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# Joint Programme for the **Rule of Law and Human Rights in Darfur**

Implementing Partners



**UNITED NATIONS DEVELOPMENT PROGRAMME  
Sudan Country office**

## **Joint Programme for the Rule of Law and Human Rights in Darfur**

**Project Number:**

**Implementing Partners:** UNAMID, FAO, UNESCO, UNFPA, UNICEF, UNHABITAT, UNHCR, UNOPS, UNWOMEN and WFP.

**Start Date:** November 2016

**End Date:** November 2019

### **Brief Description**

This Joint Programme for Rule of Law (JPROL) is being initiated in Darfur to strengthen delivery, coherence and maximize the impact of United Nations support to the rule of law in Darfur. It will bring together all relevant interventions under one framework, pool resources and establish shared priorities in addressing the lawlessness and criminality which are the primary causes of instability in Darfur today.

Through the programme, the UN system will work closely with the government, civil society and local communities to strengthen the institutional capacity of the justice, corrections and police as well as other institutions upholding the rule of law. Activities include: revision of selected laws and procedures; re-establishment of the criminal justice chain in pilot areas to which Internally Displaced Persons (IDPs) are likely to return; and building the capacity of and oversight over justice and security institutions. JPROL will also provide robust support to improve access to justice through the legal empowerment of vulnerable populations in Darfur, especially women, children and IDPs. In order to address the root causes of the conflict in Darfur, JPROL will support rights-based resolution of land issues. All activities will be gender mainstreamed.

The programme is being launched at a time when there is perhaps an unprecedented opportunity to promote the rule of law and move the region towards recovery. The conflict has changed and the main source of insecurity is no longer strategic and orchestrated violence between armed groups but criminality, making the rule of law crucial for security. Another reason for the UN to make a renewed effort on this front is that the government has been demonstrating willingness to promote the rule of law and work with the United Nations to that effect (see Annex C).

In addition, the programme will provide a framework to implement Security Council Resolutions 2228 (2015) and 2296 (2016). Resolution 2228 concluded that certain UNAMID mandated tasks relating to the promotion of the rule of law in Darfur, as well as capacity-building of police and other local institutions which can combat impunity, will be transferred to entities with the necessary comparative advantage, meaning the United Nations Country Team (UNCT) in Sudan. Resolution 2296 specifies that this transfer must be concluded by June 2017. In line with the recommendations of the High Level Independent Panel on UN Peace Operations, JPROL will enable a seamless transfer of rule of law tasks through a well-coordinated handover to the UNCT, sharing of resources between UNAMID and the UNCT, and rapid build-up of UNCT capabilities under an organized funding plan.

The Joint Programme is spearheaded by the Rule of Law Coordination Group (RLCG), which is a UN Global Focal Point Arrangement established in August 2015 encompassing all UN actors involved in promoting the rule of law in Darfur. While UNDP and the United Nations African Union Mission in Darfur (UNAMID) are the lead agencies for the programme, nine other UN agencies make a significant contribution and receive funds from the programme: FAO, UNESCO, UNFPA, UNICEF, UNHABITAT, UNHCR, UNOPS, UNWOMEN and WFP.



Contributing Outcome (UNDAF/CPD, RPD or GPD):

Outcome 2: Citizen Expectations for voice, development, the rule of law and accountability are met by stronger systems of democratic governance.

Outcome 6: People in Sudan are protected under an enabling environment that guarantees the rule of law, basic rights and fundamental freedoms.

