutionalize regular participatory reviews (annually from 2010) 1.6 See output level indicators	review mechanism		allows for ongoing surveying
<b>2. Prison subcommittee members provide regular and coordinated legal aid and vocational training services to inmates, especially pre-trial detainees</b>	2.1 % of total prison remandees population that participate in legal awareness and aid clinics in Welikada and 2 regional prisons	TBD after consultation with LAC	2.1 20 % of total prison remandees in 5 targeted prisons (3 Welikada and two Regional) participate in legal awareness and aid clinics (2009) [b] 50% (2010) [c] 60% (2011) [d]75% (2012)	LAC records and reports Prison records cross referenced with lists of participants in workshops	Annually	<ul style="list-style-type: none"> <li>• Adequate awareness on legal aid services</li> <li>• Availability of resources (legal aid institutions and prisons) i.e. Man power and infrastructural facilities</li> <li>• Good coordination between prisons and legal aid institutions</li> </ul>
	2.2 # of prison vocational training programmes established and/or expanded	1 IT programme in Welikada in 2008	2.2. 3 per year	Site visits and site visit reports	Annually	<ul style="list-style-type: none"> <li>• Availability of resources (i.e. Man power and infrastructural facilities)</li> </ul>
<b>3. Alternative sentencing mechanisms promoted with the judiciary</b>	3.1 % of all convicted cases given alternative sentences	Base line to be set in 2009 with MoJ	3.1 20% increase [previous year serves as baseline for current year reporting]	Ranasinghe's reports , Government records - Prison records	Annually	<ul style="list-style-type: none"> <li>• Adequate awareness on legislation on alternative sentencing</li> <li>• Availability of resources (i.e. Man power and infrastructural facilities)</li> <li>• Judiciary willing to gradually give more alternative sentences</li> </ul>
<b>4. Prison Databases installed in high priority prisons</b>	4.1 # of prisons with databases of pre-trial detainees	In 2008, a Database was established in Welikada prison	2 additional prisons each year starting from 2010 (subject to satisfactory usage of pilot system)	Joint site visits/ site visit reports	Annually starting from 2010	<ul style="list-style-type: none"> <li>• Availability of functioning computerised database at prisons</li> <li>• Availability of</li> </ul>

			during 2009 in Welikada)			adequate facilities and man power to operate
<b>5. Conditions in prioritised prisons are in line with international standards</b>	5.2 % Prison management and staff of selected prisons trained on international best practices in prison management	To be set in consultation with Prisons	3.3 30% Prison management and staff of 3 prisons trained on international best practices in prison management (2009) 50% (2010) 75% (2011)	List of training participant lists cross referenced with prison management staffing records	Annually	<ul style="list-style-type: none"> <li>• Availability of resources</li> </ul>
	5.3. # of prisons with operational counselling units	0 ( only limited ad-hoc counselling currently exists)	3.4 One prison per year, 3 prisons by 2012	Site visits/site visit reports & administrative prison records	Annually from 2010	<ul style="list-style-type: none"> <li>• Availability of resources (i.e. Man power and infrastructural facilities</li> <li>• Attitudes of prison officers and inmates</li> <li>• Confidence in the system</li> </ul>
	5.4 # of prison sub committees in place in target prisons	0	3.6 Sub-committees established in project focus areas where there are prisons	Sub-committee meeting reports and terms of reference	2010	<ul style="list-style-type: none"> <li>• Availability of resources and facilities</li> <li>• Efficient coordination</li> </ul>
	5.5. Availability of alternative detention facilities available for women with infants	0	3.5 Kulutara prison for women and children operational	Site visits/site visit reports & administrative prison records	2010	<ul style="list-style-type: none"> <li>• Availability of resources (i.e. Man power and infrastructural facilities</li> </ul>
<b>6. Judges and Lawyers better able to deal with grievances, specifically with regard to IDPs, estate workers and other priority rights holders)</b>	6.2. # of informative sessions held per year to increase confidence in the justice sector(2010-2012)	2009	4.2 At least 3	Quarterly project progress reports	Annually	<ul style="list-style-type: none"> <li>• People attend trainings</li> </ul>
	6.3. # of forums established to provide opportunities for judges to share experiences and provide mutual support and protection	0	4.3. Network in place within 5 jurisdictional areas	MOJ and project records	(2012)	<ul style="list-style-type: none"> <li>• Attitudes of the judiciary</li> <li>• security situation</li> </ul>
<b>7. Key Stakeholders have a better understanding of HRBA principles</b>	7.4 # of staff in Justice and security services receiving HRBA training	Figure for 2008 to be added by PMU	4.4 x per year (note 2008 baseline figure is high due to heavy focus on training of duty bearers in north and east, GNs in East and all	Project Reports	Annually	<ul style="list-style-type: none"> <li>• Sufficient capacity to apply HRBA</li> <li>• Availability of resources and facilities</li> <li>• Insufficient interest in</li> </ul>

