



**United Nations Development Programme
Country: India**

2009 Annual Work Plan

Project Title Access to Justice for Marginalized People

UNDAF Outcome(s): Systems and mechanisms in place to provide poor women and excluded groups access to justice at the local level

Expected CP Outcome(s): Systems and mechanisms in place to provide poor women and excluded groups access to justice at the local level in five project states.

Expected Output(s): Increased ability of vulnerable groups to seek remedies and of service providers, formal and informal, to deliver justice in conformity with national and international human rights principles and standards

Implementing Partner: Ministry of Law and Justice, Government of India

Responsible Parties: NALSA/ NJA/ CSOs

Brief Description

The project 'Access to Justice for Marginalized People' will be implemented in the UNDAF focus states of Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Orissa, Rajasthan and Uttar Pradesh as well as at national level with key institutions like NALSA and NJA. The project will seek to enhance capacities of vulnerable groups to seek and obtain justice by strengthening capacities of justice service providers including legal aid authorities at the state and district level; enhancing legal awareness of poor; developing legal and representational capacities of CSO's, and networks working at the local level to improve access to justice for vulnerable groups; informing policies through action research and facilitating channels for engagement and communication between justice and other public institutions and the most vulnerable groups at the local level.

Programme Period:	2008-2012
Key Result Area (Strategic Plan):	Strengthening accountable and responsive governing institutions.
Atlas Award ID:	00049816
Start date:	1 May 2009
End Date:	31 Dec 2009
Management Arrangements Implementation	National
PAC Meeting Date	17 Sep 2008

2009 AWP budget:	\$ 529,477
Total resources required	\$ 5 Million
Total allocated resources:	\$ 5 Million
Regular	\$ 529,477
Other:	
o Donor	_____
o Donor	_____
o Donor	_____
o Government	\$ 360,000
Unfunded budget:	_____
In-kind Contributions	-

Agreed by (Implementing Partner):

(भूपिन्दर प्रसाद)
(BHUPINDER PRASAD)
अपर सचिव
Additional Secretary
गृह मंत्रालय
Ministry of Home Affairs
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

Agreed by UNDP:

Project Overview:

Situational Analysis

Access to justice is now recognized as being essential to human development, for ensuring democratic governance, in reducing poverty and for the purpose of conflict prevention. India's judicial and legal system has many strengths: excellent constitutional and legal safeguards for access to justice; well-established institutions; a relatively independent and activist judiciary, a vibrant NGO sector and an independent media. The country has progressive laws in many areas such as the recognition of historical injustices, importance of group rights, positive discrimination for marginalized groups, including for women, and right to information,. However, the system faces two main challenges: backlog leading to delays and limited access to justice. While an overloaded legal system negatively affects all persons, poor and marginalized groups are the worst affected. Government priorities in legal and judicial reform include improving the efficiency of the justice system and reducing backlog and delay.

India's legal and judicial system also provides legal aid services, including alternative dispute resolution for certain matters (known as *Lok Adalats*). Legal aid is a fundamental right in India and the Legal Services Authorities Act, 1987 (LSAA), provides for free legal aid to vulnerable groups. The statute institutionalized the system of legal aid delivery by setting up the National Legal Services Authority (NALSA) in 1995.¹ NALSA has identified some major constraints at the state and district legal aid bodies in carrying out their mandate to the poor and disadvantaged women and men including weak planning, budgeting and implementation capacities.

The need to de-centralize the formal judicial mechanisms is a priority in India as the formalities and centralized structures of the justice system place justice beyond the reach of rural poor. The *Gram Nyayalaya Act, 2008*, has already been enacted and will help to decentralise the judicial structure and make it more accessible to the marginalized sections of the population.

In many instances, poor and marginalised women and men are unable to seek the protection of the law or take advantage of rights or public services they are entitled to simply because they are unaware that they exist. There is a clear recognition by the Government of India of its primary duty in ensuring legal awareness. State legal services authorities and NGOs are involved in a variety of legal literacy activities. However, increased public legal education and information initiatives are urgently needed and essential to improve access to justice for marginalized groups.

