



**United Nations Peacebuilding Support Office (PBSO)/ Peacebuilding Fund (PBF)**

**PROJECT DOCUMENT COVER SHEET**

<b>Project Title: Enhancing Access to Justice And Supporting National Capacities for Structured Legal Drafting</b>	<b>Recipient UN Organization(s):</b> UNDP
<b>Project Contact:</b>  <b>Cleophas Torori</b> UNDP Liberia Simpson Building, Mamba Point, Monrovia Telephone : 0880954108 E-mail: cleophas.torori@undp.org  <b>Jallah A. Barbu</b> Address: Chairperson, Law Reform Commission Old CID Road, Behind American Embassy Mamba Point, Monrovia, Liberia Telephone:+(231)886511367; 886510509; 880369806	<b>Implementing Partner(s):</b>  Law Reform Commission  Other partners: Ministry of Justice, Ministry of Internal Affairs
<b>Project Number:</b> <i>(To be completed by UNDP MPTF Office)</i>	<b>Project Location:</b> Monrovia and nationwide in Liberia
<b>Project Description:</b>  The project seeks to support initiatives to enhance access to justice and support the development of national capacities in legal drafting through the harmonization of dual and statutory and customary legal systems; formulation of a National Law Reform Policy, and contribute to supporting the Constitution Reform Committee (CRC) to discharge its mandate. The project will also focus its support on strengthening national capacities through an array of relevant institutions. The ultimate target is to foster national reconciliation and peace, promote the rule of law and enhance social cohesion across the population, especially with regards to issues relating to marginalized groups particularly women and youth.	<b>Total Project Cost:</b> US\$ 500,000  <b>Peace Building Fund:</b> US\$ 500,000 <b>Government Input: In Kind</b> <b>Other: -</b>  <b>Project Start Date and Duration:</b> <b>1 December 2013 - 30 November 2015 (24 months)</b>

**Gender Marker Score<sup>1</sup>: 1**

*Score 3 for projects that are targeted 100% to women beneficiaries and/or address specific hardships faced by women and girls in post-conflict situations;*

*Score 2 for projects with specific component, activities and budget allocated to women;*

*Score 1 for projects with women mentioned explicitly in its objectives, but no specific activities are formulated nor is a budget reserved; and*

*Score 0 for projects that do not specifically mention women.*

**PBF Outcomes<sup>2</sup>: Rule of Law; Democratic Governance (PMP Outcome 2)****Project Outputs and Key Activities:**

The outputs and activities are intended to meet these objectives. doesn't match the 4 outputs as in the results framework

- I.* A well drafted National Law Reform Policy endorsed by the Government of Liberia, containing clearly articulated and mandatory procedures for developing and submitting proposed bills to the Legislature;
- II.* Options for harmonizing/reforming and the attending implications of the dual legal system to derive a unified legal system;
- III.* Properly edited, cite-checked/cross referenced compiled laws emanating from the First Session of the 52<sup>nd</sup> Legislature, and edited, summarized, indexed opinions of the Supreme Court published and distributed;

The following constitute the key project activities to be undertaken:

- i. Conduct one (1) major desk review to identify best Law Reform practices that are consistent with national and international standards to be followed by two five days study tours to Sierra Leone & Ghana;
- ii. Review the zero draft of the proposed National Law Reform Policy with Ministries & Agencies;
- iii. Review the zero draft of the proposed National Law Reform Policy with Legislature and CSOs to solicit their views and support;
- iv. Conduct 1 validation exercise and a technical session with the President of Liberia and the Cabinet on the National Law Reform Policy;
- v. Printing of 1,000 copies of the final National Law Reform Policy Document for dissemination to all stakeholder
- vi. Develop a standard training module on legal drafting
- vii. Undertake expert and focus group discussion nation-wide to with traditional leaders, local leadership, women groups, and youth groups the harmonization of the dual legal systems to enhance drafting of a national policy;
- viii. Collection and compilation of laws and opinions of the Supreme Court, and the critical editing of these instruments;
- ix. Printing of completed edited versions of the laws & opinions of the Supreme Court and distribution to the legal community

<sup>1</sup> The PBSO monitors the inclusion of women and girls in all PBF projects in line with SC Resolutions 1325, 1612, 1888, 1889.

<sup>2</sup> PBF specific outcome areas: 1 Security Sector Reform, 2 Rule of Law, 3 (DD)R, 4 Political dialogue for Peace Agreements, 5 National reconciliation, 6 Democratic governance, 7 Management of natural resources (including land), 8 Short-term employment generation, 9 Sustainable livelihoods, 10 Public administration, and 11 Public service delivery (including infrastructure).

(for PRF-funded projects)

**Co-Chairs of the Joint Steering Committee**

*Name of Senior UN Representative:*  
**Mr. Aeneas C. Chuma**

*Title:* Deputy SRSO/CDG

*Signature:*

*Date & Seal:*

*29/11/13*

*Name of Government Representative:*  
**Hon. Morris M. Dukuly**

*Title:* Minister of Internal Affairs

*Signature:*

*Date & Seal:*

*11/29/2013*

**Recipient UN Organization:**

*Name of Representative:*  
**Dr. Kamil K. Kamaluddeen**

*Title:* Country Director, UNDP Liberia

*Signature:*

*Date & Seal:*

*28/11/13*

**National Implementing Partner:**

*Name of Government Counterpart:*  
**Cllr. Jallah Barbu**

*Title:* Chair, Law Reform Commission

*Signature:*

*Date & Seal:*

*Nov. 27, 2013*

**LAW REFORM COMMISSION  
MONROVIA  
REPUBLIC OF LIBERIA**

OK  
CT  
27/11

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## **PROJECT COMPONENTS:**

### **COMPONENT 1: (The “WHY”)** (maximum one page)

#### **a) Project (Portfolio) Justification**

##### **Situation Analysis: Law-making in Liberia**

The law making process is essential to the reform agenda and the consolidation of peace and promotion of national reconciliation. Lack of coordination in the process, limited capacity of key actors; tensions between the statutory and customary frameworks and lack of a clear policy guidance and direction in the process to ensure that laws formulated meet clear nationally defined benchmarks and are the result of a transparent, participatory and rigorous process are all underlying causes that led to abuse of fundamental and basic human rights and the exclusion and marginalization of significant segments of the population. The process of law-making in Liberia did not guarantee the interests of the majority. In fact, the legal regulatory framework that governed the urban elite differed from the customary framework which governed the rural population. The tensions inherent in this dichotomy contributed towards the conflict.