			Project Partners in Colombo)			attending training
<b>8. The administrative branch of selected courts function more efficiently and effectively (Courts administration)</b>	8.1% of court staff trained in best practices and management skills in priority areas  <i>Output and associated indicators, targets and baselines pending discussion with MoJ</i>	0	30% 2010 50% 2011 70% 2012			<ul style="list-style-type: none"> <li>MoJ works with project to identify priority training needs</li> </ul>
<b>9. Quazi courts are more accessible and are better able to deal with grievances of women and other priority groups</b>	9.1 # of cases brought before the Quazi court by women (TBC)	Baseline established in 2009 in consultation with MoJ	Targets to be set with MoJ	Project Report	Annually	<ul style="list-style-type: none"> <li>Monitoring mechanisms in place to capture data</li> </ul>
	9.2. % of Quazi court staff trained in dealing with issues of disadvantaged groups	Baseline established in 2009 in consultation with MoJ	Project to add targets in consultation with MoJ in 2009	Project Report	Annually	<ul style="list-style-type: none"> <li>Availability of resources and facilities</li> <li>Sufficient interests and will</li> </ul>
	9.3 Availability of a structured administrative mechanism for quasi courts in districts in the North and East	No mechanisms in place	Target date for system in place to be set in consultation with MoJ in 2009	Project Report	TBC	<ul style="list-style-type: none"> <li>External situation not a bar for successful institutionalisation</li> <li>Sufficient resources</li> <li>Insufficient support and will from relevant stakeholders</li> </ul>
<b>CPAP Output 14:</b> Disadvantaged groups have increased knowledge of their rights and are able to access and benefit from legal services	# of people lacking basic legal documents (ID cards and birth, death and marriage certificates)[disaggregated by sex, ethnicity and district]	Baseline to be established through the national access to justice baseline survey by 2009	<i>Targets to be set by Q4 2009</i>	Sample Surveys in targeted areas	Annually	<ul style="list-style-type: none"> <li>Availability of resources and facilities</li> <li>Lack of awareness and interest</li> <li>Stringent legislation</li> </ul>
	% increase in representation of women in community based justice redress mechanisms	Baseline to be established in 2009 once exact redress mechanisms identified	<b>At least 10% increase each year</b>		2010-2012	<ul style="list-style-type: none"> <li>social, economic and cultural pressures</li> <li>adequate capacity and interest</li> </ul>



	# of criminal cases represented by Legal aid providers (LAC and other project partners)	2008 - LAC to provide data	At least 10% increase per year	Reports from Legal Aid providers to project	Annually	<ul style="list-style-type: none"> <li>• Availability of resources and institutional capacity</li> <li>• Awareness of availability of legal aid for criminal cases</li> <li>• Attitudes of the judiciary</li> </ul>
	# of awareness campaigns conducted across Sri Lanka targeting vulnerable groups and addressing issues highlighted in the baseline survey	27 Awareness Programmes supported by project in 2008	Report on issues covered, medium used and target audience – show that awareness is in line with 'gaps' identified in survey  In project focus areas by 2012, all major issues concerning lack of awareness, highlighted in baseline survey will have been targeted	Project reports	Annually	<ul style="list-style-type: none"> <li>• Availability of media all island</li> <li>• Access to media channels (i.e. Radio, TV, web, newspapers, etc)</li> <li>• Medium of dissemination</li> </ul>
<b>10. Legal Aid Strategy prepared and presented to GoSL for approval</b>	10.1 Availability of a new strategy for the provision of legal aid for priority rights holders	Forward looking review of legal aid sector prepared.	New Strategy adopted by government (2009-2010)	Project Report	2009-2010	<ul style="list-style-type: none"> <li>• National consultations provide recommendations but lack of support for formal strategy</li> </ul>
<b>11. Legal Aid services provided to priority groups covering civil and criminal cases</b>	11.2 % resource material needs identified by Lawyers of the District Bar Associations in priority areas met:	Limited materials available	20% (2009) 70% (2010) 100% (2011)	Project Report	2009-2011	<ul style="list-style-type: none"> <li>• BASL works with project to identify reasonable list of priority materials</li> </ul>
	11.3.# of internships organised at law firms and legal aid institutions	0	15 interns 2010 in 3 priority communities	Project Reports	2010	<ul style="list-style-type: none"> <li>• MOUs in place with law teaching institutions and other legal bodies</li> <li>• Lack of pro bono culture</li> </ul>

