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PROJECT DOCUMENT

Georgia

Project Title: Enhanced Mediation and Arbitration for Fairer and Faster Commercial Dispute Resolutions

Project Number: 00102189 (output 00104336)

Implementing Partner: UNDP

Start Date: 1 January 2019 **End Date:** 31 December 2020 **PAC Meeting date:** 27 Dec 2018

Brief Description

Extreme poverty remains one of the crucial challenges for Georgia. According to the National Statistics Office of Georgia, in 2017, 21.9% of the country's population lived below the absolute poverty line. Accordingly, support for economic growth has emerged as a crucial issue for Georgia's international partners, including for the European Union. Improvement of Georgia's business and investment environment has been defined as one of the key priorities of the EU-Georgia Association Agenda. Considering that slow and flawed delivery of justice has often been described as the major obstacle for investing and developing business operations in the country, the Association Agenda confirmed the need to develop Alternative Dispute Resolution (ADR) mechanisms (mediation, arbitration) in the context of facilitating economic development through a better legal system.

The present project aims to contribute to the overall objective of the EU Action Document for Economic and Business Development in Georgia, which is to foster social and economic development in Georgia including its regions through making dispute resolution faster and fairer for businesses. In particular, the project is expected to deliver the following outputs: 1. Enhanced use and quality of arbitration and mediation through strengthening relevant institutions; 2. Enhanced capacity and qualification of mediators, arbitrators, legal professionals and judiciary to promote consistent, efficient and fast resolution of commercial disputes.

The project contributes to:

UNPSD 2016-2020 Outcome 1/CPD 2016-2020 Outcome 1:

By 2020, expectations of citizens of Georgia for voice, rule of law, public sector reforms, and accountability are met by stronger systems of democratic governance at all levels;

CPD 2016-2020 Output 1.2. By 2020, government improves protection and enjoyment of human rights and gender equality, especially among minority and vulnerable groups.

UNDP Strategic Plan 2018-2021: Outcome 2. Accelerate structural transformations for sustainable development/
Output 2.2.3 Capacities, functions and financing of rule of law and national human rights institutions and systems strengthened to expand access to justice and combat discrimination, with a focus on women and other marginalised groups.

Indicative Output with gender marker:

Output 00104336: **GEN2** (Gender equality as a significant objective)

Total resources required:	USD 967,007.96
Total resources allocated:	USD 967,007.96
UNDP TRAC:	USD 56,882.82 (equiv. of EUR50,000 per UNXRATE for Dec2019=XXX)
EU:	USD 910,125.14 (equiv. of EUR 800,000 per UNXRATE for Dec2019=XXX)
Government:	-
In-Kind:	-
Unfunded:	-

Agreed by:

UNDP:
Munkhtuya Altangerel Resident Representative a.i.
Date:

List of Abbreviations

AP	Action Plan
ADR	Alternative Dispute Resolution
AIG	Arbitration Initiative Georgia
CSO	Civil Society Organization
DCFTA	Deep and Comprehensive Free Trade Agreement
EU	European Union
EWMI	East-West Management Institute
GAA	Georgian Association of Arbitrators
GIAC	Georgian International Arbitration Centre
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH
GBA	Georgian Bar Association
HEI	High Educational Institutions
HCOJ	High Council of Justice
HSOJ	High School of Justice
MoJ	Ministry of Justice
NCADR	National Centre for ADR (at the Tbilisi State University)
NHRS	National Human Rights Strategy
NGO	Non-Governmental Organisation
SME	Small and Medium-sized Enterprises
SDGs	Sustainable Development Goals
UN	United Nations
UNDP	United Nations Development Programme
UNDP CPD	UNDP Country Programme Document for Georgia (2016-2020)
UNCITRAL	United Nations Commission on International Trade Law
USAID	United States Agency for International Development

CONTENTS

Contents.....	3
I. The Development Challenge	4
1.1. The Development Challenge	4
1.2. Background and Policy Framework	4
1.3. The EU and ADRs	6
1.4. ADRs and Sustainable Development Goals.....	7
1.5. Gender Mainstreaming.....	7
II. Project Strategy	8
III. Results and Partnerships	11
3.1. Expected Results	11
3.2. Resources Required to Achieve the Expected Results	14
3.4. Risks Analysis	17
3.5. Knowledge	18
3.6. Sustainability and Scaling Up	19
IV. Project Management.....	21
4.1. Cost Efficiency and Effectiveness	21
V. Results Framework.....	22
VI. Monitoring And Evaluation.....	25
VII. Multi-Year Work Plan	27
VIII. Governance and Management Arrangements	30
IX. Legal Context.....	32
X. Risk Management.....	33

Annexes:

Annex 1/ Budget

Annex 2/ Visibility Plan

Annex 3/ SESP

Annex 4/ Quality Assessment

1.1. The Development Challenge

Georgia is a lower-middle-income country of 3.7 million¹ in 2018, 1.1 million² of which live in the capital Tbilisi. While the country has benefited from improving social and economic development indicators in recent years,³ still, extreme poverty remained one of the crucial challenges for the country. According to the National Statistics Office of Georgia, in 2017, 21.9% of the country's population lived below the absolute poverty line.⁴ UNICEF survey⁵ revealed that over the last two years, the share of households and population below the relative poverty line increased from 20.7% to 22.5% and from 23.1% to 24.8%, respectively. The percentage of children living in poor households has also increased from 26.8% to 31.6%. While the unemployment stood at 13.9%⁶, still, more than half of the working population continued to be self-employed in agriculture and subsistence farming.

Country's fragile economy, with small market, heavily depends on imports and external financial factors and has untapped export potential. Small and medium-sized enterprises (SMEs), including co-operatives, represent 94% of the active business population, but their contribution to GDP remains low at about 15% and their performance weak due to their concentration in low value-added activities, e.g. sectors that do not require upfront investment and skilled labour.⁷ General business enabling environment has been significantly improved over the last decade, yet, structural constraints continued to persist in the business operational and financial environment, making it difficult for businesses to scale up. Among other factors, slow and flawed delivery of justice has often been described as the major obstacle for investing in and developing business operations in the country. With this picture in mind, for businesses accessing justice in adequate and cost-efficient manner still remains a challenge. The court proceedings are lengthy and not always business-oriented. This in itself means that in circumstances when the court is overwhelmed with the cases, properly functioning ADR system has a great potential to contribute to unburdening the court and providing necessary timely dispute resolution for businesses.

According to the UNDP Country Programme Document for Georgia (UNDP CPD 2016-2020) "Major challenges remain in achieving sustainable, inclusive economic growth and an accountable government ensuring full rights protection and democratic participation. The political and economic situation in the region may drive instability and create an economic crisis that could jeopardize the development and democratic gains of the last decade."⁸

1.2. Background and Policy Framework

Support for economic growth has emerged as a crucial issue for Georgia's international partners, including for the European Union. Demand for economic growth has also been reinforced by the **Deep and Comprehensive Free Trade Agreement**, which aims at facilitating Georgia's economic integration, domestically and internationally.

Improvement of Georgia's business and investment environment has been defined as one of the key priorities of the revised **EU-Georgia Association Agenda (Association Agenda)**. In the context of facilitating economic development through a better legal system, the Association Agenda confirms the need to develop ADRs (mediation, arbitration) and sets introduction of "fair and efficient, and more widely used, alternative means of dispute settlement" as a matter of short-term priority.⁹ In addition, Single Support Framework for EU support to Georgia 2017-2020 explicitly refers to mediation and arbitration as indicators for broader access to justice for vulnerable categories of population.¹⁰

In order to respond to the existing needs, EU Programme "**Economic and Business Development in Georgia**" defines fostering socio-economic development in Georgia and its regions as its major objective with the specific objectives to make litigations faster and fairer for business, to modernise the financial infrastructure and to promote market-oriented and innovative business models for job creation.

The programme is structured in three inter-related thematic components:

¹ Information by Geostat (2018), available at <http://www.geostat.ge/>, last accessed on 10 August 2018.

² Ibid.

³ For instance, according to GeoStat, per-capita gross domestic product has increased from \$2,613 in 2010 to \$ 4067.7 in 2017

⁴ Information available at the website of the National Statistics Office of Georgia (GeoStat), Living Conditions, http://www.geostat.ge/index.php?action=page&p_id=188&lang=eng, last accessed on 10 August, 2018

⁵ p. 11, Summary of Welfare Monitoring Survey 2017, available at http://unicef.ge/uploads/WMS_brochure_unicef_eng_web.pdf

⁶ Information available at the website of GeoStat, http://www.geostat.ge/index.php?action=page&p_id=146&lang=eng, last accessed on 16 August, 2018

⁷ p. 4, *Action Document for Economic and Business Development in Georgia, Annex I of the Commission Implementing Decision on the Annual Action Programme 2017 in favour of Georgia*.

⁸ p. 2, Country programme document for Georgia (2016-2020), DP/DCP/GEO/3, 27 June 2015

⁹ Association Agenda between the European Union and Georgia, 2017-2020, p. 15, accessible at https://eeas.europa.eu/sites/eeas/files/annex_ii_-_eu-georgia_association_agenda_text.pdf, last accessed 10 August, 2018

¹⁰ Accessible at https://eeas.europa.eu/sites/eeas/files/georgia_2017-2020_ssf_final.pdf.

- (1) Fairer and faster litigations in commercial matters,
- (2) Modernised financial infrastructure,
- (3) Greater business sophistication.

According to the Programme document, a part of this action may be implemented in indirect management with UNDP.¹¹ This implementation entails support in achieving the major objectives of Component 1, i.e. ensuring fairer and faster litigations for businesses through streamlining judicial proceedings, and specifically through training of lawyers for commercial disputes and monitoring of court proceedings in business cases (Result R.1.1.1.1.) and enhancing the use and quality of **arbitration** and **mediation** (Result R.1.1.2.).

Mediation and arbitration have different paths of development in Georgia. While arbitration was first introduced in 1997, in-court mediation is relatively new. In particular, in-court **mediation** was first introduced in Civil Procedure Code of Georgia in December 2011; however, its use is still limited to Tbilisi. Previously volunteer-based Gori mediation centre is no longer functioning. According to the court statistics, from the end of 2013 until October 2018 146 cases have been referred to in-court mediation, out of which 60% have been successful and parties managed to reach an agreement. In 2016 awareness on mediation was quite low - only 14% of the Georgian population have heard of it. The numbers of those having heard of mediation are similar in all genders and age categories.¹² Despite the campaign held by EU-UNDP joint initiative, there is still a need to raise awareness on mediation.¹³ However, if compared to the previous year, the number of cases sent to in-court mediation has been doubled in 2017 and amounted to 51 cases. In 2017, mediation was most frequently sought in contractual disputes (58.8%), family disputes (19.6%), followed by property disputes (15.68%), inheritance related (3.92%) and labour disputes (1.96%).

To further exploit potential of mediation, a draft law on Mediation has been developed under the leadership of the UNDP team in the framework of the ongoing joint project "Enhancing Access to Justice and Development of a Child-friendly Justice System in Georgia" and with the involvement of various stakeholders. The draft law is being finalised by the Ministry of Justice. It further regulates in-court mediation, introduces general rules for out-of-court mediation, sets statutory framework for application of code of ethics and minimum standards for mediators' qualification. According to the draft, the in-court mediation is mandatory for several specific types of disputes, while the out-of-court mediation could be used on a fully contractual basis.

Arbitration in Georgia is available since 1997. In 2009 a new Law of Georgia on Arbitration was adopted that reformed legal framework on arbitration in line with UNCITRAL Model Law on International Commercial Arbitration. The new legislation did not result in increased use of and trust in arbitration despite preliminary expectations, as arbitration process was not less expensive than judicial proceedings, and arbitration was mainly executed by profit-oriented organizations unlike the best practices of the western countries. In 2013 the Georgian Association of Arbitrators (GAA), a non-profit, non-governmental professional membership association, was established to provide a professional framework for arbitrators and advance the practice of arbitration in Georgia. The current executive board of the GAA is 78% male (7 out of 9 members).¹⁴ In the same year, the Georgian Chamber of Commerce and Industry has established Georgian International Arbitration Centre (GIAC) to promote business-to-business arbitration. The idea was strongly supported by the Ministry of Economy and Sustainable Development and the Ministry of Justice. Although the GIAC is a relatively new institution it seems to be self-sustainable with strong commitments and support from both the Government and business. At GIAC, out of 59 registered Arbitrators, 39 (67%) are men and 19 (33%) are women.¹⁵ Further strengthening of GAA and GIAC will promote fast, equitable, fair and efficient dispute resolution for businesses, including disputes between government and business in Georgia. It is noteworthy, that the Ministry of Justice strives at establishing Georgia as a regional hub for arbitration.

The recent survey "Legal and Practical Aspects of Arbitration in Georgia"¹⁶ conducted by UNDP in the framework of the ongoing EU funded joint project has revealed that development of arbitration is mainly hindered due to the lack of trust. The survey further identified the key factors behind that, namely, low qualification of arbitrators, lack of ethical standards in arbitration and lack of transparency with respect to the information related to arbitration

¹¹ In accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012.

¹² Human Rights and Access to Justice in Georgia: Public Perceptions and Awareness. 2017, accessible at: http://www.ge.undp.org/content/georgia/en/home/library/democratic_governance/human_rights_survey_2017.html.

¹³ Human Rights and Access to Justice in Georgia: Public Perceptions and Awareness. 2017, accessible at: http://www.ge.undp.org/content/georgia/en/home/library/democratic_governance/human_rights_survey_2017.html.

¹⁴ http://www.gaa.ge/about_us/index.php?step=2&lang=en

¹⁵ <http://giac.ge/arbitrators/>

¹⁶ The survey "Legal and Practical Aspects of Arbitration in Georgia" is available at the website of UNDP Georgia at http://www.ge.undp.org/content/georgia/en/home/library/democratic_governance/legal-and-practical-aspects-of-arbitration-in-georgia-2018.html (last accessed 22.03.2018).

institutions and arbitrators, close affiliation of arbitration with financial institutions, uninformed engagement of natural persons in arbitration. It is noteworthy that awareness on arbitration is also low – only 29% of those surveyed were aware of it.¹⁷

The importance of ADR mechanisms is further recognized by the first ever comprehensive Judicial Strategy 2017-2021 and Action Plan, which set the development of ADRs as one of the major objectives of the judicial reform. According to the strategy, development of ADRs (in particular, mediation and arbitration) will improve access to justice, save time and expenditure of the courts and complainants, reduce excessive workload of judges and increase satisfaction rates with the judicial system. For achieving these goals, the Strategy among other activities outlines the following steps:

1. Creation of mediation centres in the large common courts;
2. Elaboration of in-court mediation development programmes (in accordance with the amendments to the Civil Procedural Code);
3. Promotion of development of alternative dispute resolution mechanisms (Mediation, Arbitration);

The Action Plan sets indicators and outlines specific programmes, activities and responsible institutions for the development of ADRs.¹⁸ In accordance with the commitment taken by the Action Plan, the High Council of Justice (HCOJ) committed to extend mediation in Rustavi and Gori during 2018.

1.3. The EU and ADRs

ADR schemes are known as out-of-court mechanisms, which have been developed across Europe to help citizens to resolve their dispute in a timely and cost-efficient manner. ADR schemes, and in particular mediation help contesting parties to reach an amicable settlement by means of referring their dispute to a neutral third party, most commonly, mediators. While in case of arbitration, the parties refer their dispute to a neutral arbitrator(s) to decide the case. The advantages of ADR schemes are that they are more flexible, cheaper, quicker and more informal than litigation in court, and by means of ADR schemes the needs of both parties could be met better.¹⁹

In Europe some of the ADR mechanisms have been used already in ancient times. While for some European countries they are a novelty. The diverse levels of country development, culture and traditions, politics, the economy and other factors have determined that ADR schemes have evolved differently in each of the EU Member States.²⁰

However, in order to create a predictable legal framework across Europe, the European Parliament and the Council have introduced several legally binding documents, including:

- Directive 2008/52/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 21 May 2008 on certain aspects of mediation in civil and commercial matters;²¹
- DIRECTIVE 2013/11/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR)²²
- REGULATION (EU) No 524/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Regulation on consumer ODR)²³

The European Union views ADR mechanisms in the context of guaranteeing access to justice for the EU citizens in civil and commercial matters. Under the EU directives, access to justice encompasses access not only to judicial, but also to extra-judicial dispute resolution mechanisms.²⁴

According to the Directive 2008/52/EC of the European Parliament and of the Council on certain aspects of mediation in civil and commercial matters (as of 21 May 2008), "the principle of access to justice is fundamental and,

¹⁷ Human Rights and Access to Justice in Georgia: Public Perceptions and Awareness. 2017.

¹⁸ See Judicial Strategy for 2017-2021 and Action Plan for Judicial Strategy, Justice and Law, #2(54)'17, pp. 5-90, available at <http://www.supremecourt.ge/files/upload-file/pdf/martlmsajuieba-da-kanoni-2017w-n2.pdf>.

¹⁹ L. F. Knudsen, S. Balina, "Alternative Dispute Resolution Systems across the European Union, Iceland and Norway", *Procedia - Social and Behavioral Sciences*, Volume 109, 8 January 2014, Pages 944-948, accessible at <https://www.sciencedirect.com/science/article/pii/S1877042813052087#bbib0015>

²⁰ *Ibid*

²¹ available at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008L0052&from=en>

²² available at <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013L0011&qid=1422006934334&from=EN>

²³ Available at <https://eur-lex.europa.eu/legal-content/en/TXT/PDF/?uri=CELEX:32013R0524>

²⁴ Directive 2008/52/EC, 21 May, 2008, para.5.

with a view to facilitating better access to justice, the European Council . . . called for alternative, extra-judicial procedures to be created by the Member States."²⁵

Availability of alternative dispute resolution services helps development of internal European market that involves cross-border elements. Taking into account that the mediation offers more cost-effective and quick extra-judicial resolution of disputes that are more likely to preserve sustainable relationship between the parties, compared to the contesting nature of the judicial proceedings, the EU encourages its member states to develop ADR mechanisms not only for the situations involving cross-border elements, but internally. On the other hand, arbitration allows for more flexibility and predictability in cross-border transactions, which eases the hassle related to litigation and shortens the lengthy proceedings in court.

1.4. ADRs and Sustainable Development Goals

Development of alternative dispute resolution mechanisms in Georgia for fairer and faster litigation in commercial disputes corresponds closely and leads to achievement of the Sustainable Development Goals (SDGs), in particular SDG 16, under which the member states of the United Nations agreed to "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels."²⁶

UNDP shares the position of the EU and views development of ADR mechanisms in the wider context of ensuring access to justice that is cheaper, prompt and more accessible in civil and commercial disputes compared to judicial remedies, the expensiveness and protracted nature of which could sometimes discourage parties from referring their case to courts. Lengthy delays in processing legal cases at courts negatively affects individual economic activity, while the lack of trust in judicial institutions could seriously hamper small and medium size business development that needs strong safeguards and legal certainty for its effective operation.