Indicative Output(s):

Total resources required:	<b>\$16 million</b>	
Total resources allocated:	<b>UNDP:</b>	
	<b>Donor:</b>	
	<b>Donor:</b>	
	<b>Government:</b>	
	<b>In-Kind:</b>	
	<b>DPKO</b>	<b>620,000</b>
Unfunded:		





**Agreed by (signatures):**

Ministry of Justice	Ministry of International Cooperation	UN Resident and Humanitarian Coordinator	UNAMID Joint Special Representative
Dr. Awad Al-Hassan Al-Nour	Mr. Osman Ahmed Fadel Wash	Ms. Marta Ruedas	Ms. Bintou Keita
Signature:	Signature:	Signature:	Signature:
Date:	Date:	Date:	Date:

**Participating UN Organizations:**

UNDP	FAO	UNESCO
Signature:	Signature:	Signature:
Date: 22.11.2016	Date:	Date: 22/11/2016
UNFPA	UNICEF	UN-HABITAT
Signature:	Signature:	Signature:
Date: 22/11/2016	Date: 22/11/2016	Date:
UNESCO	UNHCR	UNOPS
Signature:	Signature:	Signature:
	Signature:	Signature:

## 1. RULE OF LAW AND HUMAN RIGHTS IN DARFUR

Since its outbreak in 2003, the conflict in Darfur has created a deadly and intractable crisis. Throughout the region, widespread human rights violations are perpetrated – affecting women and children in particular – and two million people are displaced. The conflict has destroyed infrastructure, eroded social cohesion and community stability, and damaged livelihoods and employment opportunities. Social and economic development in Darfur is dramatically affected. It is therefore of crucial importance for the people and future of Darfur to ensure the protection of vulnerable communities through reinstatement of the rule of law and respect for human rights.

Political progress was made with the signing of the Doha Document for Peace in Darfur (DDPD). The document was signed in May 2011 between the Government of Sudan and some of the armed opposition groups. This, alongside other developments, has resulted in a reduction in armed conflict in the region, which in turn creates an opportunity to move Darfur out of the ongoing crisis towards long-term peace and development. Indeed, in 2012, the Common Country Assessment (CCA), which was carried out by the UN Country Team (UNCT) together with the government, concluded that the country was moving from a conflict to a post-conflict recovery and development situation, albeit with wide regional disparities in human development and recovery needs.

The situation remains precarious, however. Darfur is extremely territorial and militarized, with different small factions holding control and influence over specific areas. The absence of legitimate authority in the region, and the abundance of weapons, have resulted in a situation where banditry and looting have become widespread. Criminality – rather than armed conflict – now represents the primary threat to peace and security, particularly at community level.

In order to make the much-needed transition to peace and development in Darfur, criminality as the principal source of insecurity must be addressed and the civilian population must be empowered to claim their rights. This will require substantial support, as the conflict in Darfur has severely weakened the rule of law, while human rights violations have become normalized and widespread. The UN has identified three focus areas in this respect:

- 1) As evidenced by key rule of law (RoL) assessments,<sup>1</sup> the limited capacities and presence of justice actors and institutions, combined with the prevalence of armed groups and the ongoing conflict, have substantially hindered the delivery of justice to populations in need. Impunity for crimes – and for sexual violence in particular – is a notable and widely reported phenomenon in Darfur.<sup>2</sup> As a result, citizens in Darfur express a profound lack of trust and confidence in justice institutions. Further details are provided in section 1.1. below.
- 2) Human rights reports published by UNAMID and key human rights monitoring institutions show that the enjoyment of human rights and the capacity of the population to claim respect for their rights is extremely limited.<sup>3</sup> Access to formal justice in Sudan remains unequal and ineffective, perpetuating the vulnerability of populations in need. Further details are provided in section 1.2. below.

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<sup>1</sup> These include Reports of the Secretary General on UNAMID Reports, and the '2013-2019 Developing Darfur, A Recovery and Reconstruction Strategy'.

<sup>2</sup> Report of the Secretary General on the African Union-United Nations Hybrid Operation in Darfur, p.5, available at [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2015/378](http://www.un.org/ga/search/view_doc.asp?symbol=S/2015/378).

<sup>3</sup> See notably, 'Report of the United Nations High Commissioner for Human Rights on Impunity and Accountability in Darfur for 2014', and 'Report of the Independent Expert of Human Rights Situation in Sudan, September 2013 and August 2015'.



- 3) Ongoing competition and violent conflict over land resources are central to the perpetuation of these rule of law challenges and human rights violations. This needs to be addressed in order to achieve a sustainable peace in Darfur. Further details are provided in section 1.3. below.