	11.4 # of new lawyers trained and mentored annually by senior lawyers on criminal trial cases (2009-2010)	Baseline to be set in 2009 (to be set in consultation with LAC and MoJ)	By Q 4 2009	BASL reports	Annually start from 2010	<ul style="list-style-type: none"> <li>• Availability of man power and facilities</li> <li>• Lack of interest by senior lawyers</li> </ul>
	11.5a # LAC offices/desks dealing specifically with criminal cases established or see their capacity increase in priority areas every year	0	At least 2 regional offices of LAC	LAC annual reports and A2J reports	(2010-2012)	<ul style="list-style-type: none"> <li>• Lack of adequate resources and facilities</li> <li>• Lawyers willing to take on criminal cases</li> </ul>
<b>12. Rights holders in remote areas are sensitised on legal issues and have access to paralegal services</b>	12.6. # of villages in the North and East with paralegal services, legal aid and legal advisory institutions in place and providing services to Women and priority rights holders (2010-2011)	Baseline to be established in 2009 after reviewing IHR training in Jaffna	15 villages in the North and East with paralegal services, legal aid and legal advisory institutions in place and providing services to women and priority rights holders	Sample surveys and reports from Legal Aid providers	Annually	<ul style="list-style-type: none"> <li>• Awareness of rights and availability of redress mechanisms</li> <li>• Lack of access i.e. Physical access, social access, economic access, etc</li> </ul>
	12.7. # of GNs trained in providing legal advice and referral services for priority rights-holders	200 ( 2008 )	300 – per annum	ADRI and A2J reports	Annually	<ul style="list-style-type: none"> <li>• Availability of resources and facilities</li> <li>• Attitudes of officials</li> <li>• Medium of communication</li> </ul>
<b>13. Legal Aid services are provided in a coordinated, efficient and effective way</b>	13.1 Results under key results 10-12 delivered effectively	2009-2012	Delivery targets and substantive results identified in AWP met each year	Project Reports	Annually	<ul style="list-style-type: none"> <li>• Availability of resources and access</li> </ul>
<b>14. Communities are able to more effectively communicate needs to justice service providers</b>	14.1. # of legal aid providers and police trained on human rights and new jurisprudence i.e. - victims and witness protection bill	Targets to be set in conjunction with Police and UN Human Rights Programme in 2009				<ul style="list-style-type: none"> <li>• Availability of resources and facilities</li> </ul>
	14.2. # community forums held each year in priority areas	0	At least 9	Check with UNHCR	Annually	<ul style="list-style-type: none"> <li>• Access not barred by external factors i.e. Security situation</li> <li>• Adequate interest of the community</li> </ul>
<b>15. Increased representation of disadvantaged groups</b>	15.1. # Dialogue mechanisms established or expanded to include diverse members of the community	Baseline to be established in 2009	2 (2010) 2 (2011)		(2010-2011)	<ul style="list-style-type: none"> <li>• Service provides willing to review operating procedures</li> </ul>