Accordingly, access to justice (which encompasses ADRs), while being a central element of SDG 16, is crucial to implementing some other SDGs, *inter alia*, on eradicating poverty (SDG 1)²⁷, SDG 5 on achieving gender equality and empowering all women and girls, and SDG 8 on promoting sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.

1.5. Gender Mainstreaming

Access to justice translates legal guarantees of gender equality into real improvements in the everyday lives of women by empowering them to protect themselves, share in benefits from economic activities, accessing inheritance or property upon divorce, etc.²⁸ Though the project's main focus is on commercial disputes, the project will use its best efforts, to the extent possible allowed by the nature of the activities, to incorporate the empowerment of women into these activities.

To this end, the project team, within the scope of planned activities, where applicable will:

- Take into account specific needs of women; ensure that they are given due consideration and are adequately reflected in all policy documents elaborated in the framework of the project,
- Ensure equal representation of women and men in all training programmers and when additional positive measures are required, give priority to women with special needs,
- Ensure close co-ordination and collaboration with other UNDP and donor activities related to specific aspects of women's empowerment and gender issues.

²⁵ Accessible at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008L0052&from=en>

²⁶ <https://sustainabledevelopment.un.org/sdgs>

²⁷ Leveraging the SDGs for Inclusive Growth: Delivering Access to Justice For All, OECD & Open Society Foundations, 2016, p.3, accessible at <https://www.oecd.org/gov/delivering-access-to-justice-for-all.pdf>

²⁸ Leveraging the SDGs for Inclusive Growth: Delivering Access to Justice For All, OECD & Open Society Foundations, 2016, p.4, accessible at <https://www.oecd.org/gov/delivering-access-to-justice-for-all.pdf>

Access to justice is integral to achieving the SDGs and inclusive growth in many ways. Ineffectively functioning judicial system affects not only poor and marginalized members of the society by excluding them from the protection of the law but hampers economic growth. Business are often overlooked from the access to justice lens, however, in building a strong economy free flow of capital, which is usually one of the results of efficient justice system, greatly contributes to better economic environment in the country. Lengthy delays in processing legal cases typically inhibit individual economic activity, while the inability to enforce contracts deters people from entering into them.²⁹ The rationale of the project is that well-functioning and trusted ADRs play a crucial role in efficiency of justice systems and contribute to ensuring access to justice for all.

The EU also views development of alternative methods of settling disputes under civil and commercial law as an essential step towards simplifying and improving access to justice.³⁰ The project aims to contribute to the overall objective of the **EU Action Document for Economic and Business Development in Georgia**³¹, which is to foster social-economic development in Georgia and its regions through making dispute resolution faster and fairer for businesses and by modernising the financial infrastructure and promoting market-oriented and innovative business models for job creation.

The project document builds upon a theory of change reflected in the UNDP CPD that views the sustainable human and economic development of Georgia “as a reflection of the degree to which people are empowered to participate in pluralistic decision-making through strong institutions, balance of power, and the rule of law, free from discrimination and with equal opportunity to contribute to, and share in, sustainable economic growth.”³² Further, it corresponds to the UNDAF Outcome 1, according to which “[b]y 2020, expectations of citizens of Georgia for voice, rule of law, public sector reforms, and accountability are met by stronger systems of democratic governance at all levels.”³³

Hence, the intended **outcome** of the project, will contribute to the social-economic development of Georgia by **promoting fairer and faster commercial dispute resolution through effectively functioning alternative dispute resolution system.**

The present project proposal is built upon progress achieved in the course of implementation of the EU-UNDP joint programme “Enhancing Access to Justice and Development of a Child-Friendly Justice System in Georgia” (01/01/2016 – 31/12/2018) (Joint Programme). This Joint Programme, among other activities, supported development of state-funded free legal aid, legal services, arbitration, and mediation. In the framework of the programme important steps were undertaken to enhance the capacity of the Legal Aid Service (LAS) through introduction of modern management tools, as well as strengthening institutional capacities of Georgian Bar Association (GBA) and its Training Centre. The programme was the major instrument supporting development of mediation and arbitration in Georgia; some key results achieved include elaboration of the draft Law on Mediation, increasing the pool of qualified mediators and institutional strengthening of GAA. Knowledge building on mediation and arbitration among professionals, judiciary and academia was also an important project output. In particular, the project has delivered the following important changes:

- The Draft Law on Mediation was finalized by the Ministry of Justice (MoJ) and is pending for submission to the Parliament of Georgia
- The demand for mediation increased to a degree that the caseload could not be handled by existing mediators. 145 cases were reviewed by mediators out of which 60% were settled
- Upon the request of the Tbilisi City Court, 23 new mediators were trained by the Georgian trainers’ team based on a specifically developed 56-hour training module that was shared with all interested parties for use in future

²⁹ Leveraging the SDGs for Inclusive Growth: Delivering Access to Justice For All, OECD & Open Society Foundations, 2016, p.2, accessible at <https://www.oecd.org/gov/delivering-access-to-justice-for-all.pdf>

³⁰ DIRECTIVE 2008/52/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 21 May 2008 on certain aspects of mediation in civil and commercial matters, accessible at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008L0052&from=en>

³¹ EU Action Document for Economic and Business Development in Georgia, constitutes the work programme for grants in the sense of Article 128(1) of the Financial Regulation (Regulation (EU, Euratom) No 966/2012) in section 5.4.1 concerning calls for proposals

³² Country programme document for Georgia (2016-2020), Executive Board of the United Nations Development Programme, the United Nations Population Fund and the United Nations Office for Project Services, DP/DCP/GEO/3, Distr.: General, 27 June, 2015, accessible at http://www.ge.undp.org/content/dam/georgia/docs/strategicdocs/UNDP_GE_CPD_2016-2020.pdf

³³ United Nations Partnership for Sustainable Development Georgia (2016-2020), accessible at http://www.ge.undp.org/content/georgia/en/home/operations/legal_framework/1_jcr_content:centerparsys/download_1/file.res/UNDP_GE_UNPS_D_2016-2020.pdf

- Awareness on mediation improved through targeted activities for lawyers, students, academia and general public. In addition, work on the development of a mediation communication strategy for judiciary was launched
- Mediation extended in Rustavi and Gori
- The capacity of the GAA improved through joint efforts of the programme and the newly elected GAA Board, including through work towards a more effective use of the Code of Ethics for Arbitrators;
- Guides on Arbitration for Judges of First Instance Courts and Court of Appeals were developed which serve as a practical tool for judges while hearing arbitration related matters, the Guide was endorsed by HCoJ and used as training material for judges by the HSoJ;
- The knowledge on mediation and arbitration among legal professionals was strengthened through the training of 918 persons - including 35 representatives of the judiciary, 875 GBA lawyers [438 female/437 male], 20 representatives of higher education institutions and 20 law school students [14 female/6 male];
- Two major international conferences - GIAC Arbitration Days in Tbilisi (three times) and Tbilisi Mediation Days (twice) - were conducted with the participation of legal professionals from over 10 countries.³⁴

Capitalizing on the success of the ongoing joint programme, the project is expected to deliver the following **outputs**:

1. Enhanced use and quality of arbitration and mediation through strengthening relevant institutions
2. Enhanced capacity and qualification of mediators, arbitrators, legal professionals and judiciary to promote consistent, efficient and fast resolution of commercial disputes

To achieve the results of the project, UNDP shall use the following general approach:

- **creation of enabling environment** for adoption and effective implementation of the legislative framework on alternative dispute resolution mechanisms (adoption of the draft Law on Mediation, rules and procedures for reimbursement of mediation costs, code of ethics for mediators and support the enforcement of code of ethics for arbitrators);
- **advocacy** for promoting use of ADRs and creation of relevant policy and regulatory framework;
- **capacity development** of relevant institutions, including associations of mediators and arbitrators, arbitration institutions, judiciary, lawyers;
- **knowledge building** among professionals and awareness raising among major stakeholders and general public.

Specific activities will be implemented by in-house and short-term experts of the project.

In addition to ensuring that the project is executed in full conformity with the international and regional human rights standards, the project will actively promote **human rights** as a cross-cutting approach as well as undertake all efforts to support state capacity to deliver on the National Human Rights Strategy (NHRS) and its Action Plan (AP). Namely, it will enable the Government of Georgia to commit itself to use human rights-based approaches in the formulation, implementation, monitoring and assessment of its various policies and programs. The Government recognized that “the application of such an approach not only demands the active participation of citizens in the decision-making processes that are going to affect them most, but also serves to ensure that all elected officials and public servants (at all levels of government), administer their legally prescribed human rights duties and obligations, thus ensuring the operation of an overall more transparent and accountable state administration system.” Accordingly, within the project, the capacity building of stakeholders as well as planning, policy and legal framework development will address the cross-cutting themes of human rights including with an emphasis on gender equality.

The project shall seek partnership with all international players in Georgia that work in the same field to achieve synergies in activities and ensure cost-efficient activities.

It is also noteworthy that the project shall be in line with all state policy documents related to dispute resolution and economic development to ensure sustainability of project outcomes. During implementation major partners shall be HCoJ, MoJ, the Parliament, Judiciary, Association of Mediators and Association of Arbitrators. Ensuring ownership of national partners over the project outcomes shall be the major focus. In addition, the project shall seek phasing-out activities for further sustainability of project outcomes.

Main stakeholders of activities of the Project will be MoJ, Judiciary, Association of Mediators, GAA, GIAC, High Education Institutions, including National Centre for ADR (NCADR) at the Tbilisi State University, Arbitration Initiative Georgia (AIG), out-of-court mediation centres, education institutions, and CSOs working on/with ADRs, Judiciary, HSoJ, HCoJ, GBA as well as the CSOs working on promoting legal profession.

³⁴ as of 1 November 2018.

Main beneficiaries will be mediators, arbitrators, judiciary; Association of Mediators, GAA, legal professionals including lawyers and law students, judges and court staff, SMEs, general public.

3.1. Expected Results

The project, built on Joint Programme, will deliver the following results under each of the output:

Output 1 - Enhanced use and quality of arbitration and mediation through strengthening capacities of relevant institutions

Expected results under this output will be the following:

Result 1.1. Effective implementation of the Laws on Mediation and Arbitration

Result 1.2. Developed capacity of Mediation and Arbitration Institutions

Result 1.3. Increased use of arbitration and mediation, including in-court and out-of-court mediation.

Activities under this component will concentrate on work on policy and institutional levels. This will include:

Activity 1.1. Support effective implementation of the Laws on Mediation and Arbitration

To further exploit the potential of ADRs, a new draft Law on Mediation has been drafted under the direct leadership of the Joint Programme team and participation of different stakeholders. The draft law is now being finalised by the MoJ and is expected to be adopted by the Parliament of Georgia in 2018. The draft law further regulates in-court mediation and introduces general rules for an out-of-court mediation, sets statutory framework for application of code of ethics and minimum standards for mediators' qualification. Under this component, the project will carry out advocacy work with partner organizations to support the process of adoption of the draft Law on Mediation. The primary focus will be made on ensuring sufficient financial support to implementation of the Law. The project will further support elaboration and enactment of the gender-sensitive follow-up regulations, including regulations for reimbursement of mediation costs, Code of Ethics for mediators, rules of regulation of the Association, general rules for operation of mediation centres in courts, accreditation of mediators' courses, etc.

While Law on Arbitration was adopted in 2009 and brought in more compliance with international best practices with amendments of 2015, its implementation and more often, consistent interpretation still remains a challenge. Under this project activity, the Project will support further implementation of Law on Arbitration basing its activities on needs of tackling existing minor errors in the law, elaborate commentaries of the Law on arbitration that will be aimed for use of judiciary, arbitrators and also parties to arbitration.

Sub-Activity 1.1.1. Advocacy work with partner international organizations, CSOs, MoJ, the Parliament in order to support the process of the adoption of the Law on Mediation

Sub-Activity 1.1.2. Advocacy work with partner international organizations, CSOs, MoJ, the Parliament in order to support the process of the adoption of necessary further amendments to the Law on Arbitration

Sub-Activity 1.1.3. Elaboration and advocacy for adoption of regulations for reimbursement of mediation costs.

Activity 1.2. Capacity building of Mediation and Arbitration Institutions

For the purposes of this activity, the major mediation and arbitration institutions are Association of Mediators (to be established by the Law on Mediation) and GAA; however, other relevant institutions working in the field of development of ADR are GIAC, AIG, NCADR and others. Under this activity the project will support capacity building of these institutions and any other institution that could be established in the process of project implementation.

Association of Mediators shall be established in line with the requirements of the Law on Mediation. According to the draft, the Association will be a Legal Entity of Public Law (LEPL), designed to be membership-based organization. The Association will play an important role in the development of the mediation as an institution and will set uniform regulations for mediators, establish a national registry of mediators and provide and enforce ethical standards for its members.

The GAA is a non-profit, non-governmental professional membership association, established in 2013 to provide a professional framework for arbitrators and advance the practice of arbitration in Georgia. GAA aims to raise public trust in and awareness of arbitration, create accreditation and continuing education system for arbitrators, set standards of professional conduct and establish effective self-regulatory mechanism for arbitrators.

Under this component, the project will enhance capacities of the relevant institutions through the following sub-activities:

Sub-Activity 1.2.1 Support to the establishment of the new LEPL Association of Mediators in accordance with the Law on Mediation, *inter alia*, through provision of technical assistance, including development of IT solution tools; assistance in development of rules of internal regulations through expert advice and input; support in elaboration of job descriptions for the staff of the Association through expert advice; development of the Strategic Action Plan through expert advice and input; trainings for the capacity development of the staff of the Association

Sub-Activity 1.2.2. Support in development of Mediator's Roster and legal framework for mediators' certification programmes in line with the requirements of the Law on Mediation

Sub-Activity 1.2.3. Support adoption and implementation of Code of Ethics for Mediators, *inter alia*, through capacity strengthening of its Ethics Commission

Sub-Activity 1.2.4. Strengthening capacity of GAA including by enhancing capacity of its Ethics Commission

Sub-Activity 1.2.5. Support institutional capacity building of other mediation and arbitration institutions to facilitate provision of fast and efficient dispute resolution services.

Activity 1.3. Support to the increased use of arbitration and mediation, including in-court and out-of-court mediation

The slow and flawed delivery of justice has been often described as the major obstacle for investing and developing business operations in Georgia. Despite the fact that the court system has undergone important developments as a result of legislative changes, policy and capacity building over the last years, still, businesses increasingly raise their concerns about the transparency, legality and promptness of procedures before courts, which affect their trust in the business environment in Georgia. Accordingly, one of the components of the project will be support to the increased use of ADRs in commercial cases. This will be undertaken through support to the justice system in establishment of court mediation centres, raising awareness about mediation and arbitration and enhanced communication between SMEs, mediators, arbitrators, judges and lawyers. Even though the project will not be able to track the number of out-of-court mediations and arbitrations due to the confidential nature of the proceedings, raising general awareness on mediation and arbitration shall contribute to higher numbers of case referrals to ADRs.

Sub-Activity 1.3.1. Establish and support capacity building of court mediation centres in four cities of Georgia (outside Tbilisi)

Sub-Activity 1.3.2. Conduct informative meetings/roundtables with SMEs about the benefits of alternative dispute resolution mechanisms in the capital and regions of Georgia

Sub-Activity 1.3.3. Improve ADR services based on customer-satisfaction rates and in line with best international practices

Sub-Activity 1.3.4. Carry out targeted information campaign to increase awareness and trust in alternative dispute resolution mechanisms among major stakeholders

Sub-Activity 1.3.5. Create platforms for communication among SMEs, mediators, arbitrators, judges and lawyers.

Output 2: Enhanced capacity and qualification of mediators, arbitrators, legal professionals and judiciary to promote consistent, efficient and fast commercial dispute resolution

Expected results under this output will be the following:

Result 2.1. Increased number of qualified mediators and arbitrators through institutionalization of education programmes for them

Result 2.2. Enhanced capacities of legal professionals, including law students, in alternative dispute resolution mechanisms to provide quality legal services in commercial disputes

Result 2.3. Enhanced capacities of judiciary in alternative dispute resolution mechanisms.

Activities under this component will concentrate on work on institutional and individual levels. This will include:

Activity 2.1. Increasing the number of qualified mediators and arbitrators through institutionalization of education programmes for them

The number of the currently active mediators in Georgia is approximately 35. To meet the increased demand for mediation, the number of mediators shall increase in Tbilisi and in the regions where the mediation centres will be established. Hence, the need for the institutionalized mediation capacity building arises.

The recent survey "Legal and Practical Aspects of Arbitration in Georgia"³⁵ conducted by the CRRC Georgia for the European Union (EU) and UNDP has shown that development of arbitration is mainly hindered due to the lack of trust. The survey further identified the key factors behind it, including low qualification of arbitrators and lack of ethical standards in arbitration. Thus, the creation of accreditation programme by GAA shall support increase of qualification of arbitrators and age and gender diversity and contribute to diminishing the mistrust.

Based on the above, the training programmes for mediators and arbitrators are equally important for further development of the ADRs. Accordingly, under this component the following sub-activities will be carried out:

Sub-Activity 2.1.1. Create pool of trainers on Mediation and Arbitration

Sub-Activity 2.1.2. Increase the number of qualified mediators and arbitrators based on designing training curricula and educational programmes in compliance with the relevant regulatory framework

Sub-Activity 2.1.3. Arrange study visits for information sharing and capacity development for group of selected mediators and arbitrators.

Activity 2.2. Enhancing capacities of legal professionals, including law students, in alternative dispute resolution mechanisms to provide quality legal services in commercial disputes

Since mediation and arbitration are still emerging methods of dispute resolution, many lawyers lack the professional training in ADRs. Lawyers are more comfortable with taking cases to courts as they are more familiar with the judicial system. Strengthening capacity and contributing to knowledge building among legal professionals, including law students, in this regard will increase their understanding of ADRs. Overall, it will contribute to lawyers being more ADR-friendly and will increase the number of use of mediation and arbitration as a means of dispute resolution.

Sub-Activity 2.2.1. Develop training modules on ADRs tailored for lawyers and its introduction in the GBA continuous legal education programme

Sub-Activity 2.2.2. Conduct targeted trainings for GBA lawyers on ADRs

Sub-Activity 2.2.3. Support introduction of ADR courses in HEIs, including through development of educational materials in Georgian language.

Activity 2.3. ENHANCING CAPACITIES OF JUDGES IN COMMERCIAL DISPUTE RESOLUTION

Judiciary plays an important role in development of ADRs. In case of mediation the court refers the parties to court-mediation, and in both - in-court and out-of-court mediation - the court has to issue the enforcement writ for settlement agreements. Hence, it is of crucial importance to strengthen the capacity of judges and court staff in this regard.