### 1.1. Delivery of justice in Darfur

The judicial system in Darfur follows the decentralized administrative federal system in Sudan. The headquarters of each State Ministry of Justice and the judicial organs are located in the respective state capitals. All formal courts in Sudan apply both Sharia and statutory law. The statutory court system is enshrined in the Interim National Constitution of 2005. This calls for the establishment of an independent Constitutional Court and a National Supreme Court at the federal level. Courts of Appeal are located in every state capital, including five in Darfur. The National Supreme Court Division for Darfur was recently established in Nyala, South Darfur and is constituted of nine Supreme Court justices. It has jurisdiction over appeals against the judgements of the Courts of Appeal in criminal and civil cases, including Sharia law, from the five Darfur states. The decisions of the Supreme Court Division are reached by majority votes and are only subject to revision on constitutional questions.

Below the Court of Appeal are public courts and district courts (at 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> grades). Each state judiciary is headed by a Chief Judge who is usually the most senior Court of Appeal judge. Prosecutions offices as part of the State Ministry of Justice are headed by the Chief Prosecutor.

In addition to the regularly constituted criminal courts, the Special Court for Darfur has been established in El Fasher, with a Special Prosecutor appointed in 2012 by the Government of Sudan (GoS) pursuant to the Doha Document for Peace in Darfur (DDPD). The DDPD and the instrument of establishment vest the Special Court with jurisdiction over gross violations of human rights and serious violations of international humanitarian law committed in Darfur since February 2003. The Special Court for Darfur and the Special Prosecutor are thus charged with the primary task of prosecuting those responsible for committing such crimes, regardless of whether they are employees of the government, members of rebel movements, or ordinary civilians.

Customary courts became part of the formal judicial system through the 2004 Town and Rural Courts Act, as the lowest tier. These courts are chaired by traditional leaders from the Native Administration.<sup>4</sup> The distinctive feature of these courts is their application of customs which are consistent with the general law or public policy. They often resort to conciliation and accord in solving disputes, and may be relied upon to resolve land or intertribal disputes including over areas of pasture, water and cultivation. The number of customary courts fluctuates depending on the prevalence of insecurity. In 2016, there are 72 rural courts in North Darfur of which only 35 are currently functional. In Central Darfur there are 32 rural courts of which only 12 are functional. In South Darfur there are 96 customary courts which include 85 rural courts, 10 intermediate courts and one town court. There is no up-to-date information on the number of rural courts in East Darfur, but older figures indicate 25.

Closely linked with law enforcement is the enforcement of sentences and punishments. The prison system in Darfur is part of the Sudan Prison Organization under the Government of Sudan. The Director General of Prisons in Khartoum is the overall head of the system in Sudan, including Darfur. Each of the Darfuri states has a State Director of Prisons, who reports to the Director General of Prisons in Khartoum. Out of 13 GoS prisons in Darfur, seven are located in North Darfur including one juvenile home, three in South Darfur and one in each of West, Central and East Darfur. The total holding capacity of the prisons in Darfur is 2470. In August 2016 the Darfur prison inmate population was 2506. Of these, 820 were pre-trial detainees (33 percent) and 176 were women (0.7 percent).

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<sup>4</sup> The Native Administration is a governance institution designed to manage land, render justice, and to represent both the states, in the various and diverse parts of the territory inhabited by diverse communities, and the interests of those constituencies to the authorities.



There were 61 children accompanying their mothers in Darfur's prisons. The juvenile home in El Fasher has a holding capacity of 25 juveniles but held 33 boys in August 2016.