Principal actors in the process include the Legislature, Legal Advisor to the President (Office of the President), the Codification Department of the Ministry of Justice, the Law Reform Commission of Liberia, the Governance Commission, and the Ministry of Foreign Affairs. To ensure that each actor in the process plays its role, there is the need for effective coordination amongst them. Currently this is lacking; this project will draw the attention of each actor pursuant to its statutory mandate, at appropriate phases in the project. Also, there is a need to enhance the capacity within the Legislature, the Law Reform Commission and the Codification Department to draft bills. For instance the Legislative Law requires the existence of the Legislative Drafting Service for the Legislature. Efforts have been made over the past four years to establish this Service but with limited success. This situation is partly to be blamed for the slow pace in executing the law reform agenda. There is also an absence of an agreed policy that guides the drafting style, process and format of legislation; this has resulted in a multiplicity of drafting styles and formats. There is also a practice where Ministries, Agencies and Departments draft their own bills and submit same to the Office of the President and print the Bills when passed without reference to the Ministries of Justice and Foreign Affairs as set out in the Executive Law. The Ministries of Foreign Affairs and Justice and the Law Reform Commission have statutory roles in ensuring that Bills that are passed are printed and made accessible to members of the public and all actors in the criminal justice system. This is not being adhered to due to capacity constraints on the part of the identified actors. To improve the situation, it is an imperative that a holistic approach that is aimed at reforming the process and enhancing coordination and efficiency of the law making system/process is adopted.

Volume 1-6 of the Liberia Code of Law Revised (LCLR) containing legislation passed by the Liberian Legislature over the years of the Country's existence are limited in terms of the availability of current laws; except for some of the PRC decrees such as those establishing new counties, these codes don't contain legislation under the 1986 constitution. This is clear evidence that the volumes are inadequate and need to be updated. However, it is even more necessary to have the current laws available to the legal community since those laws have been amended or repealed several laws that were passed by previous Legislature. Consequently, the decision is to commence editing, checking citations, and cross referencing the latest law to ensure that when included in the codes, they are up to date. Hence, the concentration on Legislations passed by the first and second sessions of the 53 Legislature.

With regards to the opinions of the Supreme Court, the volumes, (Liberian Law Reports) are prepared sequentially with each successive volume containing the next set of pinions given by the court that has been codified. On that basis, there is not a choice to codify recent opinion before previous one. Volume 43 therefore, the 2005 opinions constitute the next volume to be produced follow-by Volume 44 the 2006 opinion onward.

**Relevance of the project:** The 2003 Comprehensive Peace Accord (CPA) that ended the civil war identified improvement of the governance structures as part of the reform agenda. To spearhead this, the CPA provided for the establishment of the Governance Reform Commission. Subsequently, the Legislature gave legislative backing to the now Governance Commission and charged it to lead the process of public sector reform. The reform agenda included legislative reform. Consultations and studies pointed to the establishment of an umbrella institution to focus on reviewing, reforming through draft revisions of the laws on the one hand, and on the other, providing highly technical and professional guidance, assistance and leadership to institutions and individuals seeking to submit proposals to the Legislature on particular issues that they feel should be legislated for. This led to the birth of the LRC via Executive Order #20 issued by the President in June 2009, and finally its elevation to an autonomous statutory commission by the Legislature in June 2011.

To meet its statutory mandate, LRC resolved that a realistic work program was most necessary; thus, the Commission, with the assistance of UNMIL, developed a five-year Strategic Plan that maps out its work program. The key target of the Plan is easy and inexpensive access to justice for all rooted in adherence to the rule of law.

The project will further enhance the coordinating ability of the LRC in reforming the law making process, harmonization of the dual legal system, and the formulation of a Policy Framework. This oversight and coordinating role is being manifested through the opinions it provides on draft bills and the technical support it is providing the Constitution Review Committee (CRC) for its work. This has increased the responsibilities of the LRC and requires that it be capacitated to discharge its statutory mandate as well as to support the CRC in undertaking a review of the Constitution.

The ultimate goal of the outcome of the support to the process is to promote peace and national reconciliation through the reform of the legal (including the Constitutional) framework that addressed the root causes of the conflict. This is linked to the AFT outcome "Increased public confidence in government's ability to maintain safe and secure environment" under pillar 1 Peace, Security & Rule of Law. The project is also in line with the Liberia Peace building Plan strategic objective of strengthening rule of law through improved/reformed constitutional legal framework and contributes to the overall National Reconciliation Road map objective of fostering peace and reconciliation.

**Catalytic effects:** The challenges of the law reform process in Liberia are huge. However this intervention will contribute to providing a framework for collaboration and guidance on the process of law-making that future interventions can build upon. Support for the project/program is intended as catalyst in developing a policy framework that will guide legal reform and law making process in Liberia. The legal framework is a very important condition to the peace and stability of Liberia. The process through which laws come into force is equally important for purpose of ensuring that it respects the rights of each member of the society and forges national unity and social cohesion. The challenges currently confronting the law making process in Liberia make it difficult for the laws that emerge out of the process to result in promotion of social cohesion, peace and national reconciliation. The projects/programs identified will serve as a catalyst to promote the said ideals. It is expected that the outcome of this project will enable a more participatory and transparent process of law reform and enhance the internal capacity of the LRC to undertake its day to day functions in this regard.