On the other hand, in case of arbitration, the court has the ultimate control over the arbitral awards through the recognition and enforcement (annulment) procedure, as well as, the function of aiding the arbitral tribunal in certain procedural matters throughout the proceedings. Georgian courts are still struggling with establishing coherent and consistent court practice regarding arbitration related issues. The approaches differ not only across the courts, but even within different collegiums of the same court. Contributing to the enhanced capacity of the judges and the court staff on the matters related to ADRs will create a better environment for establishing consistent practice, as well as will make court ADR-friendly and overall, will encourage the submission of commercial disputes to mediation and arbitration.

Moreover, the monitoring report over the commercial litigations will be developed under this activity. The monitoring report will contribute to further streamlining of the commercial litigations and will be the basis for planning further works related to the judiciary.

Sub-Activity 2.3.1. Conduct trainings on mediation and arbitration for judges and court staff through the High School of Justice

Sub-Activity 2.3.2. Develop practice-oriented manuals for judges and court staff

Sub-Activity 2.3.3. Conduct court monitoring for commercial disputes.

³⁵ The survey - "Legal and Practical Aspects of Arbitration in Georgia" is available at the website of UNDP Georgia at http://www.ge.undp.org/content/georgia/en/home/library/democratic_governance/legal-and-practical-aspects-of-arbitration-in-georgia-2018.html (last accessed 09.05.2018).

The project has defined an appropriate **logical framework (LFM)**, as contained in section IV, and a **monitoring and evaluation system**, as contained in section VI. Both will ensure the appropriate delivery of targeted outputs to achieve the expected outcome and impact of the project, as reflected in the LFM, which includes relevant indicators, baselines and sources of verification. The project will ensure evidence-based gender-sensitive data collection, analysis and reporting on the basis of the LFM in order to ascertain progress and achievements on a regular basis, increase gender equality and to inform further review processes upon completion.

3.2. Resources Required to Achieve the Expected Results

The detailed budget of the project is provided in Annex III-Budget of the Action.

The total required funding for activities proposed under this project amounts to EUR 850,000 including the EU contribution of EUR 800,000 and the UNDP cost-sharing of EUR 50,000 divided across different outputs and management costs in the following manner:

Output	Amount (EUR)
Output 1	431,070
Output 2	159,830
Visibility Costs	9,000.00
Management Costs	197,764
GMS, EU 7 %	52,336
TOTAL COST	850,000

Calculations for each output reflect the use of all key inputs such as core staff, international and local technical expertise, office in Tbilisi, equipment, goods and services, as well as works (within project components), travel costs, and building partnerships with various stakeholders both in Georgia and abroad.

Required material and human resources, are listed below. Respective costs are spelled out in Annex III-Budget of the Action.

Project office costs:

The Project will have a project office in Tbilisi. The Project budget includes the following costs for the office:

- rental costs, including security charges (in January-March shared with and funded by EU-UN Joint Project "Human Rights for All" 100 % thereafter).
- Cost of IT and telecommunication
- Cost of Utilities (Electricity, water, heating, etc.)
- Consumables and stationery supplies for operation the office (shared with and funded by EU-UN Joint Project "Human Rights for All" January-March 2019, 100 % thereafter).
- Maintenance, insurance, fuel and depreciation costs for vehicle
- IT/Computer and office equipment purchase
- Costs of travel and field trips for the project activities
- Costs of project communication and visibility activities (as spelled out in the communication and visibility plan)

List of staff directly attributed to the project:

While the section below provides a brief description of the respective positions, section VII on Governance and management arrangements of the project includes a detailed explanation for each; detailed costs per each position are also spelled out in the budget (Annex 3).

1. Project Manager (SB4/MID), – Programmatic and administrative oversight and internal controls, coordination and supervision of institutional relations with concerned government institutions, communication and reporting to the EU Delegation
2. Administrative Finance Assistant (SB3/Q1 – 100%) - responsible for technical support in financial, contractual and organisational matters.

3. Driver/logistician (SB1/MID) - 100%) – responsible for driving project staff to and from different meetings/events and supporting in logistical matters including transportation in regions during implementation of project activities when and as necessary.
4. Cleaner (SB1/MIN - 50%) – responsible for keeping the project office space clean, organized and up to standards.
5. Democratic Governance Team Leader (NoB – 2.5%) – responsible for quality assurance of the project, supporting the project Steering committee, facilitating coordination within UNDP, other UN agencies and concerned stakeholders. The Democratic Governance Team Leader will complete monthly timesheets reflecting actual time spent on the given project.
6. Democratic Governance Programme Associate (G6 - 5%) - responsible for providing administrative advice and supporting project implementation from the Country Office. S/he will provide administrative, financial, contractual, reporting and procurement related support to ensure compliance of administrative processes with respective UNDP rules and regulations, and the respective Country Office Standard Operational Procedures. The Democratic Governance Programme Associate will complete monthly timesheets reflecting actual time spent on the given project.
7. Monitoring and Evaluation Specialist (NOA - 5%) will be responsible for monitoring and evaluation function for the entire project ensuring compliance to UNDP and EU standards monitoring and evaluation. The Monitoring and Evaluation Specialist will complete monthly timesheets reflecting actual time spent on the given project.
8. Human Resources Team Leader (G7 - 2.5%) – responsible for overall support to the project in matters related to Human Resources such as recruitment and contracting of project staff, experts etc. The HR team Leader will complete monthly timesheets reflecting actual time spent on the given project.

Concerning venues, catering and other logistical arrangements for activities will be sourced with constant attention to prudence and exemplarity in the use of EU taxpayer's money at times of fiscal constraints, as well as to the carbon print. Public venues will be prioritised over private ones, distance from the usual work places of respective audience will be minimal.

3.3. Partnerships and Stakeholders

Developing effective working partnerships with all respective stakeholders will be essential to the delivery of the project objectives. These partnerships will cover a number of players including:

- For the effective implementation of the project activities under output 1 and 2, the project team will closely cooperate with the **High Council of Justice (HCOJ) and the Judiciary**. Judiciary has an important role in development of ADRs both in case of mediation and arbitration. Therefore, it is of crucial importance to strengthen capacities of judges and court staff. In addition, opening of court mediation centres implies close working relationship with the HCOJ that is mandated to take the final decision in this regard.

The HCOJ is composed of 15 members. The Judicial Conference, self-governing body of judges, elects 8 members of the Council, 5 members are elected by the Parliament of Georgia and 1 member is appointed by the President. The HCOJ is chaired by the Head of the Supreme Court, who is an *ex officio* member of the Council. The HCOJ organizes qualification exams for judges, appoints and dismisses judges through disciplinary proceedings, ensures quality management of the judiciary and relationship with the public. In addition to this, the HCOJ defines territorial jurisdiction of regional (city) and appellate courts and number of judges, territorial jurisdiction, number and composition of magistrate judges, composition of court panels, number and composition of Chambers of appellate courts and investigative panel, specialization of regional (city) court judges, etc.

- The **High School of Justice (HSOJ)** is a LEPL established by the Law of Georgia on High School of Justice, that ensures quality professional trainings for candidate judges, judges, assistants to judges and other court staff. For the effective implementation of the project activities under output 2, in particular "enhancing capacities of judges in alternative dispute resolution mechanisms", the project will closely cooperate with HSOJ, that is responsible for the organization of trainings for judges and court staff.
- **Association of Mediators** – to be established under the new Law on Mediation.

- Cooperation with **Georgian Association of Arbitrators (GAA)** and **Georgian International Arbitration Centre (GIAC)**: The recent survey "Legal and Practical Aspects of Arbitration in Georgia"³⁶ conducted within the framework of the Joint Programme has revealed that development of arbitration is mainly hindered due to the lack of trust. The survey further identified the factors causing the lack of trust, namely, low qualification of arbitrators, lack of ethical standards in arbitration and lack of transparency with respect to the information related to arbitration institutions and arbitrators, close affiliation of arbitration with financial institutions, uninformed engagement of natural persons in arbitration. Accordingly, for the achievement of the project output 1, in particular, for the capacity development of arbitration institutions, UNDP will closely cooperate with GAA and GIAC.

GAA, a non-profit, non-governmental professional membership association, was established in 2013 to provide a professional framework for arbitrators and advance the practice of arbitration in Georgia. In the same year, the Georgian Chamber of Commerce and Industry has established **GIAC** to promote business-to-business arbitration. The idea was strongly supported by the Ministry of Economy and Sustainable Development and the Ministry of Justice. Although the GIAC is relatively new institution it seems to be self-sustainable with strong commitments and support from both the Government and business. Further strengthening of GAA and GIAC will promote fast, equitable, fair and efficient dispute resolution for businesses, including disputes between government and business in Georgia. It is noteworthy, that the Ministry of Justice strives at establishing Georgia as a regional hub for arbitration.

- **Higher Education Institutions (HEIs)**: UNDP will identify High Educational Institutions to cooperate with for the effective implementation of the project activities under output 2, in particular "enhancing capacities of legal professionals, including law students, in alternative dispute resolution mechanisms." The existing format of cooperation with **National Centre for Alternative Dispute Resolution (NCADR) of the Tbilisi State University**, that implied strengthening the capacity of Tbilisi and regional universities to teach mediation (training of law professors on mediation and mediation teaching technics), engaging students in mediation (through competition of articles and blogs) and raising awareness on mediation in regions (public lectures) will be enhanced and the project will seek institutionalization of the existing formats of cooperation through introduction of ADR courses as an optional courses at Legal Departments in selected HEIs.
- **Georgian Bar Association (GBA)**: One of challenges for development and greater use of ADRs was negative perceptions and attitudes of Georgian lawyers. Efforts to further knowledge buildings among practicing lawyers should positively contribute to addressing this challenge. UNDP will cooperate closely and coordinate actions with GBA for the effective implementation of the project activities under output 2. In particular, the project team will closely cooperate with the GBA management and its Training Centre for the development of the training modules on ADRs tailored for lawyers and for its incorporation in the GBA's continuous legal education programme. This will increase the interest in ADRs and will enhance capacities of legal professionals to deliver quality legal services in commercial disputes through ADRs.

GBA was established in 2006. Its membership is mandatory for all advocates and it is responsible for conducting entry into profession examinations. The functions of GBA include development of legal profession, protection of lawyer's rights, profession liberty, interests and independence, support to juridical education and raising of lawyers' qualification, ensuring the protection of lawyer's professional ethics standards, organization of activity of Training Centre for advocates and obligatory, continuous legal educational program, elaboration of the rules of lawyers' encouragement and disciplinary persecution and securing their fulfilment, etc. The management bodies of the Association are: the General Meeting of the Association and Executive Board of the Association. The Association is headed by the Chair of the Association who is elected among the GBA members for the period of 4 years. GBA has also created several commissions, including Mediation Development Commission, and ADR Commission in 2018. As the newly elected GBA management demonstrated its interest and commitment towards development of ADRs in Georgia, the project should seize the momentum and build upon this commitment.

- UNDP will join forces with **GIZ** for achieving result 1.1. of the EU Action Document for Economic and Business Development in Georgia, in particular fairer and faster litigations in commercial matters. **GIZ** has been working in Georgia since 1992. On behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ), it works in the following priority areas: a) Sustainable economic development; b) Democracy, civil society and public administration; c) Environmental policy, conservation and sustainable use of natural resources. (see more under "complementarity and synergy with other international projects")

³⁶ The survey - "Legal and Practical Aspects of Arbitration in Georgia" is available at the website of UNDP Georgia at http://www.ge.undp.org/content/georgia/en/home/library/democratic_governance/legal-and-practical-aspects-of-arbitration-in-georgia-2018.html (last accessed 22.03.2018).

- **EU and other donors** supporting access to justice and commercial law development reforms in Georgia: The project will finalise and update the mapping and the analysis of existing programmes supporting the abovementioned directions, both public and donor funded, to ensure complementarity and synergy of the project with those undertakings, filling gaps and avoiding overlapping. This task should inform project design during the assessment phase so that the development phase effectively incorporates the most relevant measures and activities to achieve the expected outputs, outcomes and impact.

Complementarity and synergy with other international projects

UNDP will join efforts to accelerate cross-sector complementarity by focusing its assistance on areas where it has most added values, complementing the activities of others and avoiding parallel processes where, for example, public or donor-funded programmes exist or are being developed. Opportunities for cooperation with relevant public and donor-funded programmes will be used where deemed appropriate - systematic information exchange as a minimum, with coordination of responses and common approaches to support interventions being the ultimate goal. The project will be supportive of wider donor and country-led coordination related to access to justice and commercial law development.

In order to achieve the intended outcome of the project, UNDP will join forces with donor community supporting judicial reform and commercial law development in the country.

Development of the justice system has received considerable support from different donor institutions. The ongoing EU funded **EU4 Justice** budget support programme is primarily focused on criminal justice, but also contains significant technical support in the civil, administrative and commercial law areas. Another major programme, supporting justice system is being implemented by the **East-West Management Institute (EWMI)** with the financial assistance of **USAID**. One of the purposes of the programme is improving the management of essential justice system institutions, such as HCOJ, HSOJ, the courts and GBA. **Council of Europe's** initiatives also significantly support judiciary reforms, but without focus in the commercial law areas specifically. During the implementation of the project activities that implies close work with judicial institutions and inter-agency coordination councils at MoJ, UNDP plans to coordinate efforts with the abovementioned actors.

EBRD and the United Kingdom Government envisage supporting the establishment and operationalisation of the commercial chambers. Under the component involving close cooperation with SMEs, UNDP will ensure creation of working formats with EBRD and UK Embassy.

An EU project with **GIZ** assists with revisions of the civil code, civil procedural code, administrative code, insolvency law, law on enforcement of judicial decisions, land registration, and international judicial cooperation. The project is a part of the GIZ programme on Legal approximation towards European standards in the South Caucasus. Besides that, **GIZ** will be a major stakeholder in the implementation of the upcoming EU Programme "Economic and Business Development in Georgia" and together with UNDP will be in charge of achieving major objective of Component 1 of the Programme, i.e. ensuring fairer and faster litigations for businesses through streamlining judicial proceedings, implementation of the new company law, strengthening rehabilitation-oriented insolvency proceedings, and enhancing enforcement of judicial decisions. While spheres of activities are not closely interlinked, still, for ensuring coherent and holistic approach for achieving the overarching objective of the EU Programme, UNDP and GIZ will form a coordination working formats.

UNDP will stay actively involved in Private Law Reform Inter-Agency Council and in its working groups that also form a discussion and coordination platform for the relevant institutions, donors, civil society organisations and other actors.

3.4. Risks Analysis

Management of operational risks and assumptions will be delivered through the construction and regular updating of risks and issues logs, escalation of identified gaps in performance, performance reporting, minutes of meetings and Project Steering Committee and an adequately skilled and fully resourced project management function. Detailed list of risks and measures of their mitigation is presented in the Risk Log below:

P = probability; I = Impact; Scores are based on a scale from 1 (low) to 4 (high).

#	Description	Date Identified	Political Type	Probability & Impact	Countermeasures / Management response	Owner
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#	Description	Date Identified	Political Type	Probability & Impact	Countermeasures / Management response	Owner
1	State policy on ADRs change and MoJ is reluctant to introduce the draft law on Mediation to the Parliament of Georgia	September 2018	Political	P = 2 I = 4	Coordinated advocacy work with partner international organizations, including EU Delegation to Georgia, CSOs and Ministry of Justice in order to support the process of the adoption of the Law on Mediation	UNDP CO Management/ Project Manager/ Project Team
2	SMEs do not develop trust in ADRs	September 2018	Political	P = 3 I = 4	Informative meetings/roundtables with SMEs about the benefits of alternative dispute resolution mechanisms in the capital and regions of Georgia	Project Manager/ Project Team
3	HCoJ/Courts lack financial resources to contribute to the establishment of mediation centres	September 2018	Organisational	P = 3 I = 2	Project manager starts intensive negotiations with the HCOJ well in advance of the preparation of the annual draft state budget for the next year in order to ensure that the HCOJ reserves financial resources/ Adjustment to the project budget to support establishment of the mediation centres in at least two regions	Project Manager/ Project Team
4	GBA is reluctant to introduce the ADR course in continuous legal education programme due to financial considerations (expert remuneration, training materials)	September 2018	Organizational	P = 3 I = 4	UNDP develops educational materials in Georgian language and ensures remuneration for the trainers on ADRs thus reducing the risk	Project Manager/ Project Team
5	Lawyers are not interested in ADRs	September 2018	Organizational	P = 4 I = 4	UNDP will use its established formats of cooperation with GBA for reaching out to private lawyers in order to explain advantages of ADRs v judicial proceedings (cost-efficient, quick, tailored to the needs of the parties)	Project Manager/ Project Team

3.5. Knowledge

Some of the specific knowledge products that will be produced by the project include:

- Draft amendments to the Law on Arbitration
- Rules of internal regulation of the Association of Mediators
- Strategic Action Plan of the Association of Mediators
- Strategic Action Plan of the Association of Arbitrators
- Training manuals for the staff of the Association of Mediators
- Certification programme for mediators

- Rules on reimbursing of mediation costs
- Rules for establishment of a national registry of mediators
- Code of Ethics for Mediators
- Informative materials on the benefits of ADRs
- Training curricula and educational programmes on ADRs
- Training modules on ADRs for GBA lawyers
- Educational materials on ADRs for HEIs
- Practice oriented manuals for judges and court staff on ADRs

3.6. Sustainability and Scaling Up

The intended outcome of the project is the promotion of fairer and faster commercial dispute resolution through effectively functioning alternative dispute resolution system.

Striving to this end, the UNDP will continue the well-established cooperation with all relevant stakeholders within all branches of power, as well as CSOs, professional associations/unions and international community in the country. Effective implementation of the project will improve legislative framework, enhance capacities of state and non-state actors, increase awareness of the citizens and subsequently ensure the sustainability of the actions related to fairer and faster litigation in commercial disputes and ultimately, better access to justice in the country.

Ensuring the sustainability of the project's outputs will remain a high priority for UNDP support. The project assistance will focus on the achievement of development results, rather than merely the delivery of activities. The project will ensure monitoring of project sustainability and planned phase-out and phase-over processes to demonstrate the impact and leave a meaningful project legacy. The project team will cooperate closely with relevant stakeholders for them to take ownership over the led processes. Having the ownership will contribute to taking further steps necessary for the development of ADRs upon the completion of the project.

