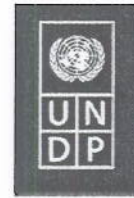




Annual Work Plan 2009



Access to Justice and Human Rights

Country: GHANA

UNDAF Outcome(s):	By 2010, Capacity for equitable and participatory governance systems made effective at all levels and guided by human rights principles.
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Expected CP Outcome(s):	Outcome 7: Access to justice and respect for basic and human rights improved
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Expected CP Output(s):	Output 1: Capacity of Judiciary, human rights commission and law enforcement institutions strengthened
	Output 2: Capacity of general population expanded to access justice
	Output 3: Capacity of national and local institutions including CSOs strengthened to respond to the needs of women and disadvantaged groups.

Implementing Partners: JUDICIAL SERVICE
 MINISTRY OF JUSTICE AND ATTORNEY-GENERAL'S DEPARTMENT (MoJAGD)
 COMMISSION OF HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE (CHRAJ)
 GHANA PRISONS SERVICE (GPS)
 LEGAL AID SCHEME (LAS)

Narrative

The foundation for democracy is the protection of rights and liberties of all citizens in accessing justice. The ability of people to defend their rights and access justice is a fundamental human right principle enshrined in the Constitution of Ghana – and this principle has been captured as an important policy priority for the government in the GPRS II. However, institutional weaknesses and lack of resources on the part of justice delivery institutions and illiteracy on the part of citizens as right bearers, coupled with poverty have led to a number of challenges that make majority of citizens inaccessible to justice. The overall aim of UNDP is to support institutions in the 'Access to justice cluster' to improve the human rights situation and contribute to strengthening the justice delivery system and related services to make them more accessible to the public, particularly the poor and vulnerable groups. It will also support programmes that offer information and knowledge to citizens as right bearers. In 2009, UNDP will continue to support the various institutions by strategically building on its support in 2008. In addition, the AWP will also support other strategic national institutions and civil society organisations that advance the principles of 'Access to Justice'. These would be pursued through the use of a dual and complementary approach of (i) supporting capacity development of justice delivery institutions to enable them respond adequately to the public; and (ii) enhanced public education and engagement in collaboration with the relevant institutions, to enable the public to demand their rights, access justice and fulfil their responsibilities.


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Programme Period: January-December 2009

Programme Component: _____

Intervention Title: Improving Access to Justice and Human Rights

Budget Code: _____

Duration: 1 year

Estimated annualized budget: 662,275

Allocated resources: _____

- Government _____
- Regular 662,275
- Other: _____

Judicial Service of Ghana

Agreed by (Implementing Partner): Sandra Thompson 09/04/09

Agreed by (Implementing Partner): _____

Agreed by (Implementing Partner): CHRAJ Anna Forster

Agreed by (Implementing Partner): Ghana Prisons Service Imfebrnah 09-04-09

Agreed by (Implementing Partner): Legal Aid Scheme [Signature] 09-04-09

Agreed by (UNDP Agency): [Signature]

Date: 9/4/2009

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Part I: Situation Analysis

Access to Justice and respect for human rights are appropriately identified as cardinal elements of democratic governance and enshrined in the Ghanaian Constitution, drawing from International human rights instruments that Ghana is signatory. The justice delivery system in Ghana involves institutions such as the Ministry of Justice and Attorney Generals Department, the Ghana Police Service, the Ghana Prisons Service, CHRAJ, Judicial Service and the Legal Aid Scheme. The system has seen many encouraging developments since the restoration of civilian rule in 1992, aimed at making it more effective and accessible to all, especially the vulnerable and marginalised, as articulated in the GPRS II. These include in particular the establishment of the fast track High Court, Reforms in the Judicial Service which has led to the computerisation, automation of the courts, the introduction of ADR, capacity development programmes and setting up of specialised courts.

Despite these developments, a number of problems still undermine the effectiveness of the system. Among them are poor co-ordination among the different institutions and actors in the sector; long delays in settling cases which has resulted in a stock pile of cases; weak and inadequate legal aid to make justice accessible to the poor; overcrowded courts and prisons; and high and prohibitive legal costs, coupled with recurring allegations of corruption among the police, as well as court staff, including judges and magistrates.

