

## Strengthening Rule of Law in Malakand Programme



December 31, 2013

### Members of the Project Review Board of SRLM Project – UNDP:

1. Secretary, Economic Affairs Division, Government of Pakistan
2. Registrar, Peshawar High Court, Peshawar
3. Secretary, Home Department, Government of Khyber Pakhtunkhwa
4. Secretary, P&D Department, Government of Khyber Pakhtunkhwa
5. Secretary, Law Department, Government of Khyber Pakhtunkhwa
6. Secretary, Local Government, Government of Khyber Pakhtunkhwa
7. Secretary, Finance Department, Government of Khyber Pakhtunkhwa
8. Provincial Police Officer, Khyber Pakhtunkhwa
9. President, Peshawar High Court Bar Association
10. Assistant Country Director/Incharge of Governance Unit, UNDP-CO, Pakistan

### Subject: Minutes of 4<sup>th</sup> Project Review Board (PRB) Meeting

Dear Sir,

The 4<sup>th</sup> Project Review Board (PRB) meeting of Strengthening Rule of Law Program in Malakand was held under the Co-Chairmanship of Additional Chief Secretary, P&D Department, Government of Khyber Pakhtunkhwa and Deputy Country Director (Programme), UNDP-CO, Pakistan on 6<sup>th</sup> December 2013 at the Committee Room of P&D Department, Peshawar.

A copy of the minutes of the subject cited meeting along with its enclosures (duly approved by the co-chairs) is attached for your kind information and record, please.

With best regards,

  
Ashraf Khan  
Project Manager/Secretary PRB

**Encl:** As stated.

Copy along with copy of the minutes and its enclosures is forwarded to Chief Foreign Aid Section, P&D Department, Government of Khyber Pakhtunkhwa

### CC:

- Deputy Country Director (Programme), UNDP-CO, Pakistan
- PS to Additional Chief Secretary, P&D Department, Govt. of Khyber Pakhtunkhwa

## **Minutes of 4<sup>th</sup> Project Review Board Meeting Strengthening Rule of Law in Malakand Project**

The 4<sup>th</sup> Project Review Board meeting was held on 6<sup>th</sup> December 2013 in P&DD Peshawar, co-chaired by Additional Chief Secretary (ACS), Government of Khyber Pakhtunkhwa and Deputy Country Director Programme (DCD-P), UNDP. The meeting was attended by representatives of Peshawar High Court, P&D, Finance, Home, Local Government, Police, Prosecution, Law Department and UNDP. *List of participants is at Annexure – 1.*

The meeting started with the recitation of the Holy Quran. Mr. Khalid Pervez (ACS) welcomed the participants and DCD-P, UNDP thanked ACS for hosting the meeting and board members for their participation. After opening remarks by the Co-Chairs, the meeting was conducted as per following agenda items:

### **1. STATUS OF THE DECISIONS OF 3<sup>rd</sup> PRB:**

Ashraf Khan, Programme Manager (PM) Rule of Law presented the progress regarding the decisions taken in the last PRB. The participants showed satisfaction over the actions taken on all the decisions. *Status of the decisions is at Annex-B.*

### **2. PROJECT PERFORMANCE 2013:**

Ms. Sharmeela Rassool, Chief Technical Specialist (CTS) , Rule of Law gave a presentation on the salient features of Rule of Law Programme. She shared the performance of the Programme and major accomplishments against the targets envisaged in Annual Work Plan for the Year 2013. She informed that the Project under all the four Outputs provided human, institutional and system support to the judiciary, police, prosecution, bar councils (both Pakistan and Khyber Pakhtunkhwa), bar associations and civil society organizations. Ms. Sharmeela shared achievements against targets fixed in AWP-2013 related to trainings of the stakeholders, creating pool of master trainers in justice sector, enhancing access of gross root population to justice and legal aid, mobilization of paralegals, systemization & institutional support for better delivery of justice by state institutions responsible for maintaining rule of law, dispensation of justice & legal assistance. She highlighted an issue related to Musalihati Jirga and said that against the target of 425 MJ members only 215 MJ members were trained on Alternate Dispute Resolution (ADR). Further trainings had to stop due to the new Local Government Act, 2013 which has no direct provision for MJs. The Representative of Local Government Department responded that dispute resolution role was there with elected body in LG Act 2013, therefore the Project should provide support for such forums envisioned in the Act.