## **COMPONENT 2: (the "What") (maximum one and a half pages)**

### **a) Project focus and target groups**

**Project focus:** The project focuses on creating an enhanced and well-coordinated national law making process, where there are standard rules and guidelines, charting each step of the law making process and the expected action of each actor in the process. Ultimately, the legal framework including the

Constitution are to be reformed to ensure that it conforms to international human rights standards and actors within the process are capacitated to play their various roles in the process.

**b) Theory of changes: linking activities to results**

As highlighted above, it is anticipated that the drafting of a National Law Reform Policy will improve inter-governmental coordination in the law-making process and provide guidelines and standards for legal reform and law making in the country. Ultimately this will result in better laws that are grounded in the specific national context and speak to providing contextual and alternative rounded in international best practices and norms for the welfare of the Liberian people. Also, the formulation of a module on legal drafting and training of a core group of legal practitioners in this field will improve the quality of law-making process and ensure that basic elements of the skill is institutionalized in Liberia.

The project is also keen on empowering key actors in the law-making process: members of the Legislature will be more closely worked with in the formulation of the National Law Reform Policy and in analyzing proposed bills; proponents of bills will be given technical guidance on the implications of their proposals; highlight will be placed on the need to consider the rights of women and girls, children and the disabled will be mainstreamed. All actors including the CRC will be given the level of technical assistance and support to perform their roles in the constitution review and law reform process. These three outputs therefore will generate public reliance on the legal system for redress, significantly assist judicial and other such actors to provide such redress, and thereby further increase confidences in the Government and the judicial system, ultimately reducing conflict and strengthening peace.

**COMPONENT 3: (the “How” or Implementation Strategy) (maximum one and a half pages)**

**a) Implementation approach**

This project is highly tasking and sensitive as to strategies and implementation, considering the cutting-edge revolutions it will be introducing in Liberia’s legal and governance systems. Highly skilled researchers and legislative drafters as well as robust consultations are required in addition to much needed equipment, vehicles and other resources. This therefore dictates the implementation of the project in stages as described below.

**Duration of the Project:** The project is expected to be implemented over a two year period from October 2013 to September 2015. Nonetheless, the activities in this project in reality remain ongoing even after this project end date. They will remain a part of Liberia’s law reform process as law making is an essential part of governance processes. **Personnel Recruitment and Training:** Identifying staff and recruiting additional highly qualified and teachable personnel not only for the LRC but for other actors in the law making process to undertake various aspects of the project, such as developing public consultation programs, drafting of legislation, conducting public consultations, collating data, developing the training module and writing reports. Recruitment will be followed by an intensive orientation and capacity building including getting familiar with LRC’s program activities and procedures. Due to the significance of the project, the LRC will lead the implementation in close coordination with other actors in the law reform process.

**Institutional consultations:** Identify and engage relevant public, private and non-governmental organizations to continuously consult specifically on the proposal and development of the National Law Reform Policy. This requires hosting large group meetings and mini-consultative sessions.

**Conduct detailed desk study on the drafting of a National Law Reform Policy and the dual legal systems in Liberia:** This will be supplemented by expert and focus group discussions, keeping in mind the impact it could have on Liberia’s Constitution. Also undertake compilation and editing of legislations and Supreme Court opinions.

Expert and Focus Group consultations, collation of data and preparation of reports on the National Law Reform Policy and harmonization of the dual legal system, mostly in rural areas.

Vetting the final draft National Law Reform Policy report for possible implementation and to ensure that it reflects what the researchers on the field gathered and collated

Completing final National Law Reform Policy reports and engaging the Legislature for its possible endorsement.

Work with external facilitators to undertake inclusive training of core group of experts on legal drafting and formulate training manual.

Specifically with regards to Gender, a Gender Desk will be established. The focus of the Gender Desk will be to ensure that relevant guidelines to ensure maximum and targeted participation of women in the process is integrated in the policy document and to ensure that the core legal drafting expert network includes at least 30% participation of women to be trained.

Coordination with other projects: The project recognized the significant work already done by the Ministry of Justice in collaboration with the Ministry of Internal Affairs following on the Access to Justice Conference and the follow-up activities thereof to develop appropriate ADR mechanism for Liberia. The LRC intends to engage with the MoJ in this process and develop legal and constitutional options papers from the LRC standpoint as inputs into the process.

The LRC is an ex officio member of the Constitutional Review Committee and has deployed and advisory support to the CRC. A mutual reinforcing and informative process is envisioned with the preliminary outputs of the CRC process feeding into this project and vice versa.

#### b) Budget

CATEGORIES	Amount (US\$) UN Recipient Organization - UNDP	TOTAL (US\$)
1. Staff and other personnel	90,000	90,000
2. Supplies, Commodities, Materials	215,000	215,000
3. Equipment, Vehicles, and Furniture (including Depreciation)	70,000	70,000
4. Contractual services	71,000	71,000
5. Travel	21,2500	21,290
6. Transfers and Grants to Counterparts		
7. General Operating and other Direct Costs		
<b>Sub-Total Project Costs</b>	<b>467,290</b>	<b>467,290</b>
8. Indirect Support Costs* 7%	32,710	32,710
<b>TOTAL</b>	<b>500,000</b>	<b>500,000</b>



### c) Sustainability

When the project targets are met, maintaining the gains and building on them is the next step. To do this, LRC will incorporate these tasks in its annual work project/work plans, emphasizing the areas that are of immediate attention. It is anticipated that support from Government in addition to donors' assistance will enable continuation of these efforts. LRC will appropriately place this project in its Constitution and Justice Division, assigned to a core team focusing on and monitoring its progress continuously. Feedback to, and consultations with stakeholders will be an ongoing and integral part of the sustainability plan in line with the reform agenda.