The challenges to the rule of law, access to justice and human rights protection in Sudan are wide-ranging and have political, institutional, cultural and economic causes. The formal justice sector is restricted mostly to urban areas. There is little or no presence of governmental authority in the form of formal courts, police stations, prosecution offices, prisons and local administrations in many localities. Access to formal justice remains unequal and ineffective, a situation which perpetuates vulnerability amongst the civilian population. Although the Government of Sudan has made efforts to improve the judicial system in Darfur, there are still significant gaps that continue to render the rule of law institutions weak and ineffective. Reform efforts are notably hampered by the absence of proper data and data management systems on the use and quality of justice delivery. Better data could inform support activities and help counteract the endemic corruption and lack of accountability that often undermines efforts to strengthen the rule of law. The principal challenges facing the formal and informal justice systems, the police, and the corrections institutions in Darfur are described below.

### **The formal justice system**

The capacity and reach of the justice system is severely weakened by the extremely low numbers of existing courts and judges. Physical court infrastructure is dilapidated. Courts often lack copies of relevant legal texts, as well as the most basic office equipment and supplies. The delivery of justice is further hampered by corruption, lack of awareness of new legislation, enforcement difficulties, and lack of legal aid.

Across all courts in Darfur, judges face severe staffing deficiencies. The courts are frequently staffed by people with limited legal training, resulting in inconsistent application of criminal law and criminal procedural law, irrespective of the status or ethnicity of the applicant. There is also no clear delineation of the functions of various established specialized courts, notably the Special Court for Darfur, which exist alongside the pre-existing state and district legal institutions. There is significant overlap in jurisdiction across these courts and unclarity under which jurisdiction individual cases fall.

Currently, prosecutors operate solely in the five state capitals of Darfur, with limited presence in rural areas. Although there has been progress recently in the deployment of new prosecutors, there is still considerable need for more prosecutors outside of the towns. The low number of prosecutors greatly inhibits the administration of justice and prosecutorial supervision over the police to ensure proper treatment of people in custody. Prosecutors also face difficulties in significant court delays in processing referrals. Focused attention needs to be paid to the neutrality and independence of prosecutors, particularly in areas affected by armed conflict.

### **The informal justice system**

For many Darfuris, traditional law continues to constitute the first and only entry point into the justice system. High levels of mistrust of the formal justice system mean that traditional courts are viewed as the only viable system able to provide justice and redress for communities. Traditional law promotes dialogue as an appropriate channel to achieve both justice and reconciliation amongst tribes, particularly as regards land disputes as suggested by Article 52 of the DDPD. However, customary courts have been shattered by the conflict and insecurity, displacement and political tension. Those customary courts that still exist are severely under-resourced and under-staffed. Court facilities often do not amount to more than some chairs under a tree. The numbers of traditional courts have decreased sharply, leaving the important judicial role of the native administration incapacitated, and rendering whole communities vulnerable to arbitrary violence with little or no protection. As a result, some communities have also lost faith in the traditional justice system.

## The police

The police force is present at the locality level in Darfur. However, it remains severely under-staffed, under-resourced, ill-equipped and unequally distributed across Darfur. Some localities have no police officers while others have more than 100. The police force faces immense challenges in relation to mobility, training and communications. Due to severe lack of resources, police officers, particularly those of junior rank, are underpaid and frequently find themselves in harsh and difficult working conditions. Moreover, police often lack training in community-orientated policing approaches, as a result of which they use methods which are inappropriate.

Police officers, as keepers of the law, are intended to work closely with the judiciary that enforces the law. However, due to the lack of courts and prosecutorial power in many localities, the police have often assumed judicial functions. Even police who are not trained in investigatory methods, particularly with regard to human rights violations, have taken on roles normally performed by prosecutors. In other instances, the ongoing security coupled with their own lack of internal capacities mean that the police are unable or unwilling to perform the investigations they are obliged to conduct under the Criminal Procedure Act (1991) and Police Force Act (1999). There is an urgent need to build the capacity of the police force to be able to protect the people of Darfur and perform investigations, while also building public support and trust.

## The prisons

Currently, the prisons in Darfur do not meet the minimum standards required under the United Nations Standard Minimum Rules for the Treatment of Prisoners (1955). This lays down important principles regarding the proper treatment of prisoners and management of prison institutions. Many prisons in Darfur date back to the colonial era and require extensive renovation to address failing infrastructure including limited toilet facilities. Moreover, prisoner care – the provision of material items, sanitation, access to water, and adequate food and health facilities – is an acute problem. Access to legal counsel is not readily available to those incarcerated and most of those arrested and detained are poor and illiterate and cannot afford legal fees.