The forum inquired about delay on the preparation of manual and training for 'Executive Magistrates'. Responding to the issue, CTS informed that Letter of Agreement (LOA/MOU) with PARD had been signed by UNDP after their consent to develop training manual and train 50 EMs of the Malakand. She said that PARD has still not signed the MOU which needs attention of the forum so as MOU is signed without further delay.

Mr. Mubarak Zeb, DIG Police enquired about delay in the establishment of 'Regional Training Center' for the Police at Malakand. He was informed that due to expansion of the scope of work required for the RTC as one of the main reasons for the delay. However, NTS informed that IT and other equipments have been procured and drawing with BOQ has been prepared which will be advertised during December 2013 or in January 2014.

Additional Secretary Development Finance Department requested UNDP to share list of goods which have been procured for various departments so as duplication of similar items for same departments are avoided.

The Home Secretary showed his concern about duplication of the activities being undertaken through various projects and programme. Chief Foreign Aid P&DD while supporting Home Secretary concerns said that the issue of duplication should be resolved. The DCD-P stated that she was in contact with the DFID and soon a meeting would be held with donors to discuss the issue. The ACS advised that the KP Justice Steering Committee, constituted by the 3<sup>rd</sup> PRB of the Project under the



chairmanship of Home Secretary, should take the lead and hold meeting with relevant donors and government agencies to discuss similar activities and devise a mechanism so as duplication is avoided.

Regarding overall performance of the Project, the participants showed their satisfaction.

**After discussion of progress and implementation following decisions were taken:**

- a) *The Home Secretary will take up the matter with the DG PARD for signing of LOA/MOU with UNDP and early completion of training manuals for Executive Magistrates*
- b) *UNDP will facilitate Home Department to convene KP Justice Steering Committee meeting soon after PRB to devise holistic plan for undertaking interventions in justice and rule of law sector under various projects and programme in a coordinated manner*

**Financial Delivery:** CTS also presented financial delivery and informed that by end of December, 2013 the financial delivery will be above 98%. She informed that the Project available budget was Rs. 337.66, while actual expenditure to date and commitment are Rs. 278.33 M and Rs. 79.60 M, respectively. Thus total expected expenditure would be Rs. 357.93 M by end of 2013. *Details are at Annex-C.*

**Expansion of Rule of Law Programme**

Amir Goraya, Assistant Country Director-Governance UNDP informed that stakeholders (KP Government and Judiciary), had recommended expansion of UNDP Rule of Law Programme to other part of the Province. UNDP launched Project Initiation Plan (PIP) for a period of 9 months (April-Dec 2013) with a total cost of US\$ 50,000/- to carry out activities at smaller scale in 4 districts of KP including Kohat, Karak, Bannu and Haripur. Now, under Common Country Programme Action Plan (CCPAP) 2013-17, UNDP has prepared work plan 2014 for Adol-o-Insaf Project (AIP). He said that district stakeholders (judiciary, police, prosecution and bar associations) were consulted on AIP interventions during a consultative workshop held on 24<sup>th</sup> Sep 2013 at Peshawar. The ACD informed that under CCPAP, AIP AWP 2014 will be signed by UNDP for onward submission to EAD for endorsement. The activities in the afore mentioned 4 districts will be started in 2014 while strategy document (project document) will also be prepared in consultation with KP Government.

PM SRLM requested that keeping in view up scaling of the Rule of Law Project and expansion of rule of law program to other districts, the mandate of present PRB should be extended accordingly. Chief Foreign Aid while responding said that first UNDP should share Concept Paper of AIP within framework of ROL Programme and then mandate and composition of the PRB would be considered.