Under Output 1, 'Enhanced use and quality of arbitration and mediation through strengthening relevant institutions' UNDP will support establishment and capacity enhancement of Associations of Mediators and Arbitrators. In particular, the project aims at facilitating adoption of the draft Law on Mediation that will create legal basis for the establishment of the Association of Mediators. UNDP will assist the Association to create a solid legal framework (including, but not limited to internal rules of regulations, IT solution tools, elaboration of job descriptions for staff, strategic work plans, etc.) for effective functioning. Clear rules of operation, staff with enhanced knowledge and high level of preparation of mediators will ensure that the Association of Mediators is able to respond to the increased expectations from the SMEs and general public. UNDP is aware about the root causes that hinders development of arbitration in Georgia, including lack of trust caused by the low qualification of arbitrators and lack of ethical standards. Investing in the capacity development of the Ethics commission and support to the institutional capacity development of the Association of Arbitrators will enhance the image of the institution. This will be done through intensive trainings of the staff, including development of curricula and training modules. Improved legislative framework, enhanced capacity of the Institution and its staff will have sustainable results after phasing out of the project.

The project provides for the series of capacity development activities, including professional training for targeted groups. In order to have viable results, training materials on ADRs will be developed in Georgian language for GBA lawyers, law students, judges, court staff and other legal professionals. To ensure further sustainability, the trainings, where relevant, will be held in cooperation with established training centres, including Training Centre of Justice, HSOJ, Training Centre of GBA, NCADR and selected High Educational Institutions. The changed culture of the institutions and the increased expectations of the stakeholders, including the legal professionals who will benefit from the programme's activities will play an important role in ensuring sustainability. After the programme's completion, the specialized training institutions (HSOJ, GBA Training centre, HEIs, etc.) may deliver the courses to the relevant stakeholders independently without donor support.

Information campaigns about the benefits of the alternative dispute resolution will be carried out in a systemic manner and will be based on the findings of the recent survey "Legal and Practical Aspects of Arbitration in Georgia" and new evidence acquired in the course of the implementation of the project to ensure that it reaches target groups and have most viable results.

The results will be sustained as the mechanisms developed and established under the project will be taken over by the relevant institutions (HCOJ, HSOJ, GBA, Association of Mediators (when established) and GAA). Where IT tools, or other equipment or infrastructure shall be introduced, sufficient allocations from the state budget will be ensured for their further efficient operation, development and maintenance beyond the duration of the project.

The involved stakeholders will be informed regularly about the aspects of the proposed programme and will be engaged in programme planning and implementation processes. Problems will not be ignored but anticipated and

tackled as soon as they arise, and possible solutions will be explored together with the donor. UNDP will closely monitor relevant development in legal and policy area and will react accordingly to ensure that intervention goals are met to the highest degree possible.

Finally, an important aspect of delivering sustainable outcomes, will be demonstrating the benefits of ADRs to SMEs. To this aim, the project seeks to pursue a fully participatory process, involving relevant stakeholders from design to evaluation of the selected actions. Lessons learned through these interventions will belong to both – the project and its national partners, therefore, the benefits will also be owned by all.

4.1. Cost Efficiency and Effectiveness

Costs incurred in project implementation will focus only on those actions required to provide key support to development of ADR for Fairer and Faster Commercial Dispute Resolution in Georgia.

To accomplish this, the project will seek to complement and build upon the results of the EU-UN Joint Initiative Enhancing Access to Justice and Development of a Child-Friendly Justice System in Georgia, as well as other UNDP initiatives related to access to justice and economic development.

The resources will be primarily used for:

- participatory based planning of technical assistance to national institutions and stakeholders;
- effective targeting of beneficiaries by the state budget and the project resources;
- comprehensive planning of the increase of territorial coverage of ADRs in Georgia;
- proper monitoring and evaluation systems design and functioning.

The Project will coordinate with different donor supported agencies (EU, USAID, GIZ, and others) in planning of national and municipality level interventions for ensuring effective synergy both at national institutional level and at the community and municipal levels.

The Project will be managed in close coordination among UNDP Country Office Programme dimensions: Democratic Governance and Economic Development for joint planning of respective activities.

Wherever possible, the project will use the competencies and technical skills within the mandated government institutions and other national agencies to implement project activities.

Additional information on project management and staff is available in Sub-Section 3.2 "Resources Required to Achieve the Expected Results" and Section VIII "Governance and Management Arrangements".

V. RESULTS FRAMEWORK

<p>Intended Outcome as stated in the UN Partnership Strategic Document (UNPSD) 2016-2020/Georgia Country Programme Document (CPD) 2016-2020: Outcome 1. By 2020, expectations of citizens of Georgia for voice, rule of law, public sector reforms, and accountability are met by stronger systems of democratic governance at all levels</p>	
<p>Outcome indicators as stated in the CPD 2016-2020: Results and Resources Framework, including baseline and targets:</p> <p>1. Worldwide Governance Indicators. <i>Baseline (2013): Voice and Accountability³⁷ index 54.5%; Rule of law index 53.6%; Government Effectiveness Index 69.4%; Targets (2020): Voice and Accountability index >60%; Rule of law index >58%; Government Effectiveness Index >72%;</i> 2. Level of public confidence and satisfaction with legislature, judiciary, democratic system and public service delivery. <i>Baseline: to be established (2015); Target: to be set based on 2015 baseline;</i> 3. Seats held by women in parliament and local councils. <i>Baseline: Parliament 11% (2012); Local councils 11.8% (2014); Target: Parliament 15% (2016) 20% (2020); Local Councils 15% (2017)</i></p>	
<p>Applicable Output(s) from the UNDP Strategic Plan 2018-2021: Output 2.2.3 Capacities, functions and financing of rule of law and national human rights institutions and systems strengthened to expand access to justice and combat discrimination, with a focus on women and other marginalised groups</p>	
<p>Project title and Atlas Project Number: Alternative Dispute Resolution (ADR) for Fairer and Faster Commercial Dispute Resolution, project 00102189/output 00104336</p>	

Outcome/Impact	Indicators	Baseline	Target 2019	Target 2020	Sources of verification
Fairer and faster commercial dispute resolution through effectively functioning alternative dispute resolution system	1/ Increased awareness on ADR among the businesses 2/ Increased demand for mediation and arbitration	1/ Baseline data will be measured at the beginning of the project implementation 2.1/ <115 in-court mediation between 2014-2017 2.2/ <10 business to business arbitration until 2017	1/ awareness on ADR among the businesses is raise through 2.1/ at least 70 in-court mediation cases in 2019 2.2/ up to 4 business to business arbitration cases in 2019	1/ 20% increase by the end of the project implementation (2020) 2.1/ 300 cases of in-court mediation in 2019-2020 2.2/ 15 business to business arbitration in 2019-2020	Results of the survey on ADRs commissioned by the project. Records and/or statistics of Mediation Centres; Records of arbitration institutions in Georgia;
Outputs	Indicators	Baseline			Sources of verification
1. Enhanced use and quality of arbitration and mediation through strengthening	1.1/ The law on Mediation adopted	1.1/ The draft law is being finalized by the Ministry of Justice	1.1/ The law on mediation is adopted by the Parliament of Georgia	1.1/ The law is adopted; The Association of Mediation established and running (by 2020)	Government and project reports; Law on Mediation; Internal rules of regulation of the Association of Mediators; Roster of Court Mediators; information available on the EU and UNDP websites;

³⁷ Also refers to measurement progress in outcome 2. By 2020 all living in Georgia - including minorities, vulnerable women, migrants, internally displaced persons and persons in need of international protection - have trust in and improved access to the justice system, which is child-friendly, enforces national strategies and operates in accordance with United Nations human rights standards.

Outcome/Impact	Indicators	Baseline	Target 2019	Target 2020	Sources of verification
relevant institutions	1.2. Mediation centres established in district/city courts outside Tbilisi	1.2/ Previously volunteer-based Gori mediation centre is not functioning. There are no mediation centres outside Tbilisi	1.2/ 4 locations for mediations centres are identified in cooperation with HCOJ and trainees are selected locally for mediators' certification training.	1.2/ 4 Mediation centres are open in district/city courts outside Tbilisi (by the end of 2020)	Information available on project's Facebook page. Project reports; reports by the HCOJ; Media reports; information available on the EU and UNDP websites; Information available on project's Facebook page.
	1.3. Awareness about mediation and arbitration increased	1.3.1/ Baseline data will be measured at the beginning of the project implementation 1.3.2/ <115 in-court mediation between 2014-2017 1.3.3/ <10 business to business arbitration until 2017	1.3.1/ Survey on ADR awareness among businesses conducted 1.3.2/ at least 70 in-court mediation cases in 2019 1.3.3/ at least 4 business to business arbitration cases in 2019	1.3.1/ 20% increase by the end of the project implementation (2020) 1.3.2/ 300 cases of in-court mediation in 2019-2020 1.3.3/ 15 business to business arbitration in 2019-2020	Results of the survey on ADRs commissioned by the project; Records and/or statistics of Mediation Centres; Records of arbitration institutions of Georgia; Information available on project's Facebook page.
2. Enhanced capacity and qualification of mediators, legal arbitrators, legal professionals and judiciary to promote consistent, efficient and fast resolution of commercial disputes	2.1. Training modules on ADRs developed for GBA lawyers and arbitrators in the GBA continuous legal education programme	2.1/ 875 GBA lawyers have been trained in 2016-2017	2.1/ at least 400 GBA members trained in ADR (at least 50% women)	2.1/ at least 800 GBA members are trained on ADR (at least 50% women)	GBA reports; GBA continuous legal education programme materials; Information available on project's Facebook page.
	2.2. Syllabus on ADR schemes developed and introduced in High Educational Institution	2.2/ Mediation is introduced in curricula of Tbilisi universities only. None of the High Educational Institutions from regions have courses on ADR		2.2/ Model syllabus piloted in at least one educational institution in region	Syllabus for the High Educational Institution; Project reports; Information available on the EU and UNDP websites; Information available on project's Facebook page.

Outcome/Impact	Indicators	Baseline	Target 2019	Target 2020	Sources of verification
	2.3. Practice-oriented manuals for judges and court staff developed and introduced through HSOJ	2.3.1/ 35 representatives of the judiciary were trained in 2016-2017 2.3.2/ Baseline data not available		2.3.1/ at least 70% of Civil Law Chamber judges/civil law specialization judges and their assistants are trained on ADR (at least 40% of trainees are women) 2.3.2/ At least 200 commercial cases monitored	Project reports; reports by the HSOJ; Court Monitoring Report; Information available on the EU and UNDP websites; Information available on project's Facebook page.

VI. MONITORING AND EVALUATION

Monitoring and Evaluation of the project will be conducted using the project-specific logframe attached to the present description of the action. The partner should report on the results at impact, outcome and output levels, linked to sources of verification presented in the logframe. Reporting will be carried out through Progress Interim and Final Reports as laid down in the present Description of the Action and general conditions as set out in Annex 2 to the present EU-UNDP (etc) agreement. Once arrangements are in place for UN agency access to the EU projects monitoring platform OPSYS, the partner will report through OPSYS. The results framework may be revised for further streamlining by the parties; with that in view, for the better quality of the logframes and indicators, the partners are encouraged to get familiar with DG NEAR guidelines on Indicators - P. 45 and the EU Results Framework. Wherever an indicator set out in the project logframe is also reflected in the EU Results Framework, project reporting will also mention that.

Reporting will be based on evidence-based data collected and analysed using the internal Monitoring and Evaluation (M&E) system, and, when relevant, other reliable sources of information. The project M&E system will be completed during the assessment phase, on the basis of the above Results Framework, including the establishment of a robust baseline and the regular collection and analysis of evidence-based data and other information relevant to M&E purposes. On this basis, the project will submit annual progress reports. Reporting will be based on progress as per annual implementation work plans, to be submitted and approved by the project Steering committee.

The project will support the establishment of the mechanisms required for regular collection, analysis and reporting of evidence-based statistical data, including trainings and other incentives, equipment and complementary materials including baselines/endlines, dedicated research, surveys, needs assessments, results snapshots, lessons learned initiatives, study tours, field and exchange visits, ad hoc evaluations and others.

The project M&E will introduce ad-hoc/quick assessments, needs and capacity assessments and monitoring exercises to be regularly updated. For this purpose, dedicated M&E tools will ensure that specific info is available on the support and the impact of the project considering gender aspects, youth, people with disabilities, ethnic and other minority groups.

Monitoring Activity	Purpose	Frequency	Expected Action	Partners (if joint)	Cost (if any)
Track results progress	Progress data against the results indicators in the Results Framework will be collected and analysed to assess the progress of the project in achieving the agreed outputs.	Annually, or in the frequency required for each indicator.	Slower than expected progress will be addressed by project management.		
Monitor and manage risk	Identify specific risks that may threaten achievement of intended results. Identify and monitor risk management actions using a risk log. This includes monitoring measures and plans that may have been required as per UNDP's Social and Environmental Standards. Audits will be conducted in accordance with UNDP's policies and procedures	Quarterly	Risks are identified by project management and actions are taken to manage risk. The risk log is actively maintained to keep track of identified risks and actions taken.		
Learn	Knowledge, good practices and lessons will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project.	At least annually	Relevant lessons are captured by the project team and used to inform management decisions.		
Annual project quality assurance	The quality of the project will be assessed against UNDP's quality standards to identify project strengths and weaknesses and to inform management decision making to improve the project.	Annually	Areas of strength and weakness will be reviewed by project management and used to inform decisions to improve project performance.	Project Steering Committee Members	

Monitoring Activity	Purpose	Frequency	Expected Action	Partners (if joint)	Cost (if any)
Review and make course corrections	Internal review of data and evidence from all monitoring actions to inform decision making.	At least annually	Performance data, risks, lessons and quality will be discussed by the project Steering committee and used to make course corrections.		
Project reporting	Annual progress briefings will be presented to the Project Steering committee and key stakeholders, consisting of progress data showing the results achieved against pre-defined annual targets at the output level, the annual project quality rating summary, an updated risk log with mitigation measures, and any evaluation or review reports prepared over the period. Progress and final reports will be submitted to the EU in line with Article 3 of the General Conditions.	Annually (interim reports, payments), and final report (closure)	Annual progress reports and work plans for the following periods should be submitted at least one week in advance to the project Steering committee annual review meetings		
Project review (Project Steering committee)	The project's Steering committee will hold annual meetings, beside ad-hoc meetings as necessary: - for regular project review, guidance and decision making against annual operational (progress) reports submitted at least one week in advance to the meetings, including review annual work plans for the next periods to ensure implementation is on track, correct deviations if necessary, and ensure realistic budgeting over the life of the project. - for approval of sub-project proposal documents and contracts on court monitoring, and other relevant reports and agreements	Annually	Review, guidance and decision-making on project planning, implementation, M&E. Any quality concerns or slower than expected progress should be discussed by the project Steering committee and management actions agreed to address the issues identified. Review and approval of sub-project proposal and contract documents and other relevant reports and agreements	Project Steering Committee members	

VII. MULTI-YEAR WORK PLAN

Outputs, results, activities/sub-activities		2019				2020				Partner	Responsible Party
		I	II	III	IV	I	II	III	IV		
Output 1. Enhanced use and quality of arbitration and mediation through strengthening relevant institutions											
Result 1.1: Effective implementation of the Laws on Mediation and Arbitration											
1.1.1	Advocacy work with partner international organizations, CSOs, Ministry of Justice, the Parliament of Georgia in order to support the process of the adoption of the Law on Mediation	x	x	x	x	x	x	x	x	Parliament; MOJ; CSOs	Georgian Association of Arbitrators
1.1.2	Advocacy work with partner international organizations, CSOs, Ministry of Justice, the Parliament of Georgia in order to support the process of the adoption of necessary further amendments to the Law on Arbitration	x	x	x	x	x	x	x	x	Parliament of Georgia; MOJ; CSOs	Georgian Association of Arbitrators
1.1.3	Elaboration and advocacy for adoption of regulations for reimbursement of mediation costs.	x	x	x	x					Association of Mediators; HCOJ	Association of Mediators
Result 1.2: Developed capacity of Mediation and Arbitration Institutions											
1.2.1	Support to the establishment of the new LEPL Association of Mediators in accordance with the Law on Mediation	x	x	x	x					Association of Mediators; HCOJ	
1.2.2	Support in development of Mediators' Roster and legal framework for mediators' certification programmes in line with the requirements of the Law on Mediation		x	x	x					Association of Mediators; HCOJ	
1.2.3	Support adoption of Code of Ethics for Mediators for the Association of Mediators		x	x	x					Association of Mediators	Association of Mediators
1.2.4	Strengthening capacity of Georgian Association of Arbitrators including by enhancing capacity of its Ethics Commission	x	x	x	x	x	x	x	x	GAA	Georgian Arbitrators Association
1.2.5	Support institutional capacity building of other mediation and arbitration institutions		x	x	x	x	x	x	x	GIAC, other institutions	GIAC
Result 1.3: Increased use of arbitration and mediation, including in-court and out-of-court mediation											
1.3.1	Establish and support capacity building of court mediation centres in four cities of Georgia (outside Tbilisi)		x	x	x	x	x	x	x	HCOJ	HCOJ
1.3.2	Conduct informative meetings/roundtables with SMEs about the benefits of alternative dispute resolution mechanisms in the capital and regions of Georgia		x	x	x	x	x	x	x	Business Associations, GBA	
1.3.3	Improve ADR services based on customer-satisfaction rates and in line with best international practices	x	x	x	x					HCOJ	
1.3.4	Conduct targeted information campaign to increase awareness and trust in alternative dispute resolution mechanisms among major stakeholders	x	x	x	x	x	x	x	x	HCOJ, GAA, Association of Mediators	
1.3.5	Create platforms for communication among SMEs, mediators, arbitrators, judges and lawyers		x							HCOJ, Business Associations, GAA,	

Outputs, results, activities/sub-activities		2019				2020				Partner	Responsible Party
		I	II	III	IV	I	II	III	IV		
										Association of Mediators	
Output 2. Strengthened capacity and qualification of mediators, arbitrators, legal professionals and judiciary to promote consistent, efficient and fast commercial dispute resolution											
Result 2.1: Increased number of qualified mediators and arbitrators through institutionalization of education programmes for them											
2.1.1	Create pool of trainers on Mediation and Arbitration	X	X	X						GAA, Association of Mediators	GAA, Association of Mediators
2.1.2	Increase the number of qualified mediators and arbitrators based on designing training curricula and educational programmes in compliance with the relevant regulatory framework		X	X	X	X	X	X	X	GAA, Association of Mediators	Georgian Association of Arbitrators, Association of Mediators
2.1.3	Arrange study visits for information sharing and capacity development for group of selected mediators and arbitrators	X				X	X			GAA, Association of Mediators	
Result 2.2: Enhanced capacities of legal professionals, including law students, in alternative dispute resolution mechanisms to provide quality legal services in commercial disputes											
2.2.1	Develop training modules on ADRs tailored for lawyers and its introduction in the GBA	X	X							GBA	GBA
2.2.2	Conduct targeted trainings for GBA lawyers on ADRs			X	X					GBA	GBA
2.2.3	Support introduction of ADR courses in HEIs, including through development of educational materials in Georgian language		X	X	X	X	X			NCADR, HEIs	NCADR, New Vision University, AIG, regional universities in Kutaisi, Batumi, Zugdidi, Akhaltsikhe
Result 2.3: Enhanced capacities of judiciary in alternative dispute resolution mechanisms											
2.3.1	Conduct trainings on mediation and arbitration for judges and court staff through the High School of Justice		X	X	X	X	X	X		HCOJ, HSOJ	HCOJ, HSOJ
2.3.2	Develop practice-oriented manuals for judges and court staff			X	X	X	X			CSOs, HEIs	CSOs, HEIs
2.3.3	Conduct court monitoring for commercial disputes		X	X	X	X				CSOs, HEIs	CSOs, HEIs
Implementation of Visibility and Communication Plan*											
	Project launch	X								MOJ, HCOJ, GAA, Association of Mediators	
	Project closing								X	MOJ, HCOJ, GAA, Association of Mediators	
PROJECT MANAGEMENT, MONITORING AND EVALUATION											
	Management, monitoring, reporting								X		

*Only those items are given that are not directly integrated into other Project Activities.