Programme Rationale

UNDP defines Access to Justice as, "the ability of people to seek and obtain a remedy through the formal or informal institutions of justice, and in conformity with human rights standards"² and recognizes that access to justice includes the ability to access the judicial system but has a broader scope than mere litigation. It is a right to live within an environment of rights where such rights are effectively protected. Within this broad paradigm, the term 'access to justice' includes two major concerns - guaranteeing human rights and ensuring capacity development of state institutions and citizens to ensure the protection of those rights.³

The results of the first phase of UNDP's support to Access to Justice in India (SAJI I), have provided key inputs into the design of a long-term programme of assistance in this area.⁴ One of the significant

¹ Similarly, state level units headed by the Chief Justice of each High Court were established, whilst at district level similar units were set up with District Judges as the heads of District Legal Services Committees. The committees are comprised of panels of lawyers who are required to provide legal aid and determine their remuneration, conduct legal awareness camps, organize *lok adalats* and pre-litigation mediation and counselling and undertake visits to closed institutions like prisons and shelter homes.

² UNDP, 'Programming for Justice Access for All. A Practitioner's Guide to a Human Rights-Based Approach to Access to Justice', UNDP, Bangkok, 2005. p. 4

³ Ibid

⁴ Strengthened Access to Justice in India (II): Design Mission Report, 5-16 May, 2008, Siphosami Malunga

achievements of SAJI I is that it created networks of civil society groups which have been working at different levels in strengthening access to justice at the local level. For civil society groups, the partnerships with state functionaries at the district and state level proved to be extremely empowering as isolated efforts now had the potential of getting mainstreamed within the justice sector. A National Roundtable on Access to Justice provided a useful platform for the GOI, its partners and various other stakeholders to share their views on strengthening legal aid services and justice delivery mechanisms.

The proposed Access to Justice programme is informed by the UNDP Strategic Plan, 2008-2011 which has the promotion of effective, responsive and accessible justice systems and the rule of law as a specific key result area. It is positioned within the over-arching objective of United Nations Development Assistance Framework (UNDAF) 2008-2012 which was guided by the Millennium Development Goals (MDG) and the GOI's Eleventh Five Year Plan. In line with the UNDAF, UNDP's Country Programme sets as one outcome, the establishment of systems and mechanisms to provide poor women and men and excluded groups with access to justice at the local level. Towards this outcome, the project will focus its efforts to increase the ability of vulnerable groups to seek remedies and of service providers to deliver justice in conformity with national and international human rights principles and standards.

Scope and Strategy

The interventions under the Access to Justice programme will be focused on strengthening access to justice for the poor, particularly women, *scheduled castes*, *scheduled tribes* and minorities by supporting strategies and initiatives that seek to address the barriers they face in social, economic and political domains.⁵

The programme will focus on the one hand on improving **institutional capacities of key justice service providers** to enable them to effectively serve the poor and disadvantaged and on the other hand, on **directly empowering the poor and disadvantaged men and women to seek and demand justice services**. In this regard the programme will support and partner with national, state and local justice institutions including the judiciary, legal aid authorities, civil society organizations, professional bodies and academic institutions. The programme will also partner with quasi judicial bodies such as the human rights commissions, women commission, SC/ST commissions and minorities commissions, commissioner for persons with disabilities. In line with the strategy pursued in the pilot stage, the programme will build on and strengthen strategic partnerships with both state and non-state (CSOs, CBOs, NGOs) actors for improved access to justice.

In order to optimize its impact, the programme will link with other UN programmes as well as other sectors within UNDP, to ensure that access to justice issues are taken into account in other programmes which focus on poor and marginalised women and men.

In line with the modalities already tried and tested in the pilot stage, the programme envisages the design and establishment of a funding mechanism which will be responsive in nature.