<b>in community based justice redress mechanisms (ADRs)</b>						<ul style="list-style-type: none"> <li>for the mechanisms</li> <li>• Community members willing to participate</li> </ul>
<b>16. Mobile clinics provide civic documentation and legal services to IDPs, estate workers, and other priority right-holders (i.e., birth certificates, national identity cards, citizenship certificates etc.)</b>	16.1# mobile documentation clinics carried out in priority areas in the North, the East, the estate sector, and other priority areas	65 clinics conducted in 2008.	11.1 6 per year	Project reports from mobiles	annually	<ul style="list-style-type: none"> <li>• access to priority areas not barred by external factors</li> <li>• support from local govt officers</li> <li>• Legislation allows clinics to operate</li> <li>• Public aware of need to obtain legal documentation</li> </ul>
	16.2. # of people receive assistance through the mobile documentation clinics	22,000 in 2008	At least 10,000 per annum	Project reports from mobiles	annually	<ul style="list-style-type: none"> <li>• access to mobile clinics are ensured through sufficient awareness, selection of convenient locations, etc</li> <li>• availability to mechanisms to cater to demand</li> </ul>
	16.3 # of Mobile documentation clinics operating in the North and East with expand services to cover legal aid for civil and criminal cases	Legal aid not usually available at clinics	TBD	Project reports from mobiles	Annually	<ul style="list-style-type: none"> <li>• Legal aid providers available to support clinics</li> </ul>
	16.3 # of people attending mobile clinics who heard about the services through the awareness campaign: radio/advertisements/information from school.	TBD?	TBD?	Data collected at the documentation clinics	Annually	<ul style="list-style-type: none"> <li>• Adequate monitoring system in place at clinics to capture information</li> </ul>
<b>17. Sustainable national mechanism in place for provision of legal documents (Sustainable documentation)</b>	17.1# of admin offices in North and East ( with scanning and digital filing equipment and networks for processing of documentation requests (registrar generals, reger persons dept)	Documents processed and transferred in hard copy	Scanning equipment in place to facilitate record keeping and transfer of info, especially in north, east and estates	Project Reports	Annually	<ul style="list-style-type: none"> <li>• Resources are available</li> </ul>
	17.2. Processing time for the issuing of civic documentation in the East (birth/death certificates/ passports and	TBD	TBD	Project Reports/ Registrar General reports	2012	<ul style="list-style-type: none"> <li>• Availability of resources and facilities</li> <li>• Availability of trained</li> </ul>

	NIC)					staff
<b>18. Project staff, partners and the public benefit from the effective administration, documentation and monitoring of the project (Project training and outreach)</b>	18.1 # of staff trained as trainers on HRBA	– Project Manager and Project Officers (Colombo and Field)	PM and Project Officers by end 2009	List of training participants	2009	<ul style="list-style-type: none"> <li>• Adequate training received on HRBA</li> </ul>
	18.2 # of global/regional seminars attended	PM and minimum of 3 other staff	At minimum, 1 per year with rotation among staff who attend	Project records	annually	<ul style="list-style-type: none"> <li>• Availability of resources</li> </ul>
	18.3 frequency of newsletter publication	2-4 newsletters per annum	Every quarter or bi-annually (TBD during H1 2009 depending on staffing)	Review of project records, & quarterly newsletters/ physical count	annually	<ul style="list-style-type: none"> <li>• Availability of resources</li> </ul>
	18.4 Availability of a complaints mechanism for project activities	No automatic feedback system in place	Project has established feedback system, for public and partners (for example complaints box or postal address)			<ul style="list-style-type: none"> <li>• Availability of project staff time to read and respond to complaints</li> </ul>

## IV. Legal Context

This document together with the CPAP signed by the Government and UNDP which is incorporated by reference constitute together a Project Document as referred to in the SBAA [or other appropriate governing agreement] and all CPAP provisions apply to this document.

Consistent with the Article III of the Standard Basic Assistance Agreement, the responsibility for the safety and security of the implementing partner and its personnel and property, and of UNDP's property in the implementing partner's custody, rests with the implementing partner.

The implementing partner shall:

- a) put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;
- b) assume all risks and liabilities related to the implementing partner's security, and the full implementation of the security plan.

UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of this agreement.

The implementing partner agrees to undertake all reasonable efforts to ensure that none of the UNDP funds received pursuant to the Project Document are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document".