Both the demand and supply components of the justice delivery system are weak and need to be strengthened. On the demand side, the degree of people's knowledge of the processes of seeking redress in the justice system - where and how to start a formal or informal justice process - is still weak and needs to be addressed systematically. This is particularly the case with segments of the population already marginalized due to their geographic location, socio-economic status, gender or age. On the supply side, the poor and uncoordinated manner in which the key institutions operate is further wrought with inadequate number of skilled personnel, inadequate operational support and logistics, as well as slow and outmoded manual procedures. Furthermore, weak policy analysis, formulation and implementation, as well as monitoring and regular reviews to ensure relevance of policies to changing times, and thereby facilitate synergy-building, equally contribute to the ineffectiveness of the system.

The challenges enumerated above have minimized confidence of the public in the formal judicial system, contributing to occasional resort to instant mob-justice by the public. The situation has been further aggravated by the negative reportage about the judicial system by the media, while education of the public on their rights and responsibilities in accessing justice and ensuring accountability, among others, is little and virtually non-existent.

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Part II: Strategy

Taking cognizance of the above prevailing situation and conditions necessary for effective justice delivery, i.e. enhanced capacity and effectiveness of the demand and supply components of the system, the strategy of the AWP is situated on capacity development based on national priorities and those of the various partner institutions in the justice delivery sector in a collaborative manner, linked to the UNDP UNDAF and CPAP. This AWP therefore consolidates previous interventions employing the dual and complementary approach of (i) supporting capacity development of justice delivery institutions to enable them respond adequately to the public; and (ii) enhanced public education and engagement in collaboration with the relevant institutions, to enable the public to demand their rights, access justice and fulfill their responsibilities.

By way of deepening collaboration among the key institutions, UNDP will provide support to a high level meeting amongst heads of the partner institutions to facilitate the development of a holistic programme to address the gaps constraining access to justice and make the justice delivery system in Ghana more effective. Collaboration between the media and civic education institutions like the NCCE and selected CSOs will also be pursued to enhance public awareness on human rights principles and provisions and to increase access to justice. The collaboration is also intended to help avoid duplication of activities, ensure efficient use of limited human and material resources and strengthen synergies among the various partners including management of data, in order to make maximum impact.

For the year 2009, UNDP will continue to support the relevant institutions by strategically leveraging on its support in 2008. In line with the UNDAF, the human rights component of the programme will entail strengthening the rule of law and access to justice through the human rights based approach. Consequently, UNDP will support enhanced staff capacity development, improved working facilities and processes, and continuous creation of forums for human rights education and public engagement, aimed at improving access to justice, mainstreaming the application and use of Alternative Dispute Resolution (ADR) and for enhanced advocacy role of CSOs on the above issues.

Specifically, this AWP seeks to improve case management, help decrease the number of remand prisoners (under the Justice-for-all Programme) and encourage the use of ADR, as well as make justice, including legal aid, accessible to all, especially vulnerable groups such as women, the youth and the poor. The specific interventions with the key partners are:

2.0 Support to the Ministry of Justice and AG's Department: The Ministry of Justice and Attorney General's Department intends to implement fully the Justice-for-All programme in collaboration with all key partners institutions, to help address the remand prisoners problems, uphold respect for human rights and ease congestion at the some of the prisons. The AWP also builds on previous support provided for technological enhancement and transformation of the Ministry and the AG's Department, which involves the provision of computers and accessories and establishment of a local area

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network (LAN). It will also support the process of institutionalizing ADR as well as building the capacity of staff in ADR, and human rights protection.

2.1 Support to the Judicial Service: Within the ongoing reforms in the judiciary, UNDP will support the development of strategic capacity for a transparent, efficient and inexpensive system to enhance access to justice and reduce the cost to litigation. In particular, UNDP will provide policy advice to the Judicial Service in the semi-automation of the Magistrate Courts, promoting ADR in Ghana as well as strengthening the gender aspects of access to justice by giving gender training to the adjudicators. In this regard a flagship program on Gender Justice will set up gender justice courts to resolve domestic violence cases in a speedy manner.

2.2 Support to CHRAJ: UNDP's support to CHRAJ will continue in order to promote a culture of respect for fundamental human rights, especially the rights of children in orphanages. CHRAJ will also develop a National Human Rights Action Plan, aimed at facilitating the implementing international human rights norms through integration into domestic law and practice, as well as building synergy among all stakeholders and partners at all levels. To ensure the rule of law in Ghana, CHRAJ will continue to facilitate training on human rights at all levels, including the education and professional training of the police.

2.3 Enhancing Access to Legal Aid: UNDP will assist the LAS in 2009 to further enhance LAS capacity for programme development and to strengthen the capacity of its staff in the application of ADR mechanisms as part of the formal resolution processes for cases lodged with the Scheme and thus further improve access of the disadvantaged to justice. UNDP support will also be geared towards the implementation of the strategic plan, including enhanced public awareness of the existence of the Scheme and how to access its services. LAS will be assisted to facilitate the passage of Legal Aid Act and strengthen the institutional and legal capacity of its staff.