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⁵ *Ibid* p. 12

2. ANNUAL WORK PLAN

Year: 2009

Expected Project Outputs and indicators including annual targets	Planned Activities (List all activities including M&E during the year towards stated CP outputs)	Description	Time Frame				Responsible Party	Planned Budget	Budget Description	Amount (US\$)	Amount (Rs.)
			Q1	Q2	Q3	Q4					
Output 1: Supported national and local justice delivery institutions to improve access to justice Baseline: Indicators: Targets:	Capacity assessment of state and district legal aid authorities/committees and linkages with NALSA Comprehensive capacity development strategy developed to address capacity gaps in SALSA and District Committees to plan, budget and manage legal aid provision with efficiency and increased reach to poor and disadvantaged groups at national, state and district levels	Consultations with NALSA, DoJ and UNDP Preparation of ToRs									
		Identification and contracting of institution Conduct assessment Submission of final Report of Assessment Strategy Development						Resource Institution	TRAC	72100 - Contractual Services	70,000
UNDP Country Programme Outcome 2.2.: Systems and mechanisms in place to provide poor women and excluded groups access to justice at the local level in five project states	Establishment of a sharing mechanism between National, State and local judicial academies	Preparation of ToRs Identification, selection and contracting of consultants									
		Consultations with NJA and State Judicial Academies									
		Hiring and Training of Moderator						UNDP	TRAC	71400 - Contractual Services - Individuals	20,000
	Launch of electronic sharing mechanism through workshop at NJA										
	Inter-institutional platform established and roundtables held	One national level roundtable and at least 2 state-level consultations on access to justice									
Sub-total										110,000	55,00,000

<p>Output 2: Developed legal and representational capacity of CSOs and networks providing access to justice services to women and men belonging to disadvantaged groups</p> <p>Baseline: Indicators: Targets:</p> <p>UNDP Country Programme Outcome 2.2.: Systems and mechanisms in place to provide poor women and excluded groups access to justice at the local level in five project states</p>	<p>Capacity gaps of legal assistance providers (CSOs, lawyers, law schools and CBOs) assessed in select districts through national law schools.</p> <p>Design of a funding mechanism with clear parameters and selection criteria to support legal awareness initiatives and to strengthen capacity of local CSOs, and networks supporting access to justice</p> <p>Initiatives supporting legal and representational capacity of CSOs and networks supported through Justice Fund (e.g. development of ToT packages for CSOs to undertake legal awareness, support to human rights defenders and other legal assistance providers in representing marginalised groups etc.)</p>	<p>Preparation of ToRs Identification, selection and contracting of resource institution Conduct assessment Share result of assessment with partners Preparation of ToRs Advertise Consultancy Identification and selection of consultant to design funding mechanism with suggested parameters, selection committee, funding criteria, ToRs of Fund Manager etc. Contracting consultant Establishment of advisory group Request for proposals, screening by Fund Manager and selection by Selection Committee</p>	<p>Resource Institution</p> <p>UNDP</p> <p>Resource Institution</p>	<p>TRAC</p> <p>TRAC</p> <p>TRAC</p>	<p>72100 - Contractual Services</p> <p>71400 - Contractual Services - Individuals</p> <p>72100 - Contractual Services</p>	<p>28,000</p> <p>10,000</p> <p>125,000</p>	<p>14,00,000</p> <p>5,00,000</p> <p>62,50,000</p>								
								<p>Output 3: Enhanced Legal Awareness of disadvantaged communities and their elected representatives in select districts</p> <p>Baseline: Indicators: Targets:</p> <p>UNDP Country Programme Outcome 2.2.: Systems and mechanisms in place</p>	<p>Knowledge gaps on legal issues amongst select poor, disadvantaged groups identified in selected districts through surveys and assessments of legal awareness levels</p> <p>Compilation of a compendium of rights of marginalised</p> <p>Initiatives on legal awareness supported through Justice Fund (e.g. design of legal awareness programmes, legal awareness of elected representatives and women's groups etc.)</p>	<p>Preparation of ToRs Identification, selection and contracting of resource institution Conduct survey and disseminate results Dissemination of survey results Request for proposals, screening by Fund Manager and selection by Selection Committee</p>	<p>Resource Institution</p> <p>Resource Institution</p> <p>Resource Institution</p>	<p>TRAC</p> <p>TRAC</p> <p>TRAC</p>	<p>72100 - Contractual Services</p> <p>72100 - Contractual Services</p> <p>72100 - Contractual Services</p>	<p>28,000</p> <p>10,000</p> <p>125,000</p>	<p>14,00,000</p> <p>5,00,000</p> <p>62,50,000</p>