7.1. Governance arrangements

The project will be implemented by UNDP through Direct Implementation (DIM) modality. UNDP will be responsible for the execution of all the project activities and provision of inputs, including implementation of all support services and management of all project funds.

The action will be coordinated by a **project Steering Committee** composed of representatives from UNDP and the EU, as well as national partners from Association of Arbitrators, Association of Mediators (after it is established), the Judiciary, the Georgian Bar Association. A proposed structure is presented in the chart below. The Steering Committee is expected to provide overall guidance and decision-making support during all phases of project implementation and will grant final approval on sub-grants in case the grant is not incorporated in the project documentation. The project Steering Committee is proposed to meet annually, although meetings could be called by any of the members at any time to discuss any particular issue of concern. The first Steering Committee shall be held within three months after the project launch.

As detailed above, the project shall be implemented in Tbilisi and 4 regions of Georgia with the overall effect for the whole territory of Georgia.

7.2 Management arrangements

The Project Steering Committee and implementation structure is presented in the chart below.

The key project management functions will be performed by the Project Manager. In particular, the **Project Manager** will be in charge of:

- *Administrative oversight and internal controls*, in procurement, recruitment, financial management, administration and HR processes will be exercised by the Project Manager with a respective management experience and a solid understanding of UNDP procedures. The Manager will be responsible to ensure that project implementation is in line with the conditions set forth through the EU-UNDP agreement, and all UNDP rules and regulations are respected throughout project implementation
- *Coordination and supervision of institutional relations with concerned government institutions*, including senior government officials, mediation and arbitration institutions so as to ensure timely and appropriate institutional ownership and engagement in the implementation of the project activities
- *Representational tasks* of the project
- *Communication and reporting to the EU Delegation.*

The Project Manager will be accountable to the project Steering Committee for achievement of the project objectives. Internally within UNDP, the project manager will report to UNDP Democratic Governance Team Leader.

In addition, as part of the Project Core Team, UNDP will engage ADR specialist and Communication Specialist.

Project support staff, including Administrative/Finance specialist and driver/logisticians, who will support implementation of all project outputs.

The *UNDP Programme Associate* will provide quality assurance for financial matters and reporting and advice project personnel on financial, administrative and reporting procedures. The UNDP Programme Associate will be charged through direct project costs for the time spent directly attributable to the implementation of the Project, not exceeding 10% of the working time.

Democratic Governance Team Leader will be responsible for providing administrative advice and supporting project implementation from the Country Office. S/he will provide administrative, financial, contractual, reporting and procurement related support to ensure compliance of administrative processes with respective UNDP rules and regulations, and the respective Country Office Standard Operational Procedures

Human Resources Team Leader, the UNDP Monitoring and Evaluation Specialist will act as an objective quality monitoring agent, will verify the project progress, its products' or outputs' quality.

UNDP will convey the administrative support services to the project implementation, implying undertaking administrative, financial, procurement and recruitment services according to its rules and regulations.

Project Organization Charter



IX. LEGAL CONTEXT

This project document shall be the instrument referred to as such in Article 1 of the Standard Basic Assistance Agreement between the government of Georgia and UNDP, signed on 1-Jul-1994. All references in the SBAA to "Executing Agency" shall be deemed to refer to "Implementing Partner."

The project will be implemented by UNDP Georgia in accordance with its financial regulations, rules, practices and procedures.

X. RISK MANAGEMENT

1. UNDP as the Implementing Partner will comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS.)
2. UNDP as the Implementing Partner will undertake all reasonable efforts to ensure that none of the project funds 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/sc/committees/1267/aq_sanctions_list.shtml. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.
3. Social and environmental sustainability will be enhanced through application of the UNDP Social and Environmental Standards (<http://www.undp.org/ses>) and related Accountability Mechanism (<http://www.undp.org/secu-srm>).
4. UNDP as the Implementing Partner will: (a) conduct project and programme-related activities in a manner consistent with the UNDP Social and Environmental Standards, (b) implement any management or mitigation plan prepared for the project or programme to comply with such standards, and (c) engage in a constructive and timely manner to address any concerns and complaints raised through the Accountability Mechanism. UNDP will seek to ensure that communities and other project stakeholders are informed of and have access to the Accountability Mechanism.
5. All signatories to the Project Document shall cooperate in good faith with any exercise to evaluate any programme or project-related commitments or compliance with the UNDP Social and Environmental Standards. This includes providing access to project sites, relevant personnel, information, and documentation.
6. UNDP as the Implementing Partner will ensure that the following obligations are binding on each responsible party, subcontractor and sub-recipient:
 - a. Consistent with the Article III of the SBAA] the responsibility for the safety and security of each responsible party, subcontractor and sub-recipient and its personnel and property, and of UNDP's property in such responsible party's, subcontractor's and sub-recipient's custody, rests with such responsible party, subcontractor and sub-recipient. To this end, each responsible party, subcontractor and sub-recipient shall:
 - i. 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;
 - ii. assume all risks and liabilities related to such responsible party's, subcontractor's and sub-recipient's security, and the full implementation of the security plan.
 - b. 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 the responsible party's, subcontractor's and sub-recipient's obligations under this Project Document.
 - c. Each responsible party, subcontractor and sub-recipient will take appropriate steps to prevent misuse of funds, fraud or corruption, by its officials, consultants, subcontractors and sub-recipients in implementing the project or programme or using the UNDP funds. It will ensure that its financial management, anti-corruption and anti-fraud policies are in place and enforced for all funding received from or through UNDP.
 - d. The requirements of the following documents, then in force at the time of signature of the Project Document, apply to each responsible party, subcontractor and sub-recipient: (a) UNDP Policy on Fraud and other Corrupt Practices and (b) UNDP Office of Audit and Investigations Investigation Guidelines. Each responsible party, subcontractor and sub-recipient agrees to the requirements of the above documents, which are an integral part of this Project Document and are available online at www.undp.org.

- e. In the event that an investigation is required, UNDP will conduct investigations relating to any aspect of UNDP programmes and projects. Each responsible party, subcontractor and sub-recipient will provide its full cooperation, including making available personnel, relevant documentation, and granting access to its (and its consultants', subcontractors' and sub-recipients') premises, for such purposes at reasonable times and on reasonable conditions as may be required for the purpose of an investigation. Should there be a limitation in meeting this obligation, UNDP shall consult with it to find a solution.
- f. Each responsible party, subcontractor and sub-recipient will promptly inform UNDP as the Implementing Partner in case of any incidence of inappropriate use of funds, or credible allegation of fraud or corruption with due confidentiality.

Where it becomes aware that a UNDP project or activity, in whole or in part, is the focus of investigation for alleged fraud/corruption, each responsible party, subcontractor and sub-recipient will inform the UNDP Resident Representative/Head of Office, who will promptly inform UNDP's Office of Audit and Investigations (OAI). It will provide regular updates to the head of UNDP in the country and OAI of the status of, and actions relating to, such investigation.

UNDP will be entitled to a refund from the responsible party, subcontractor or sub-recipient of any funds provided that have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of this Project Document. Such amount may be deducted by UNDP from any payment due to the responsible party, subcontractor or sub-recipient under this or any other agreement. Recovery of such amount by UNDP shall not diminish or curtail any responsible party's, subcontractor's or sub-recipient's obligations under this Project Document.

Where such funds have not been refunded to UNDP, the responsible party, subcontractor or sub-recipient agrees that donors to UNDP (including the Government) whose funding is the source, in whole or in part, of the funds for the activities under this Project Document, may seek recourse to such responsible party, subcontractor or sub-recipient for the recovery of any funds determined by UNDP to have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of the Project Document.

Note: The term "Project Document" as used in this clause shall be deemed to include any relevant subsidiary agreement further to the Project Document, including those with responsible parties, subcontractors and sub-recipients.

- g. Each contract issued by the responsible party, subcontractor or sub-recipient in connection with this Project Document shall include a provision representing that no fees, gratuities, rebates, gifts, commissions or other payments, other than those shown in the proposal, have been given, received, or promised in connection with the selection process or in contract execution, and that the recipient of funds from it shall cooperate with any and all investigations and post-payment audits.
- h. Should UNDP refer to the relevant national authorities for appropriate legal action any alleged wrongdoing relating to the project or programme, the Government will ensure that the relevant national authorities shall actively investigate the same and take appropriate legal action against all individuals found to have participated in the wrongdoing, recover and return any recovered funds to UNDP.
- i. Each responsible party, subcontractor and sub-recipient shall ensure that all of its obligations set forth under this section entitled "Risk Management" are passed on to its subcontractors and sub-recipients and that all the clauses under this section entitled "Risk Management Standard Clauses" are adequately reflected, *mutatis mutandis*, in all its sub-contracts or sub-agreements entered into further to this Project Document.

Annex 1: Budget

Programme Activities		Atlas Activity	Impl. Agency	Fund	Donor	2019	2020
Output 1. Enhanced use and quality of arbitration and mediation through strengthening relevant institutions							
Result 1.1: Effective implementation of the Laws on Mediation and Arbitration							
1.1.1 Advocacy work with partner international organizations, CSOs, Ministry of Justice, the Parliament of Georgia in order to support the process of the adoption of the Law on Mediation		Activity 1	UNDP-001981	30079	EU-10159	16,336.78	13,367.43
1.1.2 Advocacy work with partner international organizations, CSOs, Ministry of Justice, the Parliament of Georgia in order to support the process of the adoption of necessary further amendments to the Law on Arbitration		Activity 1	UNDP	30079	EU-10159	13,560.86	19,943.12
1.1.3 Elaboration and advocacy for adoption of regulations for reimbursement of mediation costs.		Activity 1	UNDP	30079	EU-10159	12,315.13	14,931.74
			UNDP		EU-10159		
Result 1.2: Developed capacity of Mediation and Arbitration Institutions							
1.2.1 Support to the establishment of the new LEPL Association of Mediators in accordance with the Law on Mediation (this component may have grant)		Activity 1	UNDP	30079	EU-10159	36,177.47	17,519.91
1.2.2 Support in development of Mediator's Roster and legal framework for mediators' certification programmes in line with the requirements of the Law on Mediation		Activity 1	UNDP	30079	EU-10159	3,242.32	
1.2.3 Support adoption of Code of Ethics for Mediators for the Association of Mediators		Activity 1	UNDP	30079	EU-10159	21,160.40	
1.2.4 Strengthening capacity of Georgian Arbitrators' Association including by enhancing capacity of its Ethics Commission		Activity 1	UNDP	30079	EU-10159	22,810.00	13,879.42
1.2.5 Support institutional capacity building of other mediation and arbitration institutions		Activity 1	UNDP	30079	EU-10159	17,064.85	17,064.84
Result 1.3. Increased use of arbitration and mediation, including in-court and out-of-court mediation							
1.3.1 Establish and support capacity building of court mediation centres in four cities of Georgia (outside Tbilisi)		Activity 1	UNDP	30079	EU-10159	35,494.88	37,201.37
1.3.2 Conduct informative meetings/roundtables with SMEs about the benefits of alternative dispute resolution mechanisms in the capital and regions of Georgia		Activity 1	UNDP	30079	EU-10159	6,888.51	6,717.86
1.3.3 Improve ADR services based on customer-satisfaction rates and in line with best international practices		Activity 1	UNDP	30079	EU-10159	38,600.68	18,896.50
1.3.4 Conduct targeted information campaign to increase awareness and trust in alternative dispute resolution mechanisms among major stakeholders		Activity 1	UNDP	04000	TRAC-00012		56,882.82
1.3.5 Create platforms for communication among SMEs, mediators, arbitrators, judges and lawyers		Activity 1	UNDP	30079	EU-10159	29,522.18	2,627.99
		Activity 1	UNDP	30079	EU-10159	9,101.24	9,101.26
Subtotal						262,275.30	228,134.26

Programme Activities	Atlas Activity	Impl. Agency	Fund	Donor	2019	2020	Total Budget USD
Output 2. Strengthened capacity and qualification of mediators, arbitrators, legal professionals and judiciary to promote consistent, efficient and fast commercial dispute resolution							-
Result 2.1: Increased number of qualified mediators and arbitrators through institutionalization of education programmes for them							-
2.1.1 Create pool of trainers on Mediation and Arbitration	Activity 2	UNDP	30079	EU-10159	68,259.39		68,259.39
2.1.2 Increase the number of qualified mediators and arbitrators based on designing training curricula and educational programmes in compliance with the relevant regulatory framework	Activity 2	UNDP	30079	EU-10159	-	9,101.25	9,101.25
2.1.3 Arrange study visits for information sharing and capacity development for group of selected mediators and arbitrators	Activity 2	UNDP	30079	EU-10159	17,064.85	17,064.84	34,129.69
Result 2.2: Enhanced capacities of legal professionals, including law students, in alternative dispute resolution mechanisms to provide quality legal services in commercial disputes							
2.2.1 Develop training modules on ADRs tailored for lawyers and its introduction in the GBA continuous legal education programme (maybe grant to GBA and NCADR)	Activity 2	UNDP	30079	EU-10159	9,101.25		9,101.25
2.2.2 Conduct targeted trainings for GBA lawyers on ADRs	Activity 2	UNDP	30079	EU-10159	5,062.57	6,313.99	11,376.56
2.2.3 Support introduction of ADR courses in HEIs, including through development of educational materials in Georgian language	Activity 2	UNDP	30079	EU-10159	4,139.41	12,732.03	16,871.44
Result 2.3: Enhanced capacities of judiciary in alternative dispute resolution mechanisms							
2.3.1 Conduct trainings on mediation and arbitration for judges and court staff through the High School of	Activity 2	UNDP	30079	EU-10159	7,394.77	7,394.76	14,789.53
2.3.2 Develop practice-oriented manuals for judges and court staff	Activity 2	UNDP	30079	EU-10159	2,389.08	5,574.51	7,963.59
2.3.3 Conduct court monitoring for commercial disputes	Activity 2	UNDP	30079	EU-10159	2,389.08	7,849.34	10,238.42
Subtotal					115,800.40	66,030.72	181,831.12
3. Implementation of Visibility and Communication Plan							-
3.1 Visibility/PR Costs (project banding, banners and other visibility items, opening and closing ceremony, steering committee)	Activity 3	UNDP	30079	EU-10159	5,119.45	5,119.45	10,238.90
Subtotal					5,119.45	5,119.45	10,238.90
4. Management Costs							-
4.1 Project team	Activity 4	UNDP	30079	EU-10159	66,598.38	66,598.39	133,196.77
4.2 UNDP support	Activity 4	UNDP	30079	EU-10159	17,055.76	17,055.76	34,111.52
4.3 Officer/Project Running Cost	Activity 4	UNDP	30079	EU-10159	28,839.59	28,839.58	57,679.17
Subtotal					112,493.73	112,493.73	224,987.46
Total Net Budget					495,688.88	411,778.16	907,467.03
GMS					34,698.25	24,842.67	59,540.92
Total					530,387.13	436,620.83	967,007.96

Communication and Visibility Plan

ADR FOR FAIRER AND FASTER COMMERCIAL DISPUTE RESOLUTION

1/ INTRODUCTION

Starting from January 2019, UNDP Georgia will be implementing the EU-funded Project "ADR for Fairer and Faster Commercial Dispute Resolution," with the aim to facilitate economic development through a better functioning legal system and address fundamental challenges hampering fast and efficient delivery of justice.

The Project aims to contribute to the overall objective of the EU Action Document for Economic and Business Development in Georgia, which is to foster social-economic development in Georgia and its regions through making dispute resolution faster and fairer for businesses. In particular, the project is expected to deliver the following outputs: 1. Enhanced use and quality of arbitration and mediation through strengthening relevant institutions; 2. Enhanced capacity and qualification of mediators, arbitrators, legal professionals and judiciary to promote consistent, efficient and fast resolution of commercial disputes.

The project will be implemented in partnership and close cooperation with the wide range of stakeholders, including the Government and the Parliament of Georgia, judiciary, mediation and arbitration institutions, civil society and lawyers' professional organizations, high educational institutions and private sector aiming to achieve the following results:

- Effective implementation of the Laws on Mediation and Arbitration
- Developed capacity of Mediation and Arbitration Institutions
- Increased use of arbitration and mediation, including in-court and out-of-court mediation
- Increased number of qualified mediators and arbitrators through institutionalization of educational programmes for them
- Enhanced capacities of legal professionals, including law students, in alternative dispute resolution mechanisms to provide quality legal services in commercial disputes
- Enhanced capacities of judiciary in alternative dispute resolution mechanisms.

2/ OBJECTIVES

2.1/ Overall Objective(s)

This Communication and Visibility Plan contributes to the effective implementation of the project, by:

1. Sharing information with appropriate stakeholders and partners to facilitate Project implementation and encourage synergies where necessary
2. Sharing information with the public to promote the Project activities and increase awareness about the benefits and advantages of alternative dispute resolution mechanisms
3. Ensuring full visibility of the EU and its leading role in promoting ADR mechanisms and communicating successful cooperation between the EU and UNDP in working together towards making dispute resolution faster and fairer for SMEs in the country.

The above will be achieved in strategic coordination with the UNDP Communication Unit, Project Communication Specialist and the EU Delegation Press and Information Team, in line with the Article 8 of the

General Conditions of the agreement, the Joint Visibility Guidelines for EC-UN Actions in the Field (<https://ec.europa.eu/europeaid/node/45481>) and the specific visibility standards as spelled out below in chapter 3.4.

2.2/ Target Groups

Target group 1

Project primary stakeholders and beneficiaries:

- The Government of Georgia, primarily the Ministry of Justice and the Parliament of Georgia
- Judiciary, represented by the High Council of Justice and the High School of Justice
- Association of Mediators (once established), Georgian Association of Arbitrators and Georgian International Arbitration Centre
- Higher educational institutions, including Tbilisi State University National Centre for ADR
- Out-of-court mediation centres
- Georgian Bar Association and civil society actors working on ADR mechanisms and promoting legal profession
- Mediators, arbitrators
- Judges and court staff
- Donor community and international organizations working in the field of commercial law and access to justice.