### d) Risk management

Risks: Using the table below, identify the major risks that might cause failure, their likelihood of occurrence, the repercussions on the implementation process and results achievement and proposed risk management strategies. Consider risk relating to political and security situation, socio-economic issues, managerial issues and anything else

<b>Risk</b>	<b>Likelihood (high, medium low)</b>	<b>Severity of impact on project (high, medium, low)</b>	<b>Mitigating Strategy</b>
Objection by stakeholders initially – usurpation of powers as the reasons	High	High	Clarification and continuous engagement to provide benefits the project offers
Difficulty for stakeholders to agree on details of the National Law Reform Policy	Medium	Medium	Robust consultations and continuous engagements
Poor access to rural areas especially during the raining season.	Medium	Medium	Timely planning and availability of funds demand speedy approval of project proposal
The general public could easily be confused about the difference between the Constitutional Reform process and the Law Reform process.	High	Medium	Consultation will focus more on expert and focus groups consultation so as to mitigate confusion of general populace

### e) Results framework and Monitoring and evaluation:

- Results framework: Provide a Results framework for the project/portfolio, using the table below. At the start of the Framework summarise in one-two sentences the underlying roadmap for peacebuilding, the purpose of PBF support and the underpinning theory of change. Further instructions and examples for each table column are contained at the bottom of the table.

**Results Framework for PRF projects**

<p><b>Policy statement / national roadmap for peace building:</b> Equal access to justice, up to date and simple but effective laws and respect for the rule of law will enhance public confidence in the justice and governance systems of the Country.</p> <p><b>Purpose of PBF support:</b> To ensure the project implementation in the wake of difficulty for Government to raise the requisite fund from public finances due to scarce resources.</p> <p><b>Theory of change statement:</b> Sustaining the peace and stability Liberia has gained requires the existence of clear and effective laws and equal treatment under a legal system that assures in reality this guarantee.</p>								
(1) Outcomes and types of change required	(2) Outcome Indicators	(3) Baselines and time-bound targets	(4) Outputs and activities	(5) Output Indicators	(6) Baselines and time-bound targets	(7) RUNO & party responsible for mobilizing inputs	(8) Inputs/ budget	(9) Assumptions
Constitutional and legal reform foster national reconciliation and respect for the rule of law through a participatory consultative process	National Law Reform Policy validated and approved; National Harmonization statutory and customary policy validated and approved;	<b>Baseline</b> (Sep 2013): Disjointed and uncoordinated law making process, dual legal system and lack of overall policy framework <b>Target</b> (Nov 2015): National Law Reform Policy & Harmonization of Statutory & Customary Policies validated & Approved following	<b>Output 1:</b> A National law reform policy Act formulated and endorsed by the people and government of Liberia <i>Activity 1.1</i> conduct desk review of relevant available literatures <i>Activity 1.2</i> Conduct	Indicator: 1.1: Policy framework including Gender and youth specific guidelines developed	<b>Baseline:</b> No policy guidelines for law reform since 1847) <b>Target:</b> Policy guidelines available by 2015 <b>MOV:</b> Policy documents	RUNO: UNDP NIP;LRC	National and International consultancy; workshops; printing 185,000	Government, Legislature and Judiciary collaborate to ensure thorough reform of the national legal system Participatory consultations are conducted with key stakeholders

		<p>participatory stakeholder consultations and due process</p> <p><b>MoV: LRC reports</b></p>	<p>nation-wide consultation to gain citizens' perspectives on the process and contents of the law reform act</p> <p><b>Activity 1.3:</b> Organize 2 validation workshops to discuss and finalize draft reform policy formulated</p> <p><b>Activity 1.4</b> Review the zero draft of the proposed National Law Reform Policy with CSOs</p> <p><b>Activity 1.5:</b> Review the zero draft of the proposed National Law Reform Policy with Legislature to solicit their views and support.</p> <p><b>Activity 1.6:</b> Conduct 1 national validation</p>					
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exercise of the	National Law	Reform Policy																																												
<b>Activity 1.7</b>	Conduct 1	technical	session with	the President	of Liberia and	Cabinet	Members for	approval of the	National Law	Reform Policy																																				
<b>Activity 1.8</b>	Printing of	1,000 copies of	the final	National Law	Reform Policy	Document for	dissemination	to all	stakeholders																																					
<b>Activity 1.9</b>	Plan and hold	15 county	consultation	with	Traditional	leaders, local	leadership,	women groups	and youth	groups	nationwide																																			
<b>Activity 1.10</b>																																														



			<p>Draft of the harmonization policy</p> <p><b>Activity 2.5</b> Develop public understanding of the harmonized justice system, its importance and relation to customary laws</p> <p><b>Activity 2.6</b> Encourage traditional leaders to adopt the requirement of the harmonized system</p>				<p>Indicator: Network of staff from LRC, MOJ and Legislature, Law School; Bar Association with legal drafting skill</p>	<p>Baseline: Only 5 persons in-country with technical legal drafting skills</p> <p>Target: Core group of at least 20 persons with legal drafting skills</p>	<p>RUNO: UNDP NIP,LRC</p>
			<p><b>Output 3</b> Core Group of 20 Trained Legal Drafters Created</p> <p><b>Activity 3.1</b> Undertake training in legal drafting</p> <p>Activity 3.3</p>						

(									
Develop course module									
<b>OUTPUT 4</b> <b>Codified laws &amp; opinions of the Supreme Court</b>	<b>2) Indicators</b> Liberia Code of Laws Revised updated by new volumes Additional volumes of the Liberian Law Reports published	<b>3) Baselines and time-bound targets.</b> Supreme Court Opinion up to 2011 available Liberia Code of Law reflective of 52 <sup>nd</sup> Legislature available <b>Target:</b> By 2015 readily available up to date opinions of the Supreme Court & laws passed during the 1 <sup>st</sup> & 2 <sup>nd</sup> second sessions of 53 Legislature MoV Revised Code of Law and Law Review	LRC, MOJ & Supreme Court	Contractual services 100,000	LRC & MoJ collaborate to have laws edited and codified				
Activity 4.1 Collection /combination of laws & opinion.									
Activity 4.2 Editing & indexing of the Opinions									
Activity 4.3 Review of edited and indexed opinions with the MoJ and Supreme Court of Liberia									
Activity 4.4 Finalization and printing of the laws and the opinions for distribution									