<p>to provide poor women and excluded groups access to justice at the local level in five project states Capacities of elected representatives and State and district officials in the UNDAF focus states/districts enhanced to perform their roles effectively in local governance</p>																																																																																																																																																																																																																																																																																																																																																																																																																																																											
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3. MANAGEMENT ARRANGEMENTS

Implementing Partner: The programme will be anchored with the Department of Justice (DoJ), Ministry of Law and Justice, Government of India designated as Implementing Partner (IP). The DoJ will assume the overall responsibility for the achievement of the project outputs and results. DoJ will designate a National Project Director (NPD), who will be responsible for overall management, including achievement of planned results, and for the use of UNDP funds through effective process management and well established programme review and oversight mechanisms. DoJ will sign a budgeted Annual Work Plan with UNDP on an annual basis, as per UNDP rules and regulations.

The DoJ will designate an official from the department or hire on project funds a full time Project Manager and set up a Project Management Team which will be headed by the Project Manager. The Project Manager will be responsible for the day-to-day management of the programme. S/he will coordinate the Project activities including the preparation of Annual and Quarterly Work Plans and progress reports, Budgets, project monitoring plan, communication plan, Financial Reports, etc. and will interface with government on approvals and on project management issues. The Project Manager will be accountable to the NPD and the Project Steering Committee (PSC) and closely liaise with UNDP for project planning, activities, monitoring and results. S/he will also provide inputs as required for the Programme Management Board.

Responsible Parties: To achieve programme results, partners will be identified for achieving specific programme results. These will be designated as Responsible Parties and could be other government or quasi-government departments/ institutions, state governments, civil society organizations (CSOs), or UN agencies.

The DoJ will sub-contract institutions/organizations or procure the services of consultants to ensure proper implementation of programme activities. Procurement of services from "Responsible Party (ies)" will be through capacity assessment and a process of competitive bidding to undertake specific tasks linked to programme outputs carried out under the overall guidance of the Project Steering Committee. If the entity short-listed is another Government Institution or a UN Agency, the process of selection of the Responsible Party (ies) will be carried out through appropriate capacity assessment and appraisal processes. Notwithstanding, the contracting arrangements will be fully documented and endorsed by the Programme Steering Committee.

Alternately, DoJ can request UNDP to provide support to implementation of the programme both for substantive (carrying out activities and producing outputs) and administrative and financial management responsibilities including procurement of goods and services as required. The UNDP cost recovery rules apply in this case. The support services and cost will be detailed out in the AWP and in a separate letter of agreement on implementation support service

Project Steering Committee: A Project Steering Committee (PSC) will be set up under the project. It will be chaired by the NPD and comprise designated representatives from the DoJ, UNDP including the Additional Secretary of the Ministry of Law and Justice (DOJ)- Chairperson, Joint Secretary, DoJ, State Government representatives, UNDP Governance Programme Head and Project Manager.

The PSC will carry out the following functions:

- Ensure that programme goals and objectives are achieved in the defined timeframe;
- Review programme progress and suggest implementation strategies periodically;
- Review programme expenditures against activities, outputs and outcomes; and
- Approve Annual and Quarterly Work Plans.

The PSC will be the group responsible for making, by consensus, management decisions for the project and holding periodic reviews. In order to ensure UNDP's ultimate accountability, the final decision making rests with UNDP in accordance with its applicable regulations, rules, policies and procedures.

Project reviews by the PSC will be carried out on a mandated quarterly basis during the running of the project, and/or as necessary when raised by the Project Manager.

Programme Management Board (PMB) for the Democratic Governance Programme Outcome (Outcome 2 in CPD/CPAP) co-chaired by an Implementing Ministry and UNDP has been set up. The PMB will oversee the delivery and achievement of results at the Outcome level for all the initiatives under the Democratic Governance Programme. The PMB will meet twice in a year (2nd and 4th quarter) and provide strategic direction for future programmes in this Outcome area and appraise the new programme initiatives prior to sign off with the Implementing Partners.. The PMB will comprise ministries/implementing partners relevant to the Programme Outcome and other relevant stakeholders identified in consultation with UNDP and Implementing Partners. Department of Economic Affairs, Ministry of Finance will be an invitee to the PMB meetings.