Target group 2

- legal professionals, including lawyers and law students
- Small and medium-sized enterprises
- The population (potential beneficiaries) in selected regions where mediation centres will be established
- Georgia's population at large, in terms of familiarizing them with the ADR mechanisms

2.3/ Specific Objectives

Specific objectives for the target group 1:

- Ensure that the Stakeholders/Beneficiary of the Project are aware of the roles of the EU and UNDP in each activity
- Raise awareness of how the EU and UNDP work together to development of A2J in Georgia through introduction of ADRs
- Increase awareness about the EU support to introduction of ADR mechanisms, ongoing project activities and achieved results, and the crucial role of UNDP in leading this process
- Strongly communicate the leading role of the EU and UNDP in working with the authorities, civil society and people of Georgia in strengthening ADR mechanisms for ensuring access to justice and fairer and faster commercial dispute resolution

Specific objectives for the target group 2:

- Increase awareness among the Georgian population of the roles of the EU and UNDP in delivering aid in the field of A2J and specifically ADRs
- Communicate Georgia's progress and challenges in access to justice and commercial dispute resolution

- Strongly position the role of the EU in promoting ADR mechanisms in Georgia, and the role of UNDP in leading the process.

3/ COMMUNICATION ACTIVITIES

3.1/ Communication Tools

Communications and visibility activities, undertaken under the Project "ADR for Fairer and Faster Commercial Dispute Resolution" will be designed for specific target audiences described above, covering all consecutive stages of the project cycle, and will be implemented by the project team with substantial support from the UNDP Georgia Communication Unit.

All activities will be agreed with and approved by the EU Delegation in Georgia, in line with Article 8 of the General Conditions of the agreement, the Joint Visibility Guidelines for EC-UN Actions in the Field and the specific visibility standards as spelled out in chapter 3.4 below.

Coordination between the project team and the EU Delegation in Georgia will be implemented through regular consultations, meetings and discussions, as well as through maintaining the calendar of the project events and campaigns.

The project's communication and visibility activities will utilize the following main tools:

1. **High-profile public events** to draw public attention to some specific highlights of the project implementation. This includes the project launch event, presentation of the survey results on ADR mechanisms, Tbilisi mediation and arbitration days, as well as project closing event.
2. **Regular public events**, including roundtables, working group meetings, site visits and public discussions to support daily implementation of the project activities, ensure regular circulation of information about the project and wide outreach to potential beneficiaries in target municipalities where mediation centres will be established.
3. **Websites** (corporate websites of UNDP in Georgia and the EU Delegation in Georgia, including www.krebuli.eu) to provide regular updates of the project.
4. **Social media** (corporate social media channels of UNDP Georgia and the EU Delegation to provide regular updates about the project activities, reach out to wider audiences beyond the target groups, and facilitate engagement of stakeholders and public. Project will continue successful practices developed under the ongoing EU-UN Joint Initiative "Enhancing Access to Justice and Development of a Child-Friendly Justice System in Georgia," while exploring some additional social media tools and platforms. The emphasis will be made on the local and regional social media resources that provide effective information channels for reaching out to the population in the regions.
5. **Media** (mainstream media in Georgia) to keep the project on the media radar and ensure regular and accurate coverage of the project implementation. The project, with the support of the UNDP Communication Unit will continue successful cooperation with the national media in Georgia, including the thematic TV shows of the Georgian Public Broadcaster, business-oriented TV shows on TV Maestro and TV Pirveli, and regular programmes of the Georgian Association of Regional Broadcasters (GARB). Furthermore, the project will be exploring more opportunities offered by the regional and local media in Georgia, including for the regional televisions, radio and print press.
6. **Multimedia content** (videos, photos, blogs, success stories and others) for media pitches in Georgia, as well as for enhancing the information circulated through the websites and social media.

7. **Distinguished visual identity** (brand-book, banners, rollups, press kit headers, social media covers, signs, stationary, publications) to strongly position the EU as a lead supporter of ADRs in Georgia, and role of UNDP in leading this initiative, while underlining national ownership and recognising the role of national partners. The visual identity of the project will be agreed in advance with the EU Delegation in Georgia, in line with the Joint Visibility Guidelines for EC-UN Actions in the Field and the specific visibility standards as spelled out in chapter 3.4 below.

3.2/ Communication Plan

Activity Number	Activity	Time	Message	Target Group	Communication Tool (see 3-1)	Expected Impact
1	Development of visual identity	January, February 2019	<ol style="list-style-type: none"> 1. ADR mechanisms benefit SMEs and facilitates access to justice 2. The EU and UNDP are Georgia's leading partners in promoting ADR mechanisms in Georgia 3. ADR is more efficient, flexible, cheaper and quicker means of dispute resolution as compared to litigation in courts. 	All target groups	7. Distinguished visual identity	<p>The activity contributes to the achievement of the overall communication and visibility objectives and all specific objectives.</p> <p>It ensures the powerful positioning of the EU and UNDP across all target audiences.</p>
2	Arrangement of project launch	1Q2019	<ol style="list-style-type: none"> 1. The EU and UNDP are Georgia's principle supporters in introduction and strengthening of ADR mechanisms for fairer and faster commercial dispute resolution 2. The EU and UNDP work closely with the Georgian authorities and a wide range of partners and stakeholders for ensuring fairer and faster commercial litigation in Georgia 3. ADR mechanisms benefit SMEs and facilitate access to justice 	All target groups	<ol style="list-style-type: none"> 1. High-profile public events 3. Websites 4. Social media 5. Media 	<p>The activity contributes to the achievement of the overall communication and visibility objectives and all specific objectives.</p> <p>It ensures the effective kick-off of the project activities, while reflecting on the achievements of the previous EU-UN joint project ("Enhancing Access to Justice and Development of a Child-friendly Justice System in Georgia") and reiterates the continued commitment of all involved parties and stakeholders to strengthening ADR mechanisms in Georgia.</p>
3	Arrangement of high-profile and regular public	Continuous	<ol style="list-style-type: none"> 1. ADR mechanisms benefit SMEs and facilitate access to justice 2. ADR is more efficient, flexible, cheaper 	All target groups	<ol style="list-style-type: none"> 1. High-profile public events 2. Regular public events 	<p>The activity contributes to the achievement of the overall communication and visibility objectives and specific objectives for all target</p>

Activity Number	Activity	Time	Message	Target Group	Communication Tool (see 3.1)	Expected Impact
	events		<p>and quicker means of dispute resolution as compared to litigation in courts</p> <p>3. The EU and UNDP work closely with the Georgian authorities and a wide range of partners and stakeholders for ensuring fairer and faster commercial litigation in Georgia</p> <p>4. The EU and UNDP are Georgia's principal partners in introduction and strengthening of ADR schemes</p>		<p>3- Websites</p> <p>4- Social media</p> <p>5- Media</p>	<p>groups.</p> <p>It draws attention to some specific highlights of the project implementation, ensures regular and accurate coverage of the project activities, and contributes to positioning the EU and UNDP as Georgia's key partners in introduction and strengthening of ADR schemes in Georgia.</p>
4	Celebration of Tbilisi mediation and arbitrations days	On annual basis	<p>1. ADR mechanisms ensure fairer and faster resolution of disputes</p> <p>2. Mediation and arbitration institutions are up and running and have higher percentage of dispute settlement</p> <p>3. The EU and UNDP are Georgia's principal partners in introduction and strengthening of ADR schemes</p>	Target group 1	<p>1. High-profile public events</p> <p>3- Websites</p> <p>4- Social media</p> <p>5- Media</p> <p>6. Multi-media content</p>	<p>The activity contributes to the achievement of the overall communication and visibility objectives and specific objectives for the target group 1.</p> <p>However, it also reaches out to target group 2 through emphasizing success stories and available figures from settlement rates between parties through arbitration and in-court and out-of-court mediation schemes as compared to litigation in courts.</p>
5	Production and dissemination of success stories (articles, videos, blogs)	Continuous	<p>1. ADR mechanisms benefit SMEs, general public and facilitate access to justice</p> <p>2. ADR is more efficient, flexible, cheaper and quicker means of dispute resolution</p>	Target group 2	<p>3- Websites</p> <p>4- Social media</p> <p>6. Multi-media content</p>	<p>The activity contributes to the achievement of the overall communication and visibility objectives and specific objectives for the target groups 2 through emphasizing success</p>

Activity Number	Activity	Time	Message	Target Group	Communication Tool (see 3.1)	Expected Impact
6	Opening of mediation centres in regions	2018-2019	<p>as compared to litigation in courts</p> <p>3. There is more prospect of reaching settlement through ADR schemes as compared to litigation in courts</p> <p>1. ADR mechanisms benefit SMEs, general public and facilitate access to justice</p> <p>2. ADR is more efficient, flexible, cheaper and quicker means of dispute resolution as compared to litigation in courts</p>	All target groups	<p>2. Regular public events</p> <p>3. Websites</p> <p>4. Social media</p> <p>5. Media</p>	<p>stories and available figures from settlement rates between parties through arbitration and in-court and out-of-court mediation schemes as compared to litigation in courts.</p> <p>The activity contributes to the achievement of the overall communication and visibility objectives and specific objectives for all target groups.</p> <p>However, it specifically targets population in selected regions, highlights advantages and benefits of ADR schemes in popular language and increases trust towards mediation in Georgia.</p>

The mentioned tools shall be used or cumulatively, e.g. visual identify items shall be displayed during any event organized by the project; web-site shall be used for important and high-profile events, based on mutual agreement between the Project team, UNDP Communication Team and EU; information on the majority of events /workshops shall be available on the social media platforms of EU, UNDP and/or the partner organizations; media coverage shall be ensured for all major events.

3-3/ Indicators

How will the achievement of communication objectives be measured? Provide clear and measurable indicators for each activity planned. Include information on feedback that will be collected from participants during events. Add lines as necessary.

Activity #	Activity (see 3.2)	Indicator(s)	How will the indicator be measured?
1	Development of visual identity	<ul style="list-style-type: none"> At least 1000 units of visibility items produced and distributed, fully capturing the EU visibility and contributing to the visual identity of the project. 	<ul style="list-style-type: none"> Feedback from the donor Feedback from the project stakeholders
2	Arrangement of project launch in Tbilisi	<ul style="list-style-type: none"> High profile event in Tbilisi High-level representation ensured At least 60 participants attending the launch Wide outreach in traditional and social media ensured – at least 6 mainstream and social media hits per event. 	<ul style="list-style-type: none"> Level of representation from the central authorities and HCOJ Attendance record Statistics of media interviews given out by the EU, UNDP and Government officials Media reports Data of social media hits (likes, shares, views).
3	Arrangement of high-profile and regular public events	<ul style="list-style-type: none"> At least 4 high-profile events arranged At least 10 regular working group meetings including meetings in regions Wide outreach in traditional and social media ensured 	<ul style="list-style-type: none"> Level of representation from central authorities, HCOJ, SMEs and project partners Attendance record Statistics of media interviews given out by the EU, UNDP and Government officials Media reports Data of social media hits (likes, shares, views, comments) Feedback from the donor, beneficiaries and project partners.
5	Celebration of EU Days, Tbilisi Mediation and Arbitrations days	<ul style="list-style-type: none"> High profile event in Tbilisi and Regions High-level representation ensured At least 60 participants attending the event Wide outreach in traditional and social media ensured 	<ul style="list-style-type: none"> Attendance record High representation of mediators, arbitrators, representatives of judiciary, Ministry of Justice Relevance of the media information programmes Statistics of follow-up media reports (TV stories, articles) Statistics of media interviews given out by the EU, UNDP and Government officials Feedback from the donor, beneficiaries, partners
6	Production and dissemination of success stories (articles, videos, blogs)	<ul style="list-style-type: none"> Wide outreach in traditional and social media ensured At least 2 videos produced 	<ul style="list-style-type: none"> Relevance of the story topics to the project implementation cycle. Data of web and social media hits (views, likes, shares, comments).
7	Opening of mediation centres in regions	<ul style="list-style-type: none"> At least 40 people attend the opening of each mediation centre At least 100 beneficiaries of the mediation centres 	<ul style="list-style-type: none"> Attendees at public meetings Data of publications Highlights of beneficiaries at media.

How will the achievement of communication objectives be measured? Provide clear and measurable indicators for each activity planned. Include information on feedback that will be collected from participants during events. Add lines as necessary.

Activity #	Activity (see 3.2)	Indicator(s)	How will the indicator be measured?
		<ul style="list-style-type: none"> • Wide outreach in traditional and social media ensured. 	

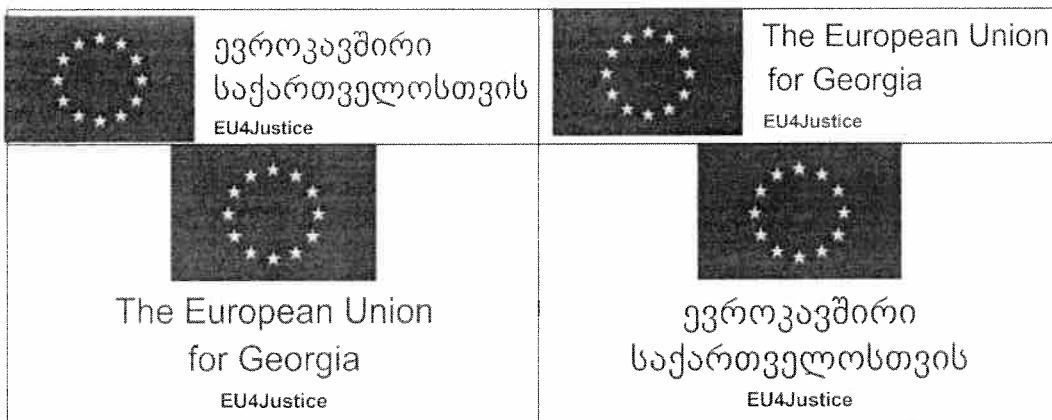
3.4/ Visibility Standards

3.4.1. EU Visual Identity: Use of EU logo

- All EU-funded projects must use the official EU visual identity (EU logo) as described below in all project communication materials and equipment;
- Anytime the EU logo is introduced in any of the communication materials or deliverables, it must be consulted with the EU project manager;
- On all related visibility materials:
 - The EU logo must be included and always be left of other logos/emblems and above or on the same level with other logos/emblems;
 - No other logo may be larger than the EU logo;

3.4.2. EU Logo: Programmes

The following LOGO should be used, unless otherwise specified by the EU Delegation:



EU delegation may change logo any time through official communication via email to project manager.

3.4.3. Press Releases and Media Advisories: Obligations

- For every significant project milestone/event the project must prepare a press release in English and Georgian
- Press releases must be approved by the EU Delegation before the milestone/event and before being shared or posted publicly
- Media advisories are not required, but if they are issued, they must be approved by the EU and follow the template for Press Releases
- Specific provisions for the use of EU logo is as below:
 - EU logo always must be at the top
 - EU logo to the left of other logos/emblems, cannot be below any of them
 - No logo can be larger than the EU logo
 - If there is a government beneficiary logo: EU logo must be at least 1/3 of top logo space, government beneficiary logo 1/3, other partners 1/3
 - If no government beneficiary logo: EU logo must be at least 1/2 of the top logo space; other partners 1/2
 - Additional partner or implementer logos no larger than 2/3 of size of EU logo may be listed in the bottom.

3.4.4. Project Banners

- A project banner is required at all EU-funded project events and must be placed visibly
- All project banners must be approved by the EU before printing
- For Programme-specific logos, GE version should be used, unless EN is necessary
- Other specifics for the use of EU logo when the EU provides more than 50% of funding is as follows:
 - EU logo always must be at the top of the banner
 - EU logo to the left of other logos/emblems, cannot be below any of them
 - No logo can be larger than the EU logo
 - If there is a government beneficiary logo: EU logo must be at least 1/3 of top logo space, government beneficiary logo 1/3, other partners 1/3
 - If no government beneficiary logo: EU logo must be at least 1/2 of the top logo space; other partners 1/2
 - Additional partner or implementer logos no larger than 2/3 of size of EU logo can be listed at the bottom.

3.4.5. Web Presence

- Each EU-funded project should exist online
- It can be Facebook, organisation website, dedicated project website, or similar
- Must include basic project information (project description, EU logo, project contact information)
- Can also contain links to publications, photos, news updates, etc.
- All web presences must include the EU disclaimer.

3.4.6. Publications/Films/Websites

- All Publications/films/websites developed with EU funds must be approved by the EU before production of the material
- All Publications/films/websites must contain the EU logo in line with provisions of chapters 3.4.3 and 3.4.4 above
- All Publications must contain the following disclaimer(s) depending on language versions:
 - "This publication/film/website has been produced with the assistance of the European Union. Its contents are the sole responsibility of <contractor> and can in no way be taken to reflect the views of the European Union."
 - "წინამდებარე პუბლიკაცია/ფილმი/ვებსაიტი შექმნილია ევროკავშირის დახმარებით. მის შინაარსზე პასუხისმგებელია მხოლოდ <კონტრაქტორი> და პუბლიკაციის შინაარსის ევროკავშირის პოზიციად აღქმა დაუშვებელია."

3.4.7. Project Events: Requirements

- The EU must be invited to speak at all significant events: EU project manager is notified at least one week in advance, and scheduling of events should be flexible to allow EU presence at them
- Events should be primarily held in interesting locations linked to the project activities or at beneficiaries' premises. Hotel conference rooms should be avoided, if possible
- A press release in Georgian and English is prepared for each significant event, and approved by the EU PM before the event
- There is a large banner with the EU logo visible at all project events

- For major events, photos highlighting the event, EU presence, and EU visibility are shared with the EU at latest one day after the event.

The following will be paid a special attention:

- To hire a professional photographer for at least one milestone event
- Where possible, avoid events in hotel conference rooms, try to find an interesting location, linked to the project. Where outside locations are necessary, modest venues shall be chosen and locations avoiding carbon print increase to the extent possible.
- Include project beneficiaries and allow them to speak about project successes, include their quotes in the press release.

3.4.8. Tentative list of major events organized by the project

Opening Event	Mid-February 2019
Steering Committee 1	Mid-February 2019
Steering Committee	February 2020
Tbilisi Arbitration Days	October 2020
Tbilisi Mediation Days	November 2020
Closing Ceremony	December 2020

3.4.9. Invitations

- All invitations to project events and lists of invitees must be approved by the EU before being distributed
- Invitations must comply with EU logo requirements spelled out above.

3.4.10. Project Communication

- All public communication (press releases and media advisories, emails, invitations, newsletters, announcements) regarding EU-funded project activities must clearly state that the project is EU-funded, for example: "in the framework of the EU-supported project..."