- Systems for M&E of the project (portfolio)

**M&E Plan:** M&E capacity at the LRC is limited with no dedicated M&E focal person. As such through the project a dedicated M&E Focal point will be identified and supported. A monitoring and evaluation plan (M&E) will be built right from the beginning of the Project implementation. It will consider developing systems and tools for monitoring progress and addressing gaps during implementation. The M&E will be built around the project outputs and outcome using Results Framework which provides guidance during the implementation of activities while ensuring that the project meets its strategic objectives or outcome. The M&E Unit at the PBO will support the LRC and partners to develop systems and tools working closely with UNDP. The M&E plan will serve as the guide for measuring outputs and outcome of the Project based on the principles of results-based management.

**Quarterly Monitoring Mission and Report:** There will be quarterly monitoring missions from the start of the implementation and then would be adjusted as need be. Each monitoring mission will be guided by a clear terms of reference reviewed by the Project Manager for ensuring that said terms of reference is in line with the project outputs and outcome. Internal monitoring missions from the side of the implementing partners are more than encouraged. Tracking achievements of the project planned results based on work plan and reporting progress to the Project Board will be part of the responsibility of the LRC. Based on reporting format, mechanisms will be put in place useful to monitor and report on results. Monthly and quarterly progress and financial reports, minutes of meetings of the Project Board to review progress as well as field mission reports comprise of mechanisms appropriate for monitoring achievement of project results will be made available .

PBO as the lead monitoring and evaluation unit for the implementation of the Priority Plan will undertake periodic monitoring of activities and report results to the Project Board for appropriate action. The Project Board consists of the principal actors on reconciliation including the Ministry of Internal Affairs, Governance Commission, Ministry of Planning and Economic Affairs, as well as the Office of the Peace Ambassador and the Independent National Commission on Human Rights. The LRC as owner of the Project will provide logistical support during field visits and reporting.

*Bi-annual Review Report* - A Bi-annual Review Report shall be prepared by the Project Manager at the LRC and shared with the Project Board. As minimum requirement, the Bi-annual Review Report shall consist of the summary of results achieved against pre-defined bi-annual targets at the output level.

*Annual Project Review* - Based on the above report, an annual project review shall be conducted during the last month in the fourth quarter of the year or soon after, to assess the performance of the project and appraise progress based on the Annual Work Plan (AWP). 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 the appropriate project outcome.



**COMPONENT 4: (The “WHO”) (maximum one and a half pages)**

**a) Implementing agencies and their capacity:**

UNDP Liberia Country Office currently has a Governance and Public Institutions Team comprising of 3 Programme Analyst and one Team Leader coordinated by a Deputy Country Director for Programme who will be responsible for the daily oversight and quality assurance function of this project. This team will be supported by Reconciliation and Development Advisor and the Rule of Law Advisor who will provide technical and advisory support to the project implementation. It should also be highlighted that the Country Office can draw on the expertise of it Bureau of Development Policy and Bureau of Crisis Prevention and Recovery as well as other UNDP Country Offices such as Zambia and Kenya with recent experience in legal review processes to augment its knowledge base and capacity.

LRC has conducted field and desk research works over the period of its existence thereby developing expertise in this area. The Commission recruits high caliber lawyers and technocrats whose responsibilities are clearly explained at the time of hire. The Personnel Policy Manual/Guidelines strictly governs and all staff and associates are bound by its terms and conditions. Additionally, the UNDP 2012 micro assessment of national institutions rated the LRC as low risk, meaning it has the requisite structures in place to receive donor funds/direct cash transfer from the UNDP and can implement projects.

**b) Project Management Arrangements and coordination:**

*- Project management and coordination: Identify the oversight structure or mechanism responsible for the effective implementation of the project and for the achievement of expected results. In the absence of any other pre-existing peacebuilding mechanism, it is recommended to set up an inclusive Project Board, representing all the different stakeholders involved in the project, including the Civil Society.*<sup>3</sup>

The project will be implemented under the national implementation modality. The Law Reform Commission (LRC) will assume direct responsibility for the implementation, under the guidance of the Chairperson of the Commission and supported by Project Focal point in the Constitutional and Judicial Division of the Commission. The LRC will manage and co-ordinate the activities of this programme. Accordingly, the LRC will follow national systems and procedures and in reference to the national implementation guidelines on accounting, financial reporting and auditing, shall be responsible for maintaining records on all implementation actions, including financial records pursuant to both the national and donor requirements and financial rules and regulations.

UNDP will support the implementation of this programme by providing support services. Overall programmatic oversight and advice will be provided by the Programme Analyst Justice and Rule of Law and the Team Leader Governance and Public Institutions.. The Rule of Law Advisor will also work closely with the LRC to ensure policy direction, guidance and technical support to the project. In line with UNDP’s Executive Board decision 98/2 “all costs associated with the delivery of other resources funded programme at country level are to be fully covered through cost recovery mechanisms”. In this regards, General

<sup>3</sup> It is recommended to annex ToRs of the Project Board to the Project.

Management Service fee of approximately 7% if applicable will be charged on non-core resources mobilized in the implementation of this programme and 3% UNDP Implementation Support Services<sup>4</sup>.

The success of the Project will depend on the adoption of effective implementation and coordination structure with well-defined management and policy making capacity. The Project emphasizes collaboration and regular meetings amongst the principal actors which include the Governance Commission, Ministry of Planning and Economic Affairs, as well as the Office of the Peace Ambassador appointed by the Government of Liberia. Additionally, the UN Mission through the Legal Judicial System Support Division, UNDP, Ministry of Internal Affairs and Ministry of Justice will constitute the Project Board that will meet as often as required to examine progress and challenges of the Project implementation.