## Annex 1: Risks Log

#	Description	Type	Impact & Probability	Countermeasures / Management Response	Owner
1	<i>Fear of consequences prevents rights holders to claim their rights through formal justice system, so number of criminal cases which have received support through the project is below expectations</i>	<i>Environmental Political Strategic</i>	<i>The project would not be able to reach some of the agreed targets in terms of number of criminal cases receiving legal aid through project interventions in specific areas.  Enter probability on a scale from 1 (low) to 5 (high)  P = 3  Enter impact on a scale from 1 (low) to 5 (high)  I =3</i>	<i>By strengthening the local presence in the North and the East the project will be able to monitor closely the situation in these areas and devise responses, for example by facilitating contacts with Colombo based NGOs that can support rights holders</i>	<i>PM , Assistant Manager – North and east, project officers in North and East and estate sector</i>
2	<i>Results of the A2J the baseline assessment point out to issues/priority rights holders that have not been taken into account</i>	<i>Organizational Strategic</i>	<i>The project design and implementation strategy would need to be adjusted. However, given that the project is designed taking into account the preliminary results of the a2j assessments and based on field visit, the likelihood of the a2j assessments results being very different from the premises on which the project is designed are very</i>	<i>The project is designed in a way that project interventions can be adjusted after the baseline is completed through a planned review of the project work plan and implementation strategy. The formulation team can</i>	<i>Project Manager</i>

	<i>by the project</i>		<i>low</i> <i>P =1</i> <i>I = 3</i>	<i>be called upon at regular intervals to advise on the adjustments to be made to the project strategy</i>	
3	<i>Fear of consequences and restrictions on movement prevent justice providers (including judges and lawyers) to take on cases thus impacting on project delivery in the areas</i>	<i>Environmental</i> <i>Political</i> <i>Strategic</i>	<i>The project implementation would be affected because activities would be slowed down, but mostly because partners might lose trust in working with this project</i>  <i>P =4</i> <i>I = 4</i>	<i>By strengthening the local presence in the North and the East the project will be able to monitor closely the situation in these areas and devise responses, for example, the MOCA and UNDP can provide documentation to lawyers working with the support of the project that would help them in going through check points; by working in advance with authorities in Colombo, the project can advise on events (mobiles, workshops) that will be taking place in selected areas and can facilitate clearance;</i>	<i>PM, AM coordinator-north and East, project officers in North and East and estate sector</i>
4	<i>Security situation seriously deteriorates in areas of project implementation</i>	<i>Environmental</i> <i>Political</i> <i>Strategic</i>	<i>Project operations would be compromised, staff would be at risk, partners would be at risk</i>  <i>P =3</i> <i>I = 4</i>	<i>The project board would need to decide on whether to withdraw project staff from the concerned areas and what kind of options are available for partners (e.g. relocation to Colombo</i>	<i>PM, Assistant manager ,senior project officers, project officers in North and East;</i>

				<i>etc).In order to do so the project Board should decide on a strategy to deal with this risk in Q1 of the project. The national project coordinator should support the project board in designing this strategy</i>	
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## **Terms of Reference**

### **Assistant Manager-North and East**

**Duty Station:** Colombo/Trincomalee, with travel to provinces

**Type of Contract:** L3/L4

**Languages Required:** English

**Starting Date:** 1 February 2009

**Duration of Contract:** 18 months

#### **Background**

UNDP defines access to justice as “empowering the poor and disadvantaged to seek remedies for injustice, strengthening linkages between formal and informal structures, and countering biases inherent in both systems can provide access to justice for those who would otherwise be excluded.”<sup>3</sup> The UNDP Sri Lanka Equal Access to Justice Project was developed drawing on this definition and explicitly adopted a human rights based approach to justice. The focus was on the poor and disadvantaged living in remote geographic areas in the country.

The Equal Access to Justice Project was initially conceived in 2004 when a cease-fire agreement was in place and the assumption was that the country was moving towards peace. It was launched in August 2004, nationally executed (NEX) under the stewardship of the Ministry for Constitutional Affairs and National Integration (MoCA). The project was dedicated to the achievement of five objectives: (1) An increase in the number and diversity of persons receiving effective legal services; (2) An increase in the number and diversity of persons receiving information on their rights; (3) A decrease barriers to accessing the legal system; (4) An increase in the number and diversity of persons receiving community level ADR services; and (5) Human rights better promoted and effectively protected.