Project Management Team (PMT): The PMT headed by a Project Manager will be established under the project. The Project Manager will be responsible for day-to-day management; monitoring and review of project activities; coordination with Responsible Party (ies) and different stakeholders and; decision making and will be accountable to the NPD and PSC. S/he will prepare the detailed activity and monitoring plan based on the Annual Work Plan (AWP) and Budget and submit it to the PSC for approval. The Project Manager will ensure that the project produces the results specified in the project document, to the required standards of quality and within specified constraints of time and cost.

The Project Manager will be assisted by a PMT: (a) full time Project Officer with substantial experience in legal aid and legal empowerment (b) a Monitoring, Evaluation, and Documentation Officer, and (c) an Administrative Assistant. Services of a Gender and Social Inclusion Specialist will be procured on an as-required basis. Recruitment of state level project support will be considered in consultation with IP.

The recruitment and staffing process will give due attention to considerations of gender equality and promoting diversity at workplace. Along with the Project Manager, the PMT will be based at the DoJ and if agreed otherwise, alternative arrangements will be made and charged to the project.

Project Assurance: Project Assurance will be the responsibility of UNDP. The Assurance role will support the PSC and PMB by carrying out objective and independent project oversight and monitoring functions. During the implementation of the project, this role ensures (through periodic monitoring, assessment and evaluations) that appropriate project management milestones are managed and completed.

NPD, in collaboration with the Project Manager, will convene an annual review meeting involving the Implementing Partner and Responsible Parties to review the progress in the previous year and discuss the work plan for the coming year. An independent external review may be conducted through resource persons/groups to feed into this process. Programme Assurance and Project Manager will meet quarterly (or whenever guidance/decision is required by an implementing agency).

Funds Flow Arrangements and Financial Management:

The Department of Justice will make suitable and separate provisions in its budget for UNDP funds. It will account for funds received from UNDP as per the signed AWP. DoJ may request UNDP to proceed directly with payments to Responsible Parties on its behalf on a quarterly basis through the standard Fund Authorization and Certificate of Expenditures (FACE) Report duly certified and signed by NPD/DoJ. No funds shall be released by the UNDP without prior and duly filled and signed FACE report by the NPD/DoJ. The responsible parties shall maintain a separate bank account in the name of the project in order to track and report the utilisation on UNDP funds. Separate books of account shall also be maintained in order to ensure accurate reporting of expenditure and providing a clear audit trail. The Project Manager will be responsible for compilation and collation of these Financial Reports. Unspent funds from the approved AWP's will be reviewed in the early part of the last quarter of the calendar year and funds reallocated accordingly. In case of advance releases only after 80% of the last advances and

100% of all the previous advances are spent will the next tranche of advances be released). The detailed UNDP financial guidelines will be provided on signature of the programme.

As noted above, DoJ may enter into an agreement with UNDP for the provision of implementation of support services -ISS (e.g. direct payments, reporting and such) by UNDP in the form of procurement of goods and services – substantive as well as administrative. UNDP rules and regulations as well as charges will apply in such cases. The details of UNDP's support services have been outlined in the 2009 annual work plan and budget. A Letter of Agreement will be signed on the ISS between DoJ and UNDP along with this AWP.

It may be noted that any interest accrued on the project funds during the project cycle will be ploughed back into the project in consultation with DoJ and UNDP. Or refunded to UNDP if there is no scope for ploughing back. Accordingly the project budget will stand revised by the corresponding amount.

1% of the total programme budget has been allocated for communication, advocacy and accountability activities undertaken by UNDP.

Audit: The project shall be subject to audit in accordance with UNDP procedures and as per the annual audit plan drawn up in consultation with DEA. The project shall be informed of the audit requirements by January of the following year. The audit covering annual calendar year expenditure will focus on the following parameters – (a) financial accounting, documenting and reporting; (b) monitoring, valuation and reporting; (c) use and control of non-extendable reporting; (d) UNDP Country Office support. In line with the UN Audit Board requirements for submitting the final audit reports by 30 April, the auditors will carry out field visits during February/March. Detailed instructions on audit will be circulated by UNDP separately and on signature.

4. MONITORING AND EVALUATION

A monitoring and evaluation system will be established to track the project's progress. It will also help identify lessons and good practices with potential for policy advocacy and replication/scaling up in other states/regions. The monitoring tools used will promote learning (including identification of factors that impede the achievement of outputs). Such learning will be used to adapt strategies accordingly and avoid repeating mistakes from the past. ICTs will be used to provide easily accessible information to various stakeholders.