3.4.11. Promotional Items

- All promotional items must be approved by the EU before being produced
- The EU logo must be placed on all promotional items - other logos can be added following the points set out above.

3.4.12. Subcontractors/Sub-grantees

- All visibility rules mentioned above apply to sub-contractors and sub-grantees under the projects
- UNDP is responsible for the visibility activities of its subcontractors/sub-grantees.

4/ RESOURCES

4.1/ Human Resources

The UNDP Democratic Governance Team Leader, Project Manager, Project Communication Specialist and Project Assistant will coordinate the overall communication and visibility activities of the project, in close consultations with the UNDP Communications Unit.

External expertise may be hired for some specific activities, such the production of high-quality visibility items and arrangement of media campaigns.

4.2/ Budget

Provide information on the budget required to implement the communication activities (in absolute figures and as a percentage of the overall budget for the action). Add lines as necessary.

Number	Communication Line Item*	Amount (EUR)
1	Visibility and branding ³⁸ materials (including audio-video and visual identity materials)	3,000
2	Website & social media	500
3	Professional staff required to implement communication activities	16,444**
4	Opening and closing events	5000
5	Steering Committees	500

* Organization of high-profile events, workshops and celebration of Mediation/Arbitration Days are also project activities and relevant budget is the part of activity-based budget

** These items are included in operational and/or management costs.

TOTAL	EUR 25,444
PERCENTAGE OF PROJECT BUDGET	3%

³⁸ No specific branding will be developed; the banner, notebook, pens and/or folders used for the project will have logos of EU and UNDP according to relevant visibility guidelines

Social and Environmental Screening Procedure

Project Information	
Project Information	
1. Project Title	Enhanced Mediation and Arbitration for Fairer and Faster Commercial Dispute Resolutions
2. Project Number	00102189
3. Location (Global/Region/Country)	Georgia

Part A. Integrating Overarching Principles to Strengthen Social and Environmental Sustainability

QUESTION 1: How Does the Project Integrate the Overarching Principles in order to Strengthen Social and Environmental Sustainability?**Briefly describe in the space below how the Project mainstreams the human-rights based approach**

The overall objective of this project is to enhance capacities of government institutions and Parliamentary Committees on Human Rights and Civil Integration and on Legal Issues and improve mechanisms for better protection of human rights in Georgia. The basis of the project is to introduce and/or strengthen human rights based approach in policymaking and law making in the Country. Accordingly, the project will be guided by the human rights based approach. All project activities will be based and will apply Human rights principles such as: Equality and non-discrimination, participation and inclusion, accountability and rule of law.

Strengthening of government institutions will be approached as a means for safeguarding the basic rights of rights-holders with a special emphasis of vulnerable and enabling proper satisfaction of their fundamental rights, needs and interests. Whilst, at the same time, it will provide the duty-bearers at central level (executive, legislative and judicial) stronger capacities and opportunities to effectively fulfil their obligations and increase accountability.

Effective implementation of the JP will improve legislative framework, enhance the capacities of state and non-state actors, increase awareness of the citizens and subsequently ensure the sustainability of the actions related to protection, monitoring, and promotion of human rights in the country.

Briefly describe in the space below how the Project is likely to improve gender equality and women's empowerment

A gender equality perspective will be mainstreamed throughout the project, through ensuring the collection and interpretation of sex / age

disaggregated data relevant to project indicators and conducting gender analysis to better inform project design and implementation. The project will prioritise in particular women's access to justice services and women's participation and role (including decision making) in the justice system. Specifically, the project will strive toward the following:

- Seek to ensure that gender equality issues are incorporated into all relevant policies and legislation, and that justice institutions and processes are equal and fair for both women and men;
- Advocate for the increased participation of women and youth in justice sector policy-making and actions at the institutional level and support their active engagement in civil society;
- Ensure that policy and planning processes are consultative and participatory, and actively encourage the involvement and decision making role of women and youth, as well as marginalized and vulnerable groups; ensure that plans and services are sensitive to their specific needs;
- Ensure gender issues are fully incorporated in curricula and training materials that are developed;
- Ensure close co-ordination and collaboration with other UNDP, UNICEF, OHCHR and ILO activities related to specific aspects of women's empowerment and gender issues.

Briefly describe in the space below how the Project mainstreams environmental sustainability

The Project does not directly affect environmental sustainability. Therefore, no specific activities were provided in the Project Document to address this issue. However, the Project staff follows the corporate standards/rules on environmental protection.

QUESTION 2: What are the Potential Social and Environmental Risks? <i>Note: Describe briefly potential social and environmental risks identified in Attachment 1 – Risk Screening Checklist (based on any "Yes" responses). If no risks have been identified in Attachment 1 then note "No Risks Identified" and skip to Question 4 and Select "Low Risk". Questions 5 and 6 not required for Low Risk Projects.</i>	QUESTION 3: What is the level of significance of the potential social and environmental risks? <i>Note: Respond to Questions 4 and 5 below before proceeding to Question 6</i>	QUESTION 6: What social and environmental assessment and management measures have been conducted and/or are required to address potential risks (for Risks with Moderate and High Significance)?	
Risk Description	Impact and Probability (1-5)	Significance (Low, Moderate, High)	Description of assessment and management measures as reflected in the Project design. If ESIA or SESA is required note that the assessment should consider all potential impacts and risks.
Risk: No risks identified	I = P =		

QUESTION 4: What is the overall Project risk categorization?		Comments
Select one (see <u>SESP</u> for guidance)		
Low Risk	<input checked="" type="checkbox"/>	
Moderate Risk	<input type="checkbox"/>	
High Risk	<input type="checkbox"/>	
QUESTION 5: Based on the identified risks and risk categorization, what requirements of the SES are relevant?		Comments
Check all that apply		
<i>Principle 1: Human Rights</i>	<input type="checkbox"/>	
<i>Principle 2: Gender Equality and Women's Empowerment</i>	<input type="checkbox"/>	
1. <i>Biodiversity Conservation and Natural Resource Management</i>	<input type="checkbox"/>	
2. <i>Climate Change Mitigation and Adaptation</i>	<input type="checkbox"/>	
3. <i>Community Health, Safety and Working Conditions</i>	<input type="checkbox"/>	
4. <i>Cultural Heritage</i>	<input type="checkbox"/>	
5. <i>Displacement and Resettlement</i>	<input type="checkbox"/>	
6. <i>Indigenous Peoples</i>	<input type="checkbox"/>	
7. <i>Pollution Prevention and Resource Efficiency</i>	<input type="checkbox"/>	

Final Sign Off

Signature	Date	Description
QA Assessor	26-Dec-2018	Gigi Bregadze, Democratic Governance Team Leader
QA Approver	28-Dec-2018	Munkhtuya Altangerel, Deputy Resident Representative (DRR)
PAC Chair	28-Dec-2018	Munkhtuya Altangerel, Deputy Resident Representative (DRR)

SESP Attachment 1. Social and Environmental Risk Screening Checklist

Checklist Potential Social and Environmental Risks	
Principles 1: Human Rights	Answer (Yes/No)
1. Could the Project lead to adverse impacts on enjoyment of the human rights (civil, political, economic, social or cultural) of the affected population and particularly of marginalized groups?	No
2. Is there a likelihood that the Project would have inequitable or discriminatory adverse impacts on affected populations, particularly people living in poverty or marginalized or excluded individuals or groups? ³⁹	No
3. Could the Project potentially restrict availability, quality of and access to resources or basic services, in particular to marginalized individuals or groups?	No
4. Is there a likelihood that the Project would exclude any potentially affected stakeholders, in particular marginalized groups, from fully participating in decisions that may affect them?	No
5. Is there a risk that duty-bearers do not have the capacity to meet their obligations in the Project?	No
6. Is there a risk that rights-holders do not have the capacity to claim their rights?	Yes
7. Have local communities or individuals, given the opportunity, raised human rights concerns regarding the Project during the stakeholder engagement process?	No
8. Is there a risk that the Project would exacerbate conflicts among and/or the risk of violence to project-affected communities and individuals?	No
Principle 2: Gender Equality and Women's Empowerment	
1. Is there a likelihood that the proposed Project would have adverse impacts on gender equality and/or the situation of women and girls?	No
2. Would the Project potentially reproduce discriminations against women based on gender, especially regarding participation in design and implementation or access to opportunities and benefits?	No
3. Have women's groups/leaders raised gender equality concerns regarding the Project during the stakeholder engagement process and has this been included in the overall Project proposal and in the risk assessment?	No
4. Would the Project potentially limit women's ability to use, develop and protect natural resources, taking into account different roles and positions of women and men in accessing environmental goods and services? <i>For example, activities that could lead to natural resources degradation or depletion in communities who depend on these resources for their livelihoods</i>	No

³⁹ Prohibited grounds of discrimination include race, ethnicity, gender, age, language, disability, sexual orientation, religion, political or other opinion, national or social or geographical origin, property, birth or other status including as an indigenous person or as a member of a minority. References to "women and men" or similar is understood to include women and men, boys and girls, and other groups discriminated against based on their gender identities, such as transgender people and transsexuals.

<i>and well being</i>		
Principle 3: Environmental Sustainability: Screening questions regarding environmental risks are encompassed by the specific Standard-related questions below		
Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management		
1.1	Would the Project potentially cause adverse impacts to habitats (e.g. modified, natural, and critical habitats) and/or ecosystems and ecosystem services? <i>For example, through habitat loss, conversion or degradation, fragmentation, hydrological changes</i>	No
1.2	Are any Project activities proposed within or adjacent to critical habitats and/or environmentally sensitive areas, including legally protected areas (e.g. nature reserve, national park), areas proposed for protection, or recognized as such by authoritative sources and/or indigenous peoples or local communities?	No
1.3	Does the Project involve changes to the use of lands and resources that may have adverse impacts on habitats, ecosystems, and/or livelihoods? (Note: if restrictions and/or limitations of access to lands would apply, refer to Standard 5)	No
1.4	Would Project activities pose risks to endangered species?	No
1.5	Would the Project pose a risk of introducing invasive alien species?	No
1.6	Does the Project involve harvesting of natural forests, plantation development, or reforestation?	No
1.7	Does the Project involve the production and/or harvesting of fish populations or other aquatic species?	No
1.8	Does the Project involve significant extraction, diversion or containment of surface or ground water? <i>For example, construction of dams, reservoirs, river basin developments, groundwater extraction</i>	No
1.9	Does the Project involve utilization of genetic resources? (e.g. collection and/or harvesting, commercial development)	No
1.10	Would the Project generate potential adverse transboundary or global environmental concerns?	No
1.11	Would the Project result in secondary or consequential development activities which could lead to adverse social and environmental effects, or would it generate cumulative impacts with other known existing or planned activities in the area? <i>For example, a new road through forested lands will generate direct environmental and social impacts (e.g. felling of trees, earthworks, potential relocation of inhabitants). The new road may also facilitate encroachment on lands by illegal settlers or generate unplanned commercial development along the route, potentially in sensitive areas. These are indirect, secondary, or</i>	No

	<i>induced impacts that need to be considered. Also, if similar developments in the same forested area are planned, then cumulative impacts of multiple activities (even if not part of the same Project) need to be considered.</i>	
Standard 2: Climate Change Mitigation and Adaptation		
2.1	Will the proposed Project result in significant ⁴⁰ greenhouse gas emissions or may exacerbate climate change?	No
2.2	Would the potential outcomes of the Project be sensitive or vulnerable to potential impacts of climate change?	No
2.3	Is the proposed Project likely to directly or indirectly increase social and environmental vulnerability to climate change now or in the future (also known as maladaptive practices)? <i>For example, changes to land use planning may encourage further development of floodplains, potentially increasing the population's vulnerability to climate change, specifically flooding</i>	No
Standard 3: Community Health, Safety and Working Conditions		
3.1	Would elements of Project construction, operation, or decommissioning pose potential safety risks to local communities?	No
3.2	Would the Project pose potential risks to community health and safety due to the transport, storage, and use and/or disposal of hazardous or dangerous materials (e.g. explosives, fuel and other chemicals during construction and operation)?	No
3.3	Does the Project involve large-scale infrastructure development (e.g. dams, roads, buildings)?	No
3.4	Would failure of structural elements of the Project pose risks to communities? (e.g. collapse of buildings or infrastructure)	No
3.5	Would the proposed Project be susceptible to or lead to increased vulnerability to earthquakes, subsidence, landslides, erosion, flooding or extreme climatic conditions?	No
3.6	Would the Project result in potential increased health risks (e.g. from water-borne or other vector-borne diseases or communicable infections such as HIV/AIDS)?	No
3.7	Does the Project pose potential risks and vulnerabilities related to occupational health and safety due to physical, chemical, biological, and radiological hazards during Project construction, operation, or decommissioning?	No
3.8	Does the Project involve support for employment or livelihoods that may fail to comply with national and international labor standards (i.e. principles and standards of ILO fundamental conventions)?	No
3.9	Does the Project engage security personnel that may pose a potential risk to health and safety of communities and/or individuals (e.g. due to a lack of	No

⁴⁰ In regards to CO₂, 'significant emissions' corresponds generally to more than 25,000 tons per year (from both direct and indirect sources). [The Guidance Note on Climate Change Mitigation and Adaptation provides additional information on GHG emissions.]

	adequate training or accountability)?	
Standard 4: Cultural Heritage		
4.1	Will the proposed Project result in interventions that would potentially adversely impact sites, structures, or objects with historical, cultural, artistic, traditional or religious values or intangible forms of culture (e.g. knowledge, innovations, practices)? (Note: Projects intended to protect and conserve Cultural Heritage may also have inadvertent adverse impacts)	No
4.2	Does the Project propose utilizing tangible and/or intangible forms of cultural heritage for commercial or other purposes?	No
Standard 5: Displacement and Resettlement		
5.1	Would the Project potentially involve temporary or permanent and full or partial physical displacement?	No
5.2	Would the Project possibly result in economic displacement (e.g. loss of assets or access to resources due to land acquisition or access restrictions – even in the absence of physical relocation)?	No
5.3	Is there a risk that the Project would lead to forced evictions? ⁴¹	No
5.4	Would the proposed Project possibly affect land tenure arrangements and/or community based property rights/customary rights to land, territories and/or resources?	No
Standard 6: Indigenous Peoples		
6.1	Are indigenous peoples present in the Project area (including Project area of influence)?	No
6.2	Is it likely that the Project or portions of the Project will be located on lands and territories claimed by indigenous peoples?	No
6.3	Would the proposed Project potentially affect the human rights, lands, natural resources, territories, and traditional livelihoods of indigenous peoples (regardless of whether indigenous peoples possess the legal titles to such areas, whether the Project is located within or outside of the lands and territories inhabited by the affected peoples, or whether the indigenous peoples are recognized as indigenous peoples by the country in question)? <i>If the answer to the screening question 6.3 is “yes” the potential risk impacts are considered potentially severe and/or critical and the Project would be categorized as either Moderate or High Risk.</i>	No
6.4	Has there been an absence of culturally appropriate consultations carried out with the objective of achieving FPIC on matters that may affect the rights and interests, lands, resources, territories and traditional livelihoods of the indigenous peoples concerned?	No

⁴¹ Forced evictions include acts and/or omissions involving the coerced or involuntary displacement of individuals, groups, or communities from homes and/or lands and common property resources that were occupied or depended upon, thus eliminating the ability of an individual, group, or community to reside or work in a particular dwelling, residence, or location without the provision of, and access to, appropriate forms of legal or other protections.

6.5	Does the proposed Project involve the utilization and/or commercial development of natural resources on lands and territories claimed by indigenous peoples?	No
6.6	Is there a potential for forced eviction or the whole or partial physical or economic displacement of indigenous peoples, including through access restrictions to lands, territories, and resources?	No
6.7	Would the Project adversely affect the development priorities of indigenous peoples as defined by them?	No
6.8	Would the Project potentially affect the physical and cultural survival of indigenous peoples?	No
6.9	Would the Project potentially affect the Cultural Heritage of indigenous peoples, including through the commercialization or use of their traditional knowledge and practices?	No
Standard 7: Pollution Prevention and Resource Efficiency		
7.1	Would the Project potentially result in the release of pollutants to the environment due to routine or non-routine circumstances with the potential for adverse local, regional, and/or transboundary impacts?	No
7.2	Would the proposed Project potentially result in the generation of waste (both hazardous and non-hazardous)?	No
7.3	Will the proposed Project potentially involve the manufacture, trade, release, and/or use of hazardous chemicals and/or materials? Does the Project propose use of chemicals or materials subject to international bans or phase-outs? <i>For example, DDT, PCBs and other chemicals listed in international conventions such as the Stockholm Conventions on Persistent Organic Pollutants or the Montreal Protocol</i>	No
7.4	Will the proposed Project involve the application of pesticides that may have a negative effect on the environment or human health?	No
7.5	Does the Project include activities that require significant consumption of raw materials, energy, and/or water?	No

Annex 4: Quality Assessment

1/31/2019

Design & Appraisal Stage Quality Assurance Report

Design & Appraisal Stage Quality Assurance Report

Overall Project Rating: Satisfactory
Decision: Approve: The project is of sufficient quality to continue as planned. Any management actions must be addressed in a timely manner.
Project Number: 00102189
Project Title: Enhanced Mediation and Arbitration for Fairer and Faster Commercial Dispute Resolutions
Project Date: 01-Jan-2019

Strategic Quality Rating: Satisfactory

1. Does the project's Theory of Change specify how it will contribute to higher level change? (Select the option from 1-3 that best reflects the project)

3 The project has a theory of change with explicit assumptions and clear change pathway describing how the project will contribute to outcome-level change as specified in the programme/CPD, backed by credible evidence of what works effectively in this context. The project document clearly describes why the project's strategy is the best approach at this point in time

2 The project has a theory of change. It has an explicit change pathway that explains how the project intends to contribute to outcome-level change and why the project strategy is the best approach at this point in time, but is backed by limited evidence.

1 The project does not have a theory of change, but the project document may describe in generic terms how the project will contribute to development results, without specifying the key assumptions. It does not make an explicit link to the programme/CPD's theory of change

Evidence

Management Response

The project document (II. Project Strategy) explains contribution of the project to the outcome-level results (UNPSD, CPD) and substantiates the suggested approach. It does not contain theory of change as such. But this is in line with new PPM, which made the use of ToC in proposals optional.

2. Is the project aligned with the thematic focus of the UNDP Strategic Plan? (select the option from 1-3 that best reflects the project)

3 The project responds to one of the three areas of development work as specified in the Strategic Plan, it addresses at least one of the proposed new and emerging areas; an issues-based analysis has been incorporated into the project design; and the project's RRF includes all the relevant SP output indicators. (all must be true to select this option)

2 The project responds to one of the three areas of development work as specified in the Strategic Plan. The project's RRF included at least one SP output indicator, if relevant. (both must be true to select this option)

1 While the project may respond to one of the three areas of development work as specified in the Strategic Plan, it is based on a sectoral approach without addressing the complexity of the development issue. None of the relevant SP indicators are included in the RRF. This answer is also selected if the project does not respond to any of the three areas of development work in the Strategic Plan.