**c) Administrative Arrangements (standardized paragraphs – do not remove)**

The UNDP MPTF Office serves as the Administrative Agent (AA) of the PBF and is responsible for the receipt of donor contributions, the transfer of funds to Recipient UN Organizations, the consolidation of narrative and financial reports and the submission of these to the PBSO and the PBF donors. As the Administrative Agent of the PBF, MPTF Office transfers funds to RUNOS on the basis of the signed Memorandum of Understanding between each RUNO and the MPTF Office.

**AA Functions**

On behalf of the Participating Organizations, and in accordance with the UNDG-approved "Protocol on the Administrative Agent for Multi Donor Trust Funds and Joint Programmes, and One UN funds" (2008)5, the MPTF Office as the AA of the PBF will:

- Disburse funds to each of the RUNO in accordance with instructions from the PBSO. The AA will normally make each disbursement within three (3) to five (5) business days after having received instructions from the PBSO along with the relevant Submission form and Project document signed by all participants concerned;
- Consolidate narrative reports and financial statements (Annual and Final), based on submissions provided to the AA by RUNOS and provide the PBF consolidated progress reports to the donors and the PBSO;
- Proceed with the operational and financial closure of the project in the MPTF Office system once the completion is notified by the RUNO (accompanied by the final narrative report, the final certified financial statement and the balance refund);
- Disburse funds to any RUNO for any costs extension that the PBSO may decide in accordance with the PBF rules & regulations.

<sup>4</sup> Refer to Letter of Agreement (LOA) between MOPEA and UNDP on provision of Support Services

<sup>5</sup> Available at: <http://www.undg.org/docs/5885/Protocol-on-the-role-of-the-AA-10-30-2008.doc>

### **Accountability, transparency and reporting of the Recipient United Nations Organizations**

Recipient United Nations Organizations will assume full programmatic and financial accountability for the funds disbursed to them by the Administrative Agent. Such funds will be administered by each RUNO in accordance with its own regulations, rules, directives and procedures.

Each RUNO shall establish a separate ledger account for the receipt and administration of the funds disbursed to it by the Administrative Agent from the PBF account. This separate ledger account shall be administered by each RUNO in accordance with its own regulations, rules, directives and procedures, including those relating to interest. The separate ledger account shall be subject exclusively to the internal and external auditing procedures laid down in the financial regulations, rules, directives and procedures applicable to the RUNO.

Each RUNO will provide the Administrative Agent and the PBSO (for narrative reports only) with:

- Bi-annual progress reports to be provided no later than July 31st;
- Annual narrative progress reports, to be provided no later than three months (31 March) after the end of the calendar year;
- Annual financial statements as of 31 December with respect to the funds disbursed to it from the PBF, to be provided no later than four months (30 April) after the end of the calendar year;
- Final narrative reports, after the completion of the activities in the approved programmatic document, to be provided no later than four months (30 April) of the year following the completion of the activities. The final report will give a summary of results and achievements compared to the goals and objectives of the PBF; and
- Certified final financial statements after the completion of the activities in the approved programmatic document, to be provided no later than six months (30 June) of the year following the completion of the activities.
- Unspent Balance at the closure of the project would have to be refunded and a notification sent to the MPTF Office, no later than six months (30 June) of the year following the completion of the activities.

### **Ownership of Equipment, Supplies and Other Property**

Ownership of equipment, supplies and other property financed from the PBF shall vest in the RUNO undertaking the activities. Matters relating to the transfer of ownership by the RUNO shall be determined in accordance with its own applicable policies and procedures.

**Public Disclosure**

The PBSO and Administrative Agent will ensure that operations of the PBF are publicly disclosed on the PBF website (<http://umpbf.org>) and the Administrative Agent's website (<http://mptf.undp.org>).

**Component 5: Annexes****Annex A:****Donor Mapping in Peacebuilding Strategic Outcome Area/s (including UN agencies) and gap analysis**

Peacebuilding Strategic Outcome Area PBF Outcomes2:	Key Institution	Key Projects/Activities	Duration of projects/activities	Budget in \$	Estimated gap in \$
<b>Constitutional and Legal Reform</b>	UNCT and UNMIL	1. Support to CRC project Justice and Security Programme	June 2013 – December 2015	USD 13 million	USD 7.3 million
			2010 - 2016	USD 15 million	
	Govt of Liberia	Constitutional Review process in Liberia	2012 - 2015		

**Annex B:**

**Mapping of UN Recipient Organizations**

Please include exhaustive information of annual budgets of each recipient agency (RUNOs) in the targeted outcome area.