The DoJ will have the overall responsibility of monitoring the project, in line with the roles and responsibilities described above and through regular monitoring visits and quarterly review meetings by the PSC. The Project Manager will be responsible for day-to-day monitoring of project activities through periodic field visits, interactions with state level programme teams/partners and desk reviews. He/she will also prepare and submit periodic progress reports to the PSC. Monitoring will be an on-going process and mid-course corrections will be made if required.

An annual project review will be conducted during the 4th quarter of each year to assess the performance of the project and the extent to which progress is being made towards outputs, and ensure that these remain aligned to relevant outcomes. Based on the status of project progress, the Project Manager will prepare an Annual Work Plan for the subsequent year which will be discussed and approved at the annual review meeting. In addition, UNDP will commission a mid-term project review and annual management and financial audit during the project period. In the last year, the annual review will be the final evaluation of the project and this will involve all key project stakeholders.

A variety of formal and informal monitoring tools and mechanisms should be used by the Project Management Team. This would include field visits as well as reports in standard UNDP formats and as per UNDP's web-based programme management system (ATLAS). Within the annual cycle, the Project Manager in consultation with the NPD and UNDP will ensure quarterly review and reporting.

In accordance with the UNDP programming policies and procedures, the project will be monitored through the following:

Within the annual cycle

- A quarterly project progress report prepared and submitted to UNDP
- On a quarterly basis, a quality assessment shall record progress towards the completion of key results, based on quality criteria and methods captured in the Quality Management table below.
- An Issue Log shall be activated in Atlas and updated by the Project Manager to facilitate tracking and resolution of potential problems or requests for change.
- Based on the initial risk analysis submitted, a risk log shall be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.
- Based on the above information recorded in Atlas, a Project Progress Reports (PPR) shall be submitted by the Project Manager to the Project Board through Project Assurance, using the standard report format available in the Executive Snapshot.
- A project Lesson-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project
- A Monitoring Schedule Plan shall be activated in Atlas and updated to track key management actions/events

Annual Basis

Annual Review Report: An Annual Review Report shall be prepared by the Project Manager and shared with the Project Board and the Outcome Board. As minimum requirement, the Annual Review Report shall consist of the Atlas standard format for the QPR covering the whole year with updated information for each above element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level.

Annual Project Review: Based on the above report, an annual project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. This review is driven by the Project Board and may involve other stakeholders as required. It shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes.

Project Evaluation: A mid-term project evaluation will be carried out in early 2011 to assess the progress of the project in meeting its objectives as outlined in the document. In July 2012, an outcome evaluation will be conducted to review the overall impact of the project.

In addition to normal Government monitoring described above, UNDP will have the monitoring and reporting obligation for the programme. In this connection, additional M&E missions will be undertaken by UNDP when this is judged to be required, as for example when there is a need for an intermediate assessment of progress or impact before a decision is made as to the continuation of any given activity. This will be done in collaboration with the DoJ as well as with the other relevant stakeholders.

DoJ will be responsible for regularly monitoring progress in project implementation. In this, it will be supported by the NPD and the Project Team, as above. Progress will be measured against the targets set out in the work plan and project logical framework. Project Team will be required to report relevant progress to the NPD and UNDP on a quarterly basis. Regular monitoring of the project will occur through this reporting mechanisms as well as through site visits, as required.

Annual review meetings with the participation of IP, project team, stakeholders and UNDP, will be held to review progress, identify problems, and agree on solutions to maintain timely provision of inputs/achievement of results. The PSC will review annual work plans as well as provide strategic advice on the most effective ways and means of implementation.

Field visits: A representative from the UNDP office will visit project sites periodically. Field visits serve the purpose of results validation, especially when undertaken in the first half of the year. If undertaken in the latter part of the year, the field visit should provide latest information on progress for annual reporting preparation. Field visits should be documented through brief and action-oriented reports, submitted within the week of return to the office.

In addition, a mid-term and a terminal evaluation of the project will be commissioned based on approval of the PSC. It will be conducted by external agencies/experts.