2.4 Support to Ghana Prisons Service (GPS): UNDP support to GPS this year aims at setting up a diagnostic centre for the reception of convicted persons from court. The centre is to enable GPS determine the appropriate prisons for the prisoners to facilitate their reformatory process. Capacity building will also be carried out for officers who will man the centre. Other programme for the year include the establishment of a wide area network and human rights training for prison officers as a way of helping GPS to develop an efficient, safe, humane and reformatory penal system and thereby enhance management and contribute towards the successful reintegration of ex-convicts into the society.

2.5 Awareness Creation and Civic Engagement: In the just ended evaluation on Access to Justice, it was apparent that civil society has not been involved adequately in the Access to Justice Programme. Neither has there been support to women and youth in the programme. Although nearly 70% of prison inmates are youth; the whole court system in Ghana is adult oriented. There is therefore urgent need to pay attention to the youth by creating awareness on youth and justice in Ghana. This year's AWP will encourage

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collaboration between NCCE and CSOs, especially women, youth and other vulnerable groups, to educate the public and strategically advocate for people's rights to improve access to Justice. Interventions here will seek to strengthen civil societies' roles as watchdog to ensure accountability in the justice delivery sector, and at the same time as partners - fulfilling their civic responsibilities, respecting the rule of law and rights of each other, while providing information to facilitate the works of the justice delivery institutions.

Part III. Management Arrangements: Monitoring and Evaluation

Taking cognisance of the different partners collaborating under this AWP to collectively contribute to the outcomes expected from the UNDAF, this AWP will have the management structure outlined below to ensure proper coordination and attainment of desired results:

Steering Committees: Under the overall Governance Programme/project management regulations of UNDP, a Cluster Steering Committee (CSC) will constitute the apex of the management structure of the AWP. Besides UNDP representatives, the CSC will comprise two representatives from each IPs; one from policy or management level of the institution while the other from the technical level, who will also be the focal person of the AWP in the respective IPs. This committee will be responsible for the management/implementation of the AWP, especially for cross-cutting activities, for which decisions will be reached through consensus. Final decision making on institution-specific activities and accountability rests with the respective institutions under the overall co-ordination of the CSC and in accordance with relevant UNDP regulations. The CSC is expected to meet at least once every quarter to review progress on the implementation of the AWP, share experiences and chart the way forward for the successful implementation of the AWP.

Role of Implementing Partners (IPs): Each IP is responsible and accountable for implementation of its respective components of the AWP, including monitoring and review of approved activities and achievements of set targets and outputs, in order to ensure effective utilisation of UNDP resources. The Implementing Partner may enter into agreements with other organizations or entities to assist in successfully delivering project outputs, in accordance with UNDP regulations, including agreement with the relevant UNDP authorities.

Project Manager (or Project Coordinator): Where necessary, and with the approval of partners, a Project Manager (PM) may be recruited or appointed to be responsible for the day-to-day management and decision-making for the project. The appointment or designation of a project manager will be the responsibility of the IPs. The PM will usually be a senior official from one of the IPs in this cluster. S/he will manage both the substantive aspects (such as implementation, monitoring and evaluation) and budgeting/financial management aspects and report to the Steering Committee. The appointment or recruitment of a full time Project Manager may be done by UNDP (in

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accordance with its rules and regulations) to ensure that the PM does not owe allegiance to any one IP, especially the one that may do the recruitment.

The Project Manager is responsible for the quality and timely development and delivery of the following:

- Organisation of quarterly CSC meeting co-chaired by UNDP and MoFEP
- Quarterly Work plans, prior to quarterly Governance Unit Programme Management Meetings
- Communication and Monitoring Plans
- Quarterly Progress Report, including update of issues log and lessons learned log
- Annual Progress Report
- Quarterly and Annual Funding Authorization and Certificate of Expenditures – FACE
- Quarterly and annual updates of risk log
- Quarterly and annual updates of issues log
- Quarterly and annual updates of lessons learned log
- Final Project Report at the end of the project

PART IV: MONITORING AND EVALUATION

The AWP will be reviewed quarterly according to UNDP standard procedures and policies. UNDP Country Office experience will be shared with implementing partners to ensure that project activities are properly documented. The output indicators will serve as the reference point for the development of a frame work for M& E activities. Monitoring will be participatory, and serve both as a data collection and reporting tool, as well as a project management tool. The UNDP programme officer in charge will ensure that project partners, who are responsible for the preparation and submission of the following reports, do so in good time as part of the monitoring process.

