

SIGNATURE PAGE

Country: Georgia

UNDAF Outcome: Efficiency and accountability of governance structures at central and local levels strengthened, towards an inclusive and participatory decision-making process

Implementing partner: The Supreme Court

Programme Period: 2006-2010
Programme Component: 2.4 Justice and Human Rights
Project Title: Support to *Justice System*
Project ID: _____
Project Duration: 2 years, 2006 - 2008

Budget \$380 000
Total budget: \$380 000
Allocated resources:
• Government _____
• Regular \$100 000
• Other:
○ Donor _____
○ Donor _____
○ Donor _____
Unfunded budget: \$280 000

The Supreme Court

For United Nations Development Programme

Signature: _____

Signature: _____

Name: Konstantine Kublashvili

Name: Peter Van Ruyseveldt

Title: The Chairman of the Supreme Court

Title: UNDP Resident Representative a.i.

Date:

Date:

UNITED NATIONS DEVELOPMENT PROGRAMME

PROJECT DOCUMENT

Support to Justice System

PROJECT SUMMARY

Project Title:	Support to <i>Justice System</i>
Sector:	Democratic Governance
Total budget:	USD 380, 000
Duration:	Two years

Context: Judiciary reform in Georgia requires particular attention. The judiciary bodies need to enhance their efforts ensuring equal access to justice by all, including the protection of human rights, wide dissemination of information of procedures and decisions, increasing the transparency of legal processes, as well as unbiased interpretation of laws.

The new reform of the court system in Georgia started in 2005. The main objective of the reform is to enhance impartiality and independence of judiciary with qualified personnel. To support capacity building of judges high school of Justice was established. A significant step was made towards establishing the transparent relationship between the court and the society, by establishing the institute of **the Speaker Judge**. Similar practice has already been introduced in the western developed countries. Through the Speaker Judge the court conveys its position and final judgement to the society.

Objective and Activities: The overall goal of the project is to enhance the respect of the human rights and increase the access to justice for all including the vulnerable and marginalized groups, by educating both the right holders and the duty bearers. This will be done through capacity building of judges in fundamental human rights and proper interpretation of laws in cooperation with the High School of Justice. This institution is responsible for continuous training of the judiciary staff and judges. Enhanced transparency is of utmost importance for the judiciary reform process in Georgia. The project will therefore promote and support the new institution of the Speaker Judge, as well as will provide capacity building for members of the media. Similar practices have already been introduced in other countries.

This overall goal will be achieved through support to the court system, i.e. to the duty bearers and through competence building among the right holders. The above will be accomplished by:

- a. Capacity building of judges in human rights, through the newly established retraining system with a particular focus on Human Rights and access to justice by marginalized groups, and
- b. Increasing the transparency of the court system by supporting the newly established institute of the Speaker Judge and training of journalists on both human rights and functioning and activities of the court system.

1. Background

Since the Rose Revolution 2003, Georgia has been facing a number of challenges. The new Government came to power proclaiming its commitment to the development of democratic governance adhering to the principles of human rights. Georgia is bound by human rights obligations; the country has an obligation to respect human rights through its actions and to protect its population from abuses. However, it has still to go a long way for the fulfillment of its obligations under the international human rights treaties.

The new Government launched a massive reform program, aimed at improving governance, with the promotion and protection of the human as a top priority. Judiciary reform in Georgia is particularly important part of it. The judiciary bodies need to enhance their efforts for ensuring equal access to justice by all, including the protection of human rights, wide dissemination of information on procedures and decisions, increase in transparency of legal processes and, in establishing an unbiased interpretation of the laws. The Court system has a significant role to play for the protection of human rights through proper interpretation of legislation.

The judicial system reform was initiated in 2005, aimed at enhancing the independence of justice system. Its main objective is to enhance impartiality and independence of judiciary through increasing the qualification of the personnel. A democratic state requires an effective justice system, pre requisite for this is a well-educated judiciary. The strategy for reforming the court system thus focuses on enhancing the operational efficiency of the judiciary and developing human resource capacities within the courts.

The current lack of necessary resources and capacities within Georgian court system negatively impacts the abilities of judges to administer justice with full consideration and protection of human rights. To address it and to build the capacities of judges a High School of Justice was established. Additionally, significant step was made towards establishing a transparent relationship between the court and the society, by establishing the institute of the Speaker Judge. The Speaker Judge will convey the court's decisions and widely communicate it. A similar practice has already been introduced in some other countries.