However, since the launch of the Project, the situation has changed dramatically with the tsunami of December 2004 and the periods of escalating conflict in the North and the East of the country. This changing situation led to a reformulation of the Project in 2007-2008 focusing on addressing the most pressing justice and human rights issues facing the more vulnerable groups in the country.

Phase II (2009-2012) of the Project’s outputs and activities are intended to build trust and faith in the justice system and support confidence-building through the rule of law and access to justice.

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<sup>3</sup> Access to Justice Practice Note, UNDP, September 2004.

It addresses the causes of the conflict, i.e. poverty, need for accountability and greater respect for minority rights, through its focus on priority communities/areas (IDPs in the North and East, estate workers, women and other groups affected by conflict and/or marginalization). Phase II takes a human rights-based approach and focuses on providing timely responses to the immediate needs of vulnerable people of Sri Lanka, with an eye towards ensuring long-term sustainability.

## **Roles and Responsibilities**

Under the direct supervision of the PM, the Assistant Manager – North and East will:

- Support the PM in supervising the implementation of the access to justice activities in the North and East;
- Identify and promote the development of appropriate linkages with the transition early recovery programme in the East and linkages to central level;
- Work with Finance Officer to ensure the integrity of financial processes for activities in the North and East;
- Liaise with field staff from the North and East , review project requests for direct payment, monitor payment requests from the field and working with the PMU in Colombo, ensure timely and regular payments of monies;
- Assist the PM to ensure empowerment and capacity development of field project officers in the North and East on professional matters;
- Assist the PM to ensure the planning and supervision of regular risk analysis and monitoring activities in the North and East for maintenance of the project risk log frame and issues log frame;
- Share lessons learnt from other UNDP justice programmes and consolidate best practices;
- Provide progress updates on the specific key activities in the North and East, and support the PM and Public Outreach officer to prepare comprehensive donor reports on the project outcomes and achievements;
- Support the PM and UNDP Country Office to liaise with donors, provide briefings and build a community of donor support;
- Work with the PM and Public Outreach Officer to identify information and communication products that convey progress and impact and meet the information needs (i.e. sets of posters, brochures, newsletter, public outreach campaign, thematic documentaries, etc.);
- Work with the PM and Public Outreach Officer to design a dissemination strategy including potential target groups, various methods of delivery, timing, costing, and possible partnerships;
- Liaise with UNDP/BCPR to expand outreach, resource mobilization and timely reports to donors under the UNDP Global Rule of Law Programme through the PM and UNDP ARR.

## **Competencies**

### **Corporate Competencies:**

- Demonstrates integrity by modelling the UN's values and ethical standards;
- Promotes the vision, mission, and strategic goals of UNDP;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability;
- Treats all people fairly without favouritism.

### **Functional Competencies:**

- Technical and substantive capacity;
- Specialist knowledge in the area of access to justice and rule of law in conflict and post-conflict settings, at the national and community level;
- Knowledge of institutional capacity development, preferably within the judiciary;
- In-depth practical knowledge of inter-disciplinary development issues;
- Seeks and applies knowledge, information and best practices inside and outside of UNDP.

### **Management and Leadership**

- Ability to contribute to strategic planning, change processes, results-based management and reporting;
- Ability to support formulation, oversight of implementation, monitoring and evaluation of development projects;
- Builds strong relationships with clients, focuses on impact and result for the client and responds positively to feedback;
- Consistently approaches work with energy and a positive, constructive attitude;
- Demonstrates strong oral and written communication skills;
- Demonstrates openness to change and ability to manage complexities;
- Able to take direction and work well as part of a team;
- Supervisory skills which include being able to build confidence, lead effectively, mentor and also resolve conflicts.

### **Required Skills and Experience**

- Master's Degree in Law (strongly preferable), political science, international studies, development studies, public administration or any other related field;
- Minimum of five years of extensive work experience on access to justice and rule of law, including field experience with conflict/post-conflict settings;
- Experience with district and community-level access to justice engagements;
- Knowledge of UNDP programme/project management;
- Excellent communication skills in written and spoken English.

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