Inception Report:

An inception meeting including all the project partners will be held and an inception report prepared. It will include a detailed quarterly work plan, describing the activities and progress indicators that will guide the implementation of the AWP. The report will also include a detailed quarterly project budgets for the period of implementation, monitoring and evaluation framework and a detailed procurement plan.

The inception report will include a more detailed narrative on the institutional roles, responsibilities, coordinating actions and feedback mechanisms. A section will be included on progress to date on project establishment and start-up activities, and an update of any changed external conditions that may affect project implementation. A detailed schedule of project reviews meetings will be developed.

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Quarterly Progress Reports

These reports, outlining main updates in project progress, including a financial report, will be provided quarterly to UNDP and the External Resources Mobilization (ERM) Division of the Ministry of Finance and Economic Planning by the implementing partners.

Annual Reports

At the end of the year (end of 4th quarter), an annual report will be provided, comprising both narrative and financial components.

Part V Risks and Assumptions

In view of the change in government, policy direction and government priorities may also change. This is however not anticipated to be very drastic since the prevailing situational analysis that informs the interventions in the AWP still persist. The second challenge is bringing together all the institutions in Access to justice under one AWP. Hitherto these institutions worked independently.

Management of Risks: As part of the management arrangement, a flexible approach is adopted whereby quarterly reviews will be used to discuss and reflect government's priorities, where necessary. The consultative and dialogue processes employed in making this new arrangement possible will continue to be employed to ensure full participation and commitment of all partners, for the smooth implementation of the AWP.

PART VI Legal Context

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

The UNDP Resident Representative in Ghana is authorized to effect in writing the following types of revision to this Project Document, provided that he/she has verified the agreement thereto and is assured that the other signatories to the Project Document have no objection to the proposed changes:

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

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d) Inclusion of additional annexes and attachments only as set out here in this Project Document.

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**ANNUAL WORKPLAN FOR 2009- UNDP SUPPORT ON ACCESS TO JUSTICE
ANNUAL WORKPLAN FOR 2009- UNDP SUPPORT ON ACCESS TO JUSTICE**

Expected CP Output and indicators including annual targets	Planned Activities <i>List all activities including M&E to be undertaken during the year towards stated CP outputs</i>	Time Frame				Responsible Party	Planned Budget		
		1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Source of Funds	Budget Description	Amount (\$)
JUDICIAL SERVICE									
<p>UNDP MYFF Goal: Fostering democratic governance</p> <p>Output 1: Capacity of judiciary, human rights commission and law enforcement institutions strengthened.</p> <p>Indicator 1.1: Gender Justice court established</p> <p>Indicator 1.2: National Human Rights Action Plan developed</p> <p>Indicator 1.3: Number and types of staff training and logistical support provided.</p> <p>Target: Improved law enforcement and expedited access to justice, with gender considerations.</p> <p>Output 2: Capacity of general population expanded to access justice.</p> <p>Indicator 2.1: Number of public education on human rights and access to justice conducted</p>	<p>Gender Justice Setting up of a sexual based Violence Court</p>	X				Judicial Service	UNDP	SSA Fees Equipments Logistics	20,000
	<p>Training programme on gender for selected Judges, Magistrates, Registrars and key staff in Gender based Violence</p>	X				Judicial Service	UNDP	Conference package, SSA fees ,DSA(participant s) Training/meeting cost, DSA	8,000
	<p>Targeted training for Magistrates and Registrars of the Juvenile courts and other District courts in Accra</p>			X		Judicial Service	UNDP	Conference package, SSA fees ,DSA(participant s) Training/meeting cost, DSA	7,000
	<p>ADR Training One day ADR refresher training seminar for Magistrates, Registrars and Staff in Accra</p>			X		Judicial Service	UNDP	Conference package, SSA fees DSA(participants) Training/meeting cost, DSA	5,000