Within this context, the provision of human rights education for both duty bearers and rights holders is of utmost importance. The key emphasis of the proposed project will be placed on capacity building of the judges and their training in international human rights documents and conventions. The media will also be involved as project beneficiaries and will be provided with human rights trainings and access to human rights knowledge. This will enhance the access to justice by marginalized and vulnerable groups such as Internally Displaced People (IDP-s) and minorities.

2. Goal and Objectives

The overall goal of the project is to enhance the respect of the human rights and increase the access to justice for all including the vulnerable and marginalized groups, by educating both the right holders and the duty bearers. This will be done through capacity building of judges in fundamental human rights and proper interpretation of laws in cooperation with the High School of Justice, the institution responsible for training of the judiciary staff and judges. Enhanced transparency is of utmost importance for the judiciary reform process in Georgia. The project will therefore promote and support the new institution of the Speaker Judge, as well as will provide capacity building for members of the media.

This overall goal will be achieved through support to the court system, i.e. the duty bearers as well as through competence building among the right holders. The above will be accomplished by:

- a) Capacity building of judges in human rights, through the newly established retraining system with a particular focus on Human Rights and access to justice by marginalized groups, and
- b) Increasing the transparency of the court system by supporting the newly established institute of the Speaker Judge and training of journalists on both human rights and functioning and activities of the court system.

3. Strategy

The project is in line with government priorities and the goals and objectives of the UNDAF and the UNDP Country Program. The project has been developed based on the request of the Supreme Court (repetition of government priorities). Its goals and objectives are in support of the UNDP Country Programme and in particular the United Nations Development Framework (UNDAF) Outcome II: Efficiency and accountability of governance structures at the central and local levels strengthened, towards an inclusive and participatory decision-making process. Therefore, it is also in support of the Millennium Development Goals by expanding the people's capabilities and protecting their rights and fundamental freedoms.

The project will support the Supreme Court and the High School of Justice by raising capacity of judges and increasing transparency and accountability of the Justice System.

The project will utilize the in-house expertise of the Ministry of the Supreme Court and High School of Justice and the national consultancy available on the local market as much as possible. However, for the fields where such expertise is lacking or absent, the project will apply international expertise, preferably from countries, which have a similar past and have recently overcome transitional difficulties.

4. Objectives and Activities

Objective 1. Support capacity building of judges, through the newly established retraining system with a particular focus on Human Rights and access to justice by marginalized groups

Output 1.1 Capacity of judges enhanced in human rights and in interpretation of current legislation

The following activities will be implemented with available resources:

Activity 1.1.1 Design and conduct trainings of judges in human rights, criminal procedure code and civil code;

Activity 1.1.2. Arrange and conduct training for judges in the regions

Activity 1.1.2. Conduct thematic seminars on human rights, possible topics of the seminars to be as follow: a) Gender based discrimination, b) Children's rights, c) Women's rights, e) Rights of religious and ethnic minorities, f) Rights of IDP-s and refugees, g) Constitutional guarantees of human rights and freedoms and other

Resource mobilization will enable implementation of the rest of the activities described below:

Activity 1.1.3. Provide library support to and equip the High School of Justice with relevant human rights documents and office equipment; produce training material on human rights to be used for in-house training purposes.

Activity 1.1.4. Exchange information with other academic institutions focusing on education of judges and, introduce new concepts and approaches that may positively influence attitudes of judges; organize Study Tour of judges to the European Court of Human Rights.

Activity 1.1.5. Conduct capacity needs assessment of both the claim holders and the duty bearers to address the needs.

Objective 2. Increase transparency of the court system by supporting the newly established institute of the Speaker Judge and training of journalists on both human rights and functioning and activities of the court system

Output 2.1 . Capacity of the Speaker Judges enhanced

The following activities will be implemented with available resources:

Activity 2.1.1 Activity 2.1. Design and conduct regular trainings - of Speaker judges on communication skills and human rights to facilitate public access to information.

Activity 2.1.2. Organize public outreach programs (TV and Radio) informing people on the rules and procedures of the court

Output 2.2. Transparency of the court system increased

Activity 2.2.1. Conduct trainings of journalists on both international human rights documents and functions of the court.

Activity 2.2.2. Prepare publications/ annual reports/ newsletters on the performance of the courts.

Resource mobilization will enable implementation of the rest of the activities described below:

Activity 2.2.3. Conduct Surveys and Studies on assessing the court system as a main forum for protecting the rights of the people.

5. Expected Results and Major Stakeholders

Following results are expected from the project:

- Capacity of Judiciary developed in human rights;
- Public Awareness and relationship between the court and the media increased

Major stakeholders for the project will be, but not limited to:

- Supreme Court;
- High School of Justice
- Mass Media;
- International development agencies and bilateral donors

6. Management Arrangement

The Supreme Court will be an implementing partner for this project. It will designate the National Project Director who will be liaising person between the Supreme Court and the UNDP. UNDP will recruit a project manager through transparent and competitive process. He/She will be responsible for day-to-day management of the project with an assistance of small group of a project support if required.