**Decision: UNDP to share Concept Paper of AIP for consideration to expend PRB's mandate to rule of law program**

**SRLM and AIP Annual Work Plan 2014:**

Qazi Jamil-ur- Rahman, National Technical Specialist (NTS) presented salient features of the Annual Work Plan of SRLM and AIP 2014. Before presenting major activities he informed that the AWP 2014 was prepared in consultation with the key partners including PHC, Home Department, Central Police Office, Local Governments Department and Prosecution Directorate. He further informed that detailed AWP was already shared with all members along with working papers. After presenting the major activities, the ACS invited members for their suggestions and inputs, if any. There were some suggestions presented by members and requested the forum for inclusion in AWP 2014. The suggestion (activities) included: a) Revenue Courts strengthening in light of ongoing study on Revenue Courts; b) establishment of School of Investigation & Cyber Crime Unit; c) conducting study on Police Rules and d) conducting Training Need Assessment of female police officers. The forum endorsed these activities and advised the project management to include in the final AWP 2014.

The forum was informed that DFID was working on the prisons, therefore, to avoid duplication UNDP has stopped working on the prisons including further installation of the 'Prison Management Information System', installed in district jail, Timergara in 2012.

**Decisions:**

- a) After detailed discussion, the forum approved the Annual Work Plan of Rule of Law Programme for 2014 as per below components:
- I. AWP 2014-Strengthening Rule of Law Project (Annex-D)

<u>Total Budget</u>	<u>KP Govt Share:</u>	<u>UNDP Share</u>
US\$ 6.580 M	US\$ 1.254 M	US\$ 5.326
PKR 710.64 M	PKR 135.432	575.208
  - II. AWP 2014- Adal o Insaf Project (Annex-E)  
Total Budget (by UNDP): US\$ 2.05 M (equivalent to PKR 221.4 M)
- b) Sub-committee on ADR under the Chair of Secretary, Home & Tribal Affairs Department with representation of PHC, LGD, to be constituted and notified by Home & Tribal Affairs Department. Implementation of activities would be resumed once the committee submit its recommendations.
- c) Implementation of recommendations of Revenue Court study and Workshop would be submitted to the co chairs of PRB for approval and would be made integral part of the AWP 2014 as activity/activities.
- d) The establishment of a 'School of Investigation' and 'Cyber Crime Unit' would to be explored during the year.
- e) A 'Study on the Police Rules' would be included in the workplan.
- f) A training need assessment for the female police staff would be undertaken.
- g) The need for the doctors and morgue staff training is extremely important, therefore, a training programme should be started in this regard. Similarly, training on the medico-legal evidence should be initiated for the judges training.

**ESTABLISHMENT OF FORENSIC SCIENCE LABORATORY (FSL) AT SWAT**

NTS informed the participants that establishment of FSL has been delayed due to lack of expertise in forensic sector and availability of laboratory equipment in Pakistan. The Project had to extend the completion to next year. He informed that the major milestones covered included allocation of building at Landaky area of Swat, nomination of 25 police personnel with science background for FSL as regular staff, procurement of local laboratory equipment, designing of drawing and BOQ for laboratory structure and refurbishment and securing collaboration with Punjab Forensic Science Agency (PFSA). The Home Secretary said that there was also a growing need for establishment of a modern and state of the art provincial laboratory at Peshawar. NTS further informed that the KP Govt: on the recommendation of 3<sup>rd</sup> PRB constituted a working group under the chairmanship of Secretary Home aiming to study various options for establishment of FSL. He said that in a recent meeting the Working Group came up with short term and long term plan for establishment of FSL at Swat (under SRLM) and Peshawar (out of KP Govt resources).

**Decisions:**

- a) *A training need assessment for the development of training manual for doctors and FSL staff would be undertaken.*
- b) *A 'feasibility study' for establishing state of the art Forensic Science Laboratory in Peshawar would be undertaken before finalization of Annual Development Programme 2014-15.*

**Decision: The 3<sup>rd</sup> party verification of data will be done through 3<sup>rd</sup> party monitoring firm to be hired in 2014**

**Concluding remarks:**

At the end of the meeting the Chairperson appreciated UNDP. He said that more coordination is required. "UNDP has done a wonderful job, he added".