Quality Management for Project Activity Results

OUTPUT 1: Increased ability of vulnerable groups to seek remedies and of service providers, formal and informal, to deliver justice in conformity with national and international human rights principles and standards		
Activity Result 1 (Atlas Activity ID)	Supported national and local justice delivery institutions to improve access to justice	Start Date: June 1, 2009 End Date: December 31, 2009
Purpose	To provide technical support to the to improve effectiveness of state and district legal aid authorities in developing cost-effective and pro-poor operational and implementation strategies. This support is expected to address the lack of capacity of legal aid authorities at state and district levels to strategize, prepare action plans and budgets.	
Description	<p>The programme will facilitate a review or assessment of the challenges, capacities and opportunities faced by state and district level in providing services to the poor and disadvantaged. In order to understand issues from the community perspective, a perception survey of poor women and men from marginalised groups will be conducted to determine key institutional bottlenecks for access to justice in sample districts in UNDAF states.</p> <p>In line with the modalities already tried and tested in the pilot stage, the programme envisages the design and establishment of a funding mechanism which will be responsive in nature and will facilitate support to initiatives related to legal empowerment, awareness and legal aid. This would be a flexible, quick-turn around mechanism to use for initiatives contributing to the overall programme including specific research on access to justice issues (e.g. victim compensation, gram nyayalaya etc.). Design of such a mechanism will be commissioned to define its management structure, including a review committee and will define clear parameters and criteria for support to initiatives.</p>	
Quality Criteria	Quality Method	Date of Assessment
<ul style="list-style-type: none"> ○ Assessment of state and district level authorities is comprehensive and provides clear directions to develop a capacity development strategy which addresses legal services requirements of the poor. ○ Perception survey captures views of disadvantaged groups, particularly SC and ST 	<ul style="list-style-type: none"> ○ Joint DoJ-UNDP review of assessment exercise ○ Review of design of perception survey and feedback from perception survey by UNDP Gender and Inclusion Analyst and M & E Analyst ○ Review of sample population selected for 	December, 2009

women, dalits and results feed into design of programs	survey	
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Learning & Knowledge Management

Project lessons learned would be actively captured to ensure ongoing learning and adaptation within the Government departments. Based on the Lessons Learned Log created and updated above, a final Lessons Learned Report would be prepared at the end of the project to foster the learning process. In addition, in order to promote knowledge sharing, ideas, experiences and lessons deriving from the project would be shared/ disseminated to all stakeholders.

Project Closure

Project would be financially completed not more than 12 months after being operationally completed. No adjustments can be made to a financially completed project.

Transfer or Disposal of Assets

UNDP is responsible for deciding on the transfer or other disposal of assets financed by UNDP in consultation with the Department of Justice. Assets may be transferred to the government for project activities managed by a recipient institution at any time during the life of a project.

Assets may be temporarily placed in the custody of the UNDP country office, pending transfer or sale. The custody period must not exceed nine months.

When no longer needed by the project, assets may be transferred to another project or to the government, or it may be disposed of by sale or donation. In all cases of transfer, a transfer document must be prepared and kept on file.

5. LEGAL CONTEXT

This document together with the CPAP signed by the Government and UNDP which is incorporated by reference constitute together the instrument envisaged in the Supplemental Provisions to the Project Document. Consistent with Supplemental Provisions, the responsibility for safety and security of the IP and its personnel and property, and of UNDP’s property in the implementing partner’s custody, rests with the implementing partner. The implementing partner shall:

- 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;
- assume all risks and liabilities related to the implementing partner’s security, and the full implementation of the security plan.

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

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

6. ANNEXES

Project Brief (incl. Risk Analysis) as approved by LPAC

CPAP signed document

Agreements: ISS Letter of Agreement

Terms of Reference: TOR for project personnel (Project Manager and Project Assistant)

STANDARD LETTER OF AGREEMENT BETWEEN UNDP AND THE GOVERNMENT FOR THE
PROVISION OF SUPPORT SERVICES FOR THE 2009 Annual Work Plan under GOI-UNDP
PROJECT ON **"Access to Justice for the Marginalized in India"**