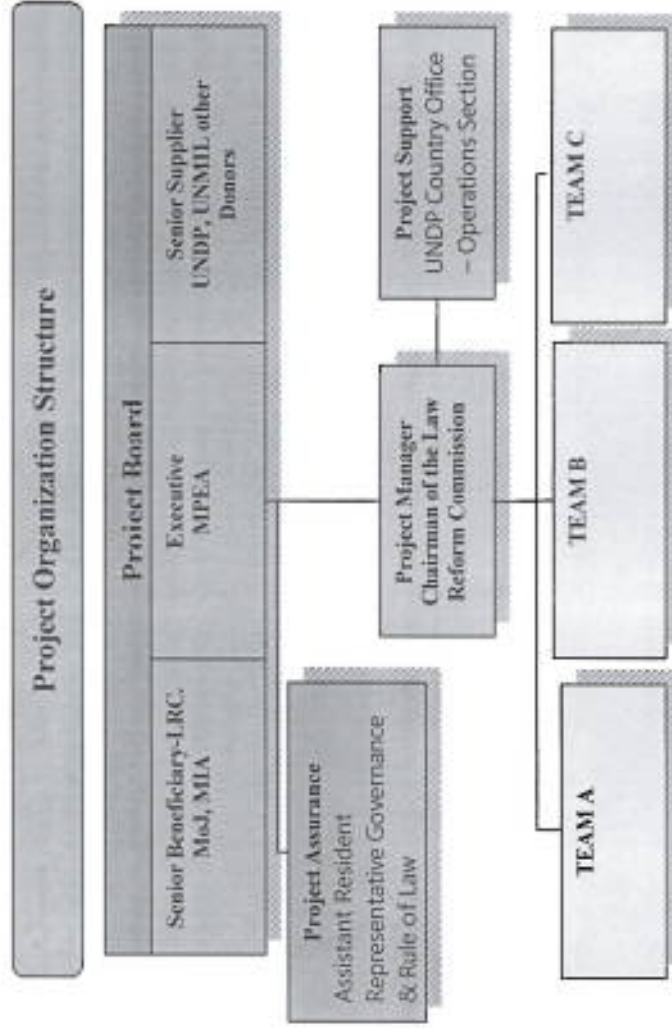
UN Agency	Key Sectors (top five or fewer)	Annual Budget (last year) per Recipient Organization in key sectors <sup>6</sup>	Annual Budget (this year) per Recipient Organization in key sectors <sup>7</sup>	Projection of Annual Budget (next year) per Recipient Organization in key sectors	2012 Annual Delivery Rate (Agency Total)
D/UNDP	(1) <i>Constitutional and Legal Reform</i> (2)	Nil	1) 2013: USD 400,000 from UNDP resources 2013 USD 225,000 from UNDP Trac Resources	400,000 from UNDP Trac Resources 2013: USD 350,000	N/A
	<i>National Reconciliation</i>	BCPR Trust fund to support deployment of experts to assist in drafting the National Reconciliation Roadmap USD 150,000 USD 4. Million	BCPR Trust Fund USD 608,000		100%
	<i>Justice Security and</i>		USD 4.5 million	USD 2 million	80%
D/UNDP	(3) <i>Constitutional and Legal Reform</i>	Nil	1) 2013: USD 400,000 from UNDP resources	400,000 from UNDP Trac Resources	N/A

<sup>6</sup> If UNDP is one of the Recipient Agencies, specific information shall be included on whether the country is benefiting of BCPR Thematic Trust Fund and if yes, the amounts allocated and the funding gaps used to be specified

<sup>7</sup> If UNDP is one of the Recipient Agencies, specific information shall be included on whether the country is benefiting of BCPR Thematic Trust Fund and if yes, the amounts allocated and the funding gaps used to be specified

**Annex C**

Suggested Organigram to be used for the Project's Joint Steering Committee or the Project Board.



ANNEX D

TARGET TABLE FOR OUTCOME AND OUTPUT INDICATORS OF THE RESULTS FRAMEWORK

*This target table will be used for reporting (see templates 4.2 to 4.5).*

*Using the Programme Results Framework from the Project Document - provide an update on the achievement of indicators at both the outcome and output level in the table below. Where it has not been possible to collect data on indicators, clear explanation should be given explaining why, as well as plans on how and when this data will be collected.*

**This target table will be used for MPTFO reporting**

	Performance Indicators	Indicator Baselines	Planned Indicator Targets	Targets actually achieved
<b>Outcome 1<sup>a</sup></b> Constitutional and legal reform foster national reconciliation and respect for the rule of law through a participatory consultative process	Indicator National Law Reform Policy validated and approved	Baseline (Sep 2013): Disjointed and uncoordinated law making process, dual legal system and lack of overall policy framework	Target (Sep 2015): National Law Reform Policy validated and approved following participatory stakeholder consultations and due process  MoV; LRC reports	
<b>Output 1.1</b> A National law reform policy Act formulated and endorsed by the people and government of Liberia	Indicator 1.1.1 Policy framework developed including gender and youth specific guidelines developed	Baseline:0 (No policy guidelines for law reform since 1847)	Target; Policy guidelines available by 2014  MOV: Policy documents	

<sup>a</sup> Either country relevant (from the Priority Plan or Project Document) or PMP-specific.

<p><b>Output 1.2</b> Options paper for harmonization of the dual legal system in Liberia formulated</p>	<p>Indicator 1.2.1 Options paper developed by December 2014</p>	<p>Baseline; Report of Access to Justice workshop includes recommendations for actions</p>	<p>Target: Options paper including gender and youth specific recommendations validated by 2014  MOV: Documents and reports of Law Reform Commission</p>	
<p><b>Output 2.1</b> <b>Seminar</b> <b>Module on</b> <b>Legal</b> <b>drafting</b> <b>developed</b></p>	<p>Indicator 2.1.1 Network of staff from LRC, MOJ and legislature, Law School; Bar Association with legal drafting skill established</p>	<p>Baseline September 2013: Only 5 (??) persons in-country with technical legal drafting skills</p>	<p>Target: Core group of at least 20 persons with legal drafting skills by December 2015  Regular seminar at Lewis Arthur Grimes Law School on legal drafting by December 2015  MOV: Documents and reports of Law Reform Commission</p>	
<p><b>Output 2.2</b> <b>Codified laws</b> <b>&amp; opinions of</b> <b>the Supreme</b> <b>Court</b></p>	<p>Indicator 2.2.1 Liberia Code of Laws Revised updated by new volumes  Indicator 2.2.2 Additional volumes of the Liberian Law Reports published</p>	<p>Liberia Code of Law reflective of 52<sup>nd</sup> Legislature available  Supreme Court Opinion up to 2011 available</p>	<p>Target: By 2015 up to date opinions of the Supreme Court available  MOV: Liberia Law Reports published  Target: By 2015 up to date laws passed during the 1<sup>st</sup> &amp; 2<sup>nd</sup> second sessions of 53 Legislature available  MOV: Liberian Law Reports published</p>	



### Template 4.1 M&E Plan

**Purpose:** The M&E plan is a tool to coordinate the flow of information from data collection to reporting on results. It helps with triangulation of different data sources to ensure a broader picture in assessing results using an optimal mix of the 'means of verification'.