The project Executive Board composed of at least the representatives of the Supreme Court and the High School of Justice and UNDP will be established to direct the project through providing overall oversight and guidance to the project and making decisions at key decision-making points of the project. UNDP will assign its staff to provide project assurance, including Quality Assurance and Quality Control. In addition, the project will establish an interest/stakeholder advisory group who will periodically provide its technical feedback to the project. Project consultants with overall coordination of the project manager will deliver the work package through provision of experts' products (technical/task reports).

In the inception phase of the project the project manager will develop detailed work plans, including financial work plan and monitoring and evaluation plan with relevant benchmarks and indicators. In addition, She/He will provide brief monthly progress reports to UNDP and more detailed quarterly reports to UNDP and Project Executive Board. The manager will organize and coordinate final review of project outcomes by the Project Executive Board and in cooperation with UNDP Country Office will prepare final project review and project completion report, including lessons learned.

7. Monitoring, Reporting and Audit

During the project inception phase the project manager will develop a detailed work plan including monitoring and evaluation mechanisms as well as financial work plan monthly cash flow projections. She/he will provide brief monthly progress reports to UNDP and more detailed quarterly reports to UNDP and Project Executive Board. The manager will organize and coordinate the final review of the project outcomes by the Project Executive Board and, in cooperation with UNDP Country Office, prepare a final project review and project completion reports, including lessons learned.

Project consultants will, in agreement with and under the overall coordination of the project manager, deliver task reports.

The UNDP relevant staff will conduct substantive monitoring of the project against defined benchmarks and indicators and financial work plan.

The project will undergo annual audit by a certified auditor according to UNDP rules and regulations.

8. Legal Context

This Project Document shall be the instrument referred to as such in Article I of the Standard Basic Assistance Agreement between the Government of Georgia and the United Nations Development Programme, signed by the parties on 1 July 1994. The host country implementing-agency shall, for the purpose of the Standard Basic Assistance Agreement, refer to the government co-operating agency described in that Agreement.

The UNDP Resident Representative is authorized to effect in writing the following types of revisions to this

Project Document, provided that he/she is assured that the other signatories to the Project Document have no objection to the proposed changes:

- a) Revision of, or addition to, any of the annexes to the Project Document;
- b) Revisions which do not involve significant changes in the immediate objectives, outputs or activities of the project, but are caused by the re-arrangement of the inputs already agreed to or by cost increases due to inflation;
- c) Mandatory annual revisions which re-phase the delivery of agreed project inputs or increased expert or other costs due to inflation or take into account agency expenditure flexibility; and
- d) Inclusion of additional annexes and attachments only as set out here in this Project Document.

9. Budget

The total budget for the project is estimated at USD 380,000. Out of which UNDP allocates USD 100,000 to the project. The rest of the budget, USD 280,000, is requested from the UNDEF.

The project will cover a period from June 2006 through June 2008.

Expenses	Unit price in USD	Unit	Total
Training for Judges			
Training for Judges	\$ 4,000	9.0	\$ 36,000
Miscellaneous	\$ 5,613	1.0	\$ 5,613
Sub Total- Training for Judges			\$ 41,613
PR Component			
Training for Journalists	\$ 4,000	2.0	\$ 8,000
Training for Speaker-Judge	\$ 4,000	1.0	\$ 4,000
PSA	\$ 2,000	1.0	\$ 2,000
Sub total- PR Component			\$ 14,000
Operation Costs			
Office supplies	\$ 200	6.0	\$ 1,200
Communication, Mobile, Internet	\$ 100	6.0	\$ 600
Equipment	\$ 10,000	1.0	\$ 10,000
Sub total- Operation Costs			\$ 11,800
Personnel			
Project Associate /Coordinator (G7)	\$ 1,040	6.0	\$ 6,239
PR Expert/Newsletter Editor (NOA)	\$ 1,170	6.0	\$ 7,018
Local Experts	\$ 4,050	3.0	\$ 12,150
Sub total - Personnel			\$ 25,407
Travel Costs			
DSA for Local Experts	\$ 1,200	2.0	\$ 2,400
DSA for Seminar Participants	\$ 189.00	20.0	\$ 3,780
Sub total - Travel Costs			\$ 6,180.00
Audit			
Audit	\$ 1,000	1.0	\$ 1,000
Sub total - Audit			\$ 1,000.00
TOTAL PROJECT BUDGET			\$ 100,000