Dear Ms. Bhupinder Prasad,

1. Reference is made to consultations between officials of the Department of Justice, Government of India and officials of UNDP with respect to the provision of support services by the UNDP country office for the project "Access to Justice for the Marginalized in India". UNDP and the Department of Justice hereby agree that the UNDP country office will provide such support services at the request of the Department of Justice in the project document, as described below.
2. The UNDP country office will provide support services for substantive part as well as administrative and financial management of the project. In providing such support services, the UNDP country office shall ensure that the capacity of the Department of Justice is strengthened to enable it to carry out such activities directly. The costs incurred by the UNDP country office in providing such support services shall be recovered as per UNDP rules..
3. The UNDP country office will provide, at the request of the DoJ , the following support services for the activities of the programme/project:
 - (a) Identification and/or recruitment of project personnel;
 - (b) Identification and facilitation of workshops and training knowledge sharing activities;
 - (c) Procurement of goods and services, including sub-contracting institutions;
 - (d) Financial reporting requirements and direct payments
4. The procurement of goods and services and the recruitment of project and programme personnel by the UNDP country office shall be in accordance with the UNDP regulations, rules, policies and procedures. Support services described in paragraph 3 above is detailed in an annex to the AWP/project document, in the form provided in the Attachment hereto. If the requirements for support services by the country office change during the life of a project, the annex to the AWP/ project document is revised with the mutual agreement of the UNDP Country Director and the DoJ..
5. The relevant provisions of the standard basic assistance agreement (SBAA) signed by the Government of India and UNDP on 19 December 1994 (the "SBAA"), or the supplemental provisions including the provisions on liability and privileges and immunities, and as outlined in the GoI-UNDP signed Country Programme Action Plan (2008-12), shall apply to the provision of such support services. The DoJ shall retain overall responsibility for this nationally managed project.. The responsibility of the UNDP country office for the provision of the support services described herein shall be limited to the provision of such support services detailed in the annex to the AWP/project document and below.
6. Any claim or dispute arising under or in connection with the provision of support services by the UNDP country office in accordance with this letter shall be handled pursuant to the relevant provisions of the SBAA.


7. The manner and method of cost-recovery by the UNDP country office in providing the support services described in paragraph 3 above is specified in the AWP/ project document.

8. The UNDP country office shall submit progress reports on the support services provided and shall report on the costs reimbursed in providing such services, as may be required.

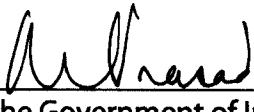
9. Any modification of the present arrangements shall be effected by mutual written agreement of the parties hereto.

10. If you are in agreement with the provisions set forth above, please sign and return to this office two signed copies of this letter. Upon your signature, this letter shall constitute an agreement between the DoJ and UNDP on the terms and conditions for the provision of support services by the UNDP country office for nationally managed programmes and projects.

Yours sincerely,



Signed on behalf of UNDP
Ms. Deirdre Boyd 20/5/09
Country Director



For the Government of India 20/5/09
Ms. Bhupinder Prasad, Additional Secretary
Department of Justice

Attachment

DESCRIPTION OF UNDP COUNTRY OFFICE SUPPORT SERVICES

1. Reference is made to consultations between the Department of Justice, Ministry of Law and Justice, the institution designated by the Government of India and officials of UNDP with respect to the provision of support services by the UNDP country office for the nationally managed project No. 61113 – “Access to Justice for Marginalized People”
2. In accordance with the provisions of the letter of agreement signed on _____ and the project document, the UNDP country office shall provide support services for the Project as described below.
3. Support services to be provided:

Support services	Schedule for the provision of the support services	Cost to UNDP of providing such support services (where appropriate)	Amount and method of reimbursement of UNDP (where appropriate)
Recruitment / Hiring of Professional Staff	As and when required.	Based on the transaction costs of the tasks involved, USD 12,500 implementation support service cost is charged annually to the project as per the 2009 signed Annual Work Plan.	Based on the transaction costs of the tasks involved, USD 12,500 implementation support service cost is charged annually to the project as per the 2009 signed Annual Work Plan..
Financial reporting requirements and direct payments	Mandated every quarter and as and when required.		
Procurement of Goods and Services, including sub-contracting institutions	As and when required.		
Facilitation of Workshops and Training Activities and Workshops	As and when required.		