**Main users:** Joint Steering Committee, Fund Recipient Agencies (RUNOs) and their Implementation partners, PBSO.

The M&E Plan below has been populated with a few real examples to illustrate the kind of information that should go into it.

Type of change	Indicators per outcome	Targets / baselines	Methodology for data collection / frequency (use secondary data from national statistical institutes if accessible)	M&E budget/ Cost coverage	Roles and responsibilities (more detailed in AWP of M&E expert)
Constitutional and legal reform: foster national reconciliation and respect for the rule of law through a participatory consultative process	National Law Reform Policy validated and approved	<p><b>Baseline:</b> Disjointed and uncoordinated law making process, dual legal system and lack of overall policy framework</p> <p><b>Target:</b> National Law Reform Policy validated and approved following participatory stakeholder consultations and due process</p> <p><b>MoV:</b> LRC reports</p>	<p>Undertake expert survey and Focus Group discussions</p> <p><u>Quality criteria</u> to assess numbers of persons aware of the law reform policy and process: perceptions of process</p> <p>Data disaggregation by: - ( Gender; Age, locality, educational level)</p> <p>Follow-up surveys at midterms and end of project to assess awareness and participation</p>	<p><u>Budget needs:</u></p> <p>-20,000 US\$: start-up survey</p> <p>-10,000 US\$: update of primary data at mid-term</p> <p>-10,000 US\$: update for final evaluation</p> <p>Total 40,000US\$</p>	<p><u>Data collection and analysis:</u> M&amp;E focal point at LRC in collaboration with PBE M&amp;E Unit</p> <p><u>Reporting:</u> Focal Point of NIP in close collaboration with focal point of RUNO and PBO</p> <p><u>Performance assessment:</u> JSC with submission of report to PBSO</p> <p>Final programme evaluation: Independent</p>

						External Evaluation in close coordination the LRC , PBSO HQ, UNDP, UNMIL, et all)
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Annex E: Project Summary (to be submitted as a word document to MPTF-Office for upload at the gateway



**PEACEBUILDING FUND  
PROJECT SUMMARY**

<b>Project Number &amp; Title:</b>	PBF/ Development of a National Law Reform Policy, Harmonization of the Dual Legal System in Liberia and Publication of Laws and Supreme Court Opinions supporting the constitution reform process and the law making process	
<b>Recipient UN Organization:</b>	UNDP	
<b>Implementing Partner(s):</b>	Law Reform Commission	
<b>Location:</b>	Monrovia-Liberia	
<b>Approved Project Budget:</b>	US\$ 500,000	
<b>Duration:</b>	<b>Planned Start Date:</b> 1 December 2013	<b>Planned Completion:</b> 30 November 2015
<b>SC Approval Date: (Actual Dates)</b>		

	<p>The project focuses on creating an enhanced and well-coordinated national law making process, where there are standard rules and guidelines, charting each step of the law making process and the expected action of each actor in the process. Ultimately, the legal framework including the constitution are to be reformed to ensure that it conforms to international human rights standards and actors within the process are capacitated to play their various roles in the process.</p>
<p><b>Project Description:</b></p>	<p>The project pursues PBF universal goals of attaining peace and rule of law; it assures clarity, consistency and modernization of the laws thereby creating an informed legal and lay-people community, and will provide all people equal treatment and fair opportunities consistent with the Liberian Constitution, as a way of sustaining Liberia's peace and stability</p>
<p><b>PBF Priority Area:</b></p>	<p>The project pursues PBF universal goals of attaining peace and rule of law; it assures clarity, consistency and modernization of the laws thereby creating an informed legal and lay-people community, and will provide people equal treatment and fair opportunities consistent with the Liberian Constitution, as a way of sustaining Liberia's peace and stability.</p>
<p><b>PBF Outcome:</b></p>	<p><b>Activity 1.1</b> conduct one (1) major desk review to identify best Law Reform practices that are consistent with national and international standards</p>
<p><b>Key Project Activities:</b></p>	<p><b>Activity 1.2:</b> Review the zero draft of the proposed National Law Reform Policy with MAC</p>

	<b>Activity 1.3:</b> Review the zero draft of the proposed National Law Reform Policy with CSOs
	<b>Activity 1.4:</b> Review the zero draft of the proposed National Law Reform Policy with legislature to solicit their views and support
	<b>Activity 1.5:</b> Conduct 1 national validation exercise of the National Law Reform Policy;
	<b>Activity 1.6</b> Conduct 1 technical session with the President of Liberia and cabinet members for approval of the National Law Reform Policy;
	<b>Activity 1.7:</b> Printing of 1,000 copies of the final National Law Reform Policy Document for dissemination to all stakeholder
	<b>Activity 2.1</b> Undertake perception survey
	<b>Activity 2.2:</b> i. Conduct two five days study tours to Sierra Leone & Ghana for regional best practice
	<b>Activity 2.3:</b> Undertake research on 3 topics a. Research work leading to the development an over all Harmonization policy (How to approach Harmonization, b. Research work on the development of a national reform law policy (stake c. Research work leading to the development of a legislative drafting training manual
	<b>Activity 2.4</b> Plan and hold 15 county consultations with traditional leaders, local leadership, women groups, and youth groups nationwide.

	<p><b>Activity 2.5</b> Purchase of two 4WD vehicles for country consultations</p>
	<p><b>Activity 4.1</b> Properly edited, cite-checked/cross referenced compiled laws emanating from the First Session of the 52<sup>nd</sup> Legislature, and edited, summarized, indexed opinions of the Supreme Court published and distributed</p>