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<p>Indicator 2.2 Number of cases registered and addressed effectively, especially in relations to the poor and the vulnerable such as women and the youth.</p> <p>Target: Enhanced performance of key Justice sector MDAs for increased access to justice, especially to the poor and the vulnerable.</p>	Two days ADR training for Judges of the Appeal, Human Rights, Labour and Commercial Courts in Kumasi	X			Judicial Service	UNDP	Conference package, SSA fees ,DSA(participants) Training/meeting cost, DSA	12,000	
	T & T for Mediators for the sustenance of Court Connected ADR programme	X	X	X	Judicial Service	UNDP	SSA fees	15,000	
	Public Education and Engagement Annual Chief Justice's Forum to engage at least 300 participants on various themes related to access to justice				X	Judicial Service	UNDP	Conference package, SSA fees ,DSA(participants) Logistics	25,000
	Printing of 2000 more copies of the Uniform Court-connected ADR Practice Manual for dissemination	X				Judicial Service	UNDP	Printing cost	8,000
	Judicial Outreach Forum in a selected District to share with members of the community and CSO's the role and responsibility of the Judiciary in assisting individuals to access justice with communities	X				Judicial Service		Conference package, SSA fees DSA(participants) Logistics and printing cost	20,000
	SUB-TOTAL								120,000
GHANA PRISONS SERVICE									
	Conduct Human Rights training for management	X	X	X	Ghana Prisons Service	UNDP	Conference package, SSA fees ,DSA and TST(participants) Training logistics	10,000	

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Setting up of a diagnostic centre for the reception of convicts		X	X	Ghana Prisons Service	UNDP	Consultancy Travel Supplies and printing cost	20,000
Establishment of Wide Area Network		X	X	Ghana Prisons Service	UNDP	Broadband Connection and Equipments	50,000
Procurement of IT equipment and furniture		X	X	Ghana Prisons Service	UNDP	Furniture and equipments	22,000
Conduct educational and literacy program for Prisoners		X	X	Ghana Prisons Service	UNDP	SSA fees and procurement	30,000
Advocacy and training		X	X	Ghana Prisons Service	UNDP	Conference package, SSA fees ,DSA(participants)	3,500
SUB-TOTAL							135,500
MINISTRY OF JUSTICE (MOJAGD)							
Development of database and electronic capture of all cases		X	X	MoJAGD	UNDP	SSA fees and Equipments	40,000
High level dialogue for Heads of institutions on access to justice		X		MoJAGD	UNDP	Conference package, SSA fees ,DSA, T\$T(participants) Training logistics	40,000
Access to Justice Justice for All Program (Support to the standing committee on remand prisoners)		X	X	MoJAGD	UNDP	Conference package, SSA fees ,DSA(participants) Training logistics	40,000
SUB-TOTAL							120,000

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CHRAJ							
300 station Officers trained in Human rights		X	X	CHRAJ - Police	UNDP	Conference package, SSA fees, DSA(participants) logistics	40,000
Development of National HR Action Plan			X	CHRAJ	UNDP	SSA fees, Conference package, DSA(participants) Training/meeting cost, DSA	50,000
Train 200 religious bodies in Human rights in the Northern Region		X	X	CHRAJ/ Religious bodies	UNDP	SSA fees, Conference package, DSA(participants) Training/meeting cost, DSA	25,000
SUB- TOTAL							<u>115,000</u>
LEGAL AID SCHEME (LAS)							
Training Program in ADR for new mediators, ensuring full participation of female mediators		X		LAS	UNDP	SSA fees, Conference package, DSA(participants) Training/meeting cost, DSA	35,000
Training for Paralegals and Intake Officers		X	X	LAS	UNDP	SSA fees, Conference package, DSA(participants) Training/meeting cost, DSA	5,000
Operational support for Community Mediation Centres (CMCs) to increase the number to 36		X	X	LAS	UNDP	Financial support to mediators	20,000
Compilation and printing of Annual report on CMCs for the 2008		X	X	LAS	UNDP	SSA fees and Printing	2,000

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Launch of strategic plan					X	X		LAS	UNDP	SSA fees and conference package	3,000
Recruit consultant to develop training manual on CMCs				X	X	X		LAS	UNDP	SSA fees and printing	5,000
Salaries of CMC's coordinator and allowances for intake officers in the ten regions			X	X	X	X		LAS	UNDP	Financial support to CMC coordinator	35,000
<u>SUB-TOTAL</u>											<u>105,000</u>
PROJECT MANAGEMENT											
Monitoring and Evaluation		X	X	X	X	X			UNDP	Travels	10,000
Capacity Development			X	X	X	X			UNDP	SSA fees, Conference package, DSA(participants) Training logistics	25,000
AWP reviews and planning for 2010		X	X	X	X	X					10,000
AUDIT											5,000
SUB-TOTAL											50,000
TOTAL											645,500
ISS (5%)											32,275
GRAND TOTAL											<u>662,275</u>

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