Evidence

The project contributes to the 2nd area of Strategic Plan: Inclusive and Effective Democratic Governance and it contributes to the achievement to SP Output 2.2.3.

Quality Rating: Satisfactory

https://intranet.undp.org/sites/GEO/project/00102189/_layouts/15/print.aspx?fd=3E0_00102189_DE0ISNV3_001 1/10

Relevant

3. Does the project have strategies to effectively identify, engage and ensure the meaningful participation of targeted groups/geographic areas with a priority focus on the excluded and marginalized? (select the option from 1-3 that best reflects this project)

3: The target groups/geographic areas are appropriately specified, prioritising the excluded and/or marginalised. Beneficiaries will be identified through a rigorous process based on evidence (if applicable.)The project has an explicit strategy to identify, engage and ensure the meaningful participation of specified target groups/geographic areas throughout the project, including through monitoring and decision-making (such as representation on the project board) (all must be true to select this option)

2: The target groups/geographic areas are appropriately specified, prioritising the excluded and/or marginalised. The project document states how beneficiaries will be identified, engaged and how meaningful participation will be ensured throughout the project (both must be true to select this option)

1: The target groups/geographic areas are not specified, or do not prioritize excluded and/or marginalised populations. The project does not have a written strategy to identify or engage or ensure the meaningful participation of the target groups/geographic areas throughout the project.

Not Applicable

Evidence

Main targeted groups are mediators, arbitrators, judiciary, legal professionals including lawyers and law students, judges and court staff, SMEs, general public. Excluded/marginalized are not directly targeted.

Management Response

4. Have knowledge, good practices, and past lessons learned of UNDP and others informed the project design? (select the option from 1-3 that best reflects this project)

3: Knowledge and lessons learned (gained e.g. through peer assist sessions) backed by credible evidence from evaluation, corporate policies/strategies, and monitoring have been explicitly used, with appropriate referencing, to develop the project's theory of change and justify the approach used by the project over alternatives.

2: The project design mentions knowledge and lessons learned backed by evidence/sources, which inform the project's theory of change but have not been used/are not sufficient to justify the approach selected over alternatives.

1: There is only scant or no mention of knowledge and lessons learned informing the project design. Any references that are made are not backed by evidence.

Evidence

Though specific lessons learnt are not discussed, the project builds on the achievements and experience of EU-UNDP JP "Enhancing Access to Justice and Development of a Child-Friendly Justice System in Georgia" (Section 2: Project Strategy) completed in Dec2018.

Management Response

5. Does the project use gender analysis in the project design and does the project respond to this gender analysis with concrete measures to address gender inequities and empower women? (select the option from 1-3 that best reflects this project)

3: A participatory gender analysis on the project has been conducted. This analysis reflects on the different needs, roles and access to/control over resources of women and men, and it is fully integrated into the project document. The project establishes concrete priorities to address gender inequalities in its strategy. The results framework includes outputs and activities that specifically respond to this gender analysis, with indicators that measure and monitor results contributing to gender equality. (all must be true to select this option)

2: A gender analysis on the project has been conducted. This analysis reflects on the different needs, roles and access to/control over resources of women and men. Gender concerns are integrated in the development challenge and strategy sections of the project document. The results framework included outputs and activities that specifically respond to this gender analysis, with indicators that measure and monitor results contributing to gender equality. (all must be true to select this option)

1: The project design may or may not mention information and/or data on the differential impact of the project's development situation on gender relations, women and men, but the constraints have not been clearly identified and interventions have not been considered.

Evidence

Management Response

Section 1.5, Gender Mainstreaming discusses project's approach to ensuring gender equality. Number of activities include gender-sensitive approaches (Activity 1.1, 2.1, 2.3). Besides, gender-sensitive and gender-disaggregated data collection, analysis and reporting is a cross-cutting issue throughout project activities. Gender consideration are integrated in the Results Framework (Indicator 2.1, 2.3.1)

6. Does UNDP have a clear advantage to engage in the role envisioned by the project vis-à-vis national partners, other development partners, and other actors? (select the option from 1-3 that best reflects this project)

3: An analysis has been conducted on the role of other partners in the area where the project intends to work, and credible evidence supports the proposed engagement of UNDP and partners through the project. It is clear how results achieved by relevant partners will contribute to outcome level change complementing the project's intended results. If relevant, options for south-south and triangular cooperation have been considered, as appropriate. (all must be true to select this option)

2: Some analysis has been conducted on the role of other partners where the project intends to work, and relatively limited evidence supports the proposed engagement of and division of labour between UNDP and partners through the project. Options for south-south and triangular cooperation may not have not been fully developed during project design, even if relevant opportunities have been identified

1: No clear analysis has been conducted on the role of other partners in the area that the project intends to work, and relatively limited evidence supports the proposed engagement of UNDP and partners through the project. There is risk that the project overlaps and/or does not coordinate with partners' interventions in this area. Options for south-south and triangular cooperation have not been considered, despite its potential relevance.

Evidence

Management Response

Section 3.3 Partnerships and Stakeholders provides snapshot of all relevant stakeholders (including donors active in the field) and their respective roles

Social & Environmental Standards

Quality Rating: Satisfactory

7. Does the project seek to further the realization of human rights using a human rights based approach? (select from options 1-3 that best reflects this project)

3: Credible evidence that the project aims to further the realization of human rights, upholding the relevant international and national laws and standards in the area of the project. Any potential adverse impacts on enjoyment of human rights were rigorously identified and assessed as relevant, with appropriate mitigation and management measures incorporated into project design and budget. (all must be true to select this option)

2: Some evidence that the project aims to further the realization of human rights. Potential adverse impacts on enjoyment of human rights were identified and assessed as relevant, and appropriate mitigation and management measures incorporated into the project design and budget

1: No evidence that the project aims to further the realization of human rights. Limited or no evidence that potential adverse impacts on enjoyment of human rights were considered.

Evidence

Human rights is promoted as a cross-cutting approach and state capacity supported to deliver on National human Rights Strategy and Action Plan (Section 2: Project Strategy)

Management Response

8. Did the project consider potential environmental opportunities and adverse impacts, applying a precautionary approach? (select from options 1-3 that best reflects this project)

3: Credible evidence that opportunities to enhance environmental sustainability and integrate poverty-environment linkages were fully considered as relevant, and integrated in project strategy and design. Credible evidence that potential adverse environmental impacts have been identified and rigorously assessed with appropriate management and mitigation measures incorporated into project design and budget. (all must be true to select this option).

2: *No evidence that opportunities to strengthen environmental sustainability and poverty-environment linkages were considered. Credible evidence that potential adverse environmental impacts have been identified and assessed, if relevant, and appropriate management and mitigation measures incorporated into project design and budget.*

1: No evidence that opportunities to strengthen environmental sustainability and poverty-environment linkages were considered. Limited or no evidence that potential adverse environmental impacts were adequately considered.

Evidence

Not applicable for the project.

Management Response

9. Has the Social and Environmental Screening Procedure (SESP) been conducted to identify potential social and environmental impacts and risks? (If yes, upload the completed checklist as evidence. If SESP is not required, provide the reason(s) for the exemption in the evidence section. Exemptions include the following:

- Preparation and dissemination of reports, documents and communication materials
- Organization of an event, workshop, training
- Strengthening capacities of partners to participate in international negotiations and conferences
- Partnership coordination (including UN coordination) and management of networks
- Global/regional projects with no country level activities (e.g. knowledge management, inter-governmental processes)
- UNDP acting as Administrative Agent

Yes

No

SESP not required

Evidence

Management & Monitoring

Quality Rating: Satisfactory

10. Does the project have a strong results framework? (select from options 1-3 that best reflects this project)

3. The project's selection of outputs and activities are at an appropriate level and relate in a clear way to the project's theory of change. Outputs are accompanied by SMART, results-oriented indicators that measure all of the key expected changes identified in the theory of change, each with credible data sources, and populated baselines and targets, (including gender sensitive, sex-disaggregated indicators where appropriate). (all must be true to select this option)

2. The project's selection of outputs and activities are at an appropriate level, but may not cover all aspects of the project's theory of change. Outputs are accompanied by SMART, results-oriented indicators, but baseline, targets and data sources may not yet be fully specified. Some use of gender sensitive, sex-disaggregated indicators, as appropriate. (all must be true to select this option)

1. The results framework does not meet all of the conditions specified in selection "2" above. This includes: the project's selection of outputs and activities are not at an appropriate level and do not relate in a clear way to the project's theory of change; outputs are not accompanied by SMART, results-oriented indicators that measure the expected change, and have not been populated with baselines and targets; data sources are not specified, and/or no gender sensitive, sex-disaggregation of indicators.

Evidence

Management Response

The project has Results Framework, with clearly defined indicators and respective baselines, and targets.

11. Is there a comprehensive and costed M&E plan with specified data collection sources and methods to support evidence-based management, monitoring and evaluation of the project?

Yes

No

Evidence

Section 6: Monitoring and Evaluation defines in details all M&E and reporting requirement for the project.

12. Is the project's governance mechanism clearly defined in the project document, including planned composition of the project board? (select from options 1-3 that best reflects this project)

3. The project's governance mechanism is fully defined in the project document. Individuals have been specified for each position in the governance mechanism (especially all members of the project board.) Project Board members have agreed on their roles and responsibilities as specified in the terms of reference. The ToR of the project board has been attached to the project document. (all must be true to select this option).

2. The project's governance mechanism is defined in the project document; specific institutions are noted as holding key governance roles, but individuals may not have been specified yet. The prodoc lists the most important responsibilities of the project board, project director/manager and quality assurance roles. (all must be true to select this option)

1. The project's governance mechanism is loosely defined in the project document, only mentioning key roles that will need to be filled at a later date. No information on the responsibilities of key positions in the governance mechanism is provided.

Evidence

Management Response

Project governance mechanism is described in 7.1 Governance Arrangements/7.2 Management Arrangements, including Steering Committee (Project Board) organigram

13. Have the project risks been identified with clear plans stated to manage and mitigate each risks? (select from options 1-3 that best reflects this project)

3. Project risks related to the achievement of results are fully described in the project risk log, based on comprehensive analysis drawing on the theory of change, Social and Environmental Standards and screening, situation analysis, capacity assessments and other analysis. Clear and complete plan in place to manage and mitigate each risk. (both must be true to select this option)

https://trnart.unep.org/sites/GEO-project/00102189/_layouts/15/projectqa/print/DesignAppraisalPrintV3.aspx?fid=GEO_00102189_DE/03_NV3_201...

2. Project risks related to the achievement of results identified in the initial project risk log with mitigation measures identified for each risk.

1: Some risks may be identified in the initial project risk log, but no evidence of analysis and no clear risk mitigation measures identified. This option is also selected if risks are not clearly identified and no initial risk log is included with the project document.

Evidence

Project risks are identified and analyzed in Section 3.4 Risk Analysis

Management Response

Efficient

Quality Rating: Highly Satisfactory

14. Have specific measures for ensuring cost-efficient use of resources been explicitly mentioned as part of the project design? This can include: i) using the theory of change analysis to explore different options of achieving the maximum results with the resources available; ii) using a portfolio management approach to improve cost effectiveness through synergies with other interventions; iii) through joint operations (e.g., monitoring or procurement) with other partners.

Yes

No

Evidence

Cost efficiency discussed under section 4.1 Cost Efficiency and Effectiveness

15. Are explicit plans in place to ensure the project links up with other relevant on-going projects and initiatives, whether led by UNDP, national or other partners, to achieve more efficient results (including, for example, through sharing resources or coordinating delivery?)

Yes

No

Evidence

Section 3.3, Partnerships and Stakeholders specifically discusses complimentary and synergies with other international assistance projects.

16. Is the budget justified and supported with valid estimates?

3: The project's budget is at the activity level with funding sources, and is specified for the duration of the project period in a multi-year budget. Costs are supported with valid estimates using benchmarks from similar projects or activities. Cost implications from inflation and foreign exchange exposure have been estimated and incorporated in the budget.

2: The project's budget is at the activity level with funding sources, when possible, and is specified for the duration of the project in a multi-year budget. Costs are supported with valid estimates based on prevailing rates.

1: The project's budget is not specified at the activity level, and/or may not be captured in a multi-year budget.

Evidence

The project has annualized, activity level budget (Annex 2, Budget)

17. Is the Country Office fully recovering the costs involved with project implementation?

3: The budget fully covers all direct project costs that are directly attributable to the project, including programme management and development effectiveness services related to strategic country programme planning, quality assurance, pipeline development, policy advocacy services, finance, procurement, human resources, administration, issuance of contracts, security, travel, assets, general services, information and communications based on full costing in accordance with prevailing UNDP policies (i.e., UPL, LPL.)

2: *The budget covers significant direct project costs that are directly attributable to the project based on prevailing UNDP policies (i.e., UPL, LPL) as relevant.*

1: The budget does not reimburse UNDP for direct project costs. UNDP is cross-subsidizing the project and the office should advocate for the inclusion of DPC in any project budget revisions.

Evidence

UNDP will recover DPC costs, reflected in the budget.

Management Response

Effective

Quality Rating: Highly Satisfactory

18. Is the chosen implementation modality most appropriate? (select from options 1-3 that best reflects this project)

3: The required implementing partner assessments (capacity assessment, HACT micro assessment) have been conducted, and there is evidence that options for implementation modalities have been thoroughly considered. There is a strong justification for choosing the selected modality, based on the development context. (both must be true to select this option)

2: *The required implementing partner assessments (capacity assessment, HACT micro assessment) have been conducted and the implementation modality chosen is consistent with the results of the assessments.*

1: The required assessments have not been conducted, but there may be evidence that options for implementation modalities have been considered.

Evidence

The project has multiple stakeholders and deals with cross-institutional issues, which can not be attributed to one institution. Therefore, there is a need to take lead in implementing the project, which UNDP is well-positioned to undertake. HACT assessments were conducted for different partners (Tbilisi State University, Georgian Arbitrators' Association, Arbitration Initiative Georgia, Georgian Bar Association, Georgian International Arbitration center, etc) during 2016-2018 within JP Access to Justice. The same partners will be partnered by current project as well.

Management Response

19. Have targeted groups, prioritizing marginalized and excluded populations that will be affected by the project, been engaged in the design of the project in a way that addresses any underlying causes of exclusion and discrimination?

3: Credible evidence that all targeted groups, prioritising marginalized and excluded populations that will be involved in or affected by the project, have been actively engaged in the design of the project. Their views, rights and any constraints have been analysed and incorporated into the root cause analysis of the theory of change which seeks to address any underlying causes of exclusion and discrimination and the selection of project interventions.

2: Some evidence that key targeted groups, prioritising marginalized and excluded populations that will be involved in the project, have been engaged in the design of the project. Some evidence that their views, rights and any constraints have been analysed and incorporated into the root cause analysis of the theory of change and the selection of project interventions.

1: No evidence of engagement with marginalized and excluded populations that will be involved in the project during project design. No evidence that the views, rights and constraints of populations have been incorporated into the project.

Not Applicable

Evidence

Not applicable.

20. Does the project conduct regular monitoring activities, have explicit plans for evaluation, and include other lesson learning (e.g. through After Action Reviews or Lessons Learned Workshops), timed to inform course corrections if needed during project implementation?

Yes

No

Evidence

Section 6: M&E defined regularity of monitoring activities, lessons learning, knowledge generation, etc.

21. The gender marker for all project outputs are scored at GEN2 or GEN3, indicating that gender has been fully mainstreamed into all project outputs at a minimum.

Yes

No

Evidence

The project is GEN2.

Management Response

22. Is there a realistic multi-year work plan and budget to ensure outputs are delivered on time and within allotted resources? (select from options 1-3 that best reflects this project)

3: The project has a realistic work plan & budget covering the duration of the project at the activity level to ensure outputs are delivered on time and within the allotted resources.

2: The project has a work plan & budget covering the duration of the project at the output level.

1: The project does not yet have a work plan & budget covering the duration of the project.

Evidence

The project has detailed multi-year quarterly workplan (section 7) and annualized budget (Annex 2)

Sustainability & National Ownership

Quality Rating: Satisfactory

23. Have national partners led, or proactively engaged in, the design of the project?

3: National partners have full ownership of the project and led the process of the development of the project jointly with UNDP.

2: The project has been developed by UNDP in close consultation with national partners.

1. The project has been developed by UNDP with limited or no engagement with national partners.

Not Applicable

Evidence

The project is in line with all major state policy documents related to dispute resolution (Section 2: Project Strategy) and builds on well-established cooperation with all stakeholders including national counterparts (3.6 Sustainability and Scaling up)

24. Are key institutions and systems identified, and is there a strategy for strengthening specific/ comprehensive capacities based on capacity assessments conducted? (select from options 0-4 that best reflects this project):

3. The project has a comprehensive strategy for strengthening specific capacities of national institutions based on a systematic and detailed capacity assessment that has been completed. This strategy includes an approach to regularly monitor national capacities using clear indicators and rigorous methods of data collection, and adjust the strategy to strengthen national capacities accordingly.

2.5. A capacity assessment has been completed. The project document has identified activities that will be undertaken to strengthen capacity of national institutions, but these activities are not part of a comprehensive strategy to monitor and strengthen national capacities.

2. A capacity assessment is planned after the start of the project. There are plans to develop a strategy to strengthen specific capacities of national institutions based on the results of the capacity assessment.

1.5: There is mention in the project document of capacities of national institutions to be strengthened through the project, but no capacity assessments or specific strategy development are planned.

1: Capacity assessments have not been carried out and are not foreseen. There is no strategy for strengthening specific capacities of national institutions.

Not Applicable

Evidence

The project component 2 specifically deals with the capacity building and raising qualification of mediators, arbitrators, legal professionals and judiciary to promote consistent, efficient and fast resolution of commercial disputes.

25. Is there is a clear strategy embedded in the project specifying how the project will use national systems (i.e., procurement, monitoring, evaluations, etc.,) to the extent possible?

Yes

No

Not Applicable

Evidence

The project is DIM and therefore UNDP will be conducting all business processes based on its internal rules and regulations.

26. Is there a clear transition arrangement/ phase-out plan developed with key stakeholders in order to sustain or scale up results (including resource mobilisation strategy)?

Yes

No

10/1/2019

Design & Appraisal Stage Quality Assurance Report

Evidence

Section 3.6 Sustainability and Scaling Up specifically addresses sustainability of the project results.

Quality Assurance Summary/PAC Comments

The LPAC reviewed and found the project extremely timely and useful. The project was approved with minor comments. LPAC minutes attached