Perimeter security is poor, so convicted offenders are often permanently shackled to prevent their escape. In densely-populated and overcrowded prisons, serious offenders are often mixed with juveniles, prisoners with psychiatric conditions, pre-trial detainees and those convicted of minor crimes. Women are generally housed separately, but lack basic facilities for themselves and for the care of their children who often live with them in prison. In El Daein Prison in East Darfur, for example, 55 female prisoners and their 19 children occupy space intended for only 10 prisoners. Dilapidated infrastructure further prevents capacity building of prison staff. With up to 80 percent of the national prison staff being illiterate, most prison officers lack understanding of human rights and relevant international standards for prisoners. Furthermore, few attempts have been made to promote restorative justice and alternatives to imprisonment. The lack of integrated approaches with the social welfare system has victimized many vulnerable groups, especially women and children.



## 1.2. Access to justice, human rights and gender

Currently, the people of Darfur have limited knowledge about their human rights entitlements. This lack of awareness, and the resulting inability to take action to claim those rights, severely limits their enjoyment of fundamental rights and freedoms, and access to justice in particular.

To increase the level of awareness among rights-holders, and to develop human rights culture in a democratic society, the important role played by human rights defenders and civil society has to be recognized. Governments must be encouraged to allow them to carry out their activities in an open, safe and secure environment.

Recent analysis of the human rights situation in Sudan indicates that human rights awareness has improved across the different government sectors and amongst the people of Sudan.<sup>5</sup> Since 2011, the Universal Periodic Review (UPR), among other processes, has resulted in a number of initiatives aimed at improving the human rights situation in Sudan. As of May 2016, Sudan had implemented 61 of the 160 recommendations from the review, with a further 78 under implementation.<sup>6</sup> The Ministry of Justice had submitted Sudan's second UPR Report to the Office of the High Commission for Human Rights (OHCHR).

The provision of legal representation is an essential tool for ensuring access to justice. In Sudan, government-funded legal aid is the responsibility of the Legal Administration Department within the Ministry of Justice, through assigned legal aid lawyers from the prosecution service. This service is barely functioning. Due to the shortage of specially assigned lawyers, legal aid is sometimes provided through prosecutors assigned on a case-by-case basis. In most parts of Darfur legal representation is rare or non-existent. There are very few practising lawyers in Darfur, and the vast majority of defendants go unrepresented in court proceedings. Pre-trial detainees are detained for lengthy periods in prison without lawyers to represent them. Additionally, there is a marked lack of legislation allowing for legal aid, establishment of Legal Information Centres, or paralegal capacity building either at the national or state level. This vacuum greatly diminishes the rule of law despite the best efforts of the existing Legal Aid Centres and the Lawyers' Network.

In spite of some progress made with legislative reforms, Sudan continues to face enormous human rights challenges. There are ongoing violations of the rights to freedom of expression and opinion, freedom of the press, freedom of association and peaceful assembly, and freedom of religion, as noted in the report from 2015 of the Independent Expert of Human Rights Situation in Sudan.<sup>7</sup>

The protracted conflict in Darfur has combined with gender stereotypes and discrimination, low awareness of women's rights, and insufficient capacity of justice actors, to expose women to sexual, domestic and other forms of violence. Women subjected to gender-based violence often have no access to justice or other types of support. The conflict has caused destruction of the community support structures and mechanisms that women used to rely on in such cases. This, together with the massive displacement of people within Darfur, has increased women's overall burden of work and exposed them to additional risks of sexual violence and exploitation.

Very few cases of sexual and gender-based violence have been reported to the authorities. Rape remains the most commonly reported crime, while information regarding other forms of violence remains sparse. This under-reporting is largely due to victims' fear of stigmatization, fears of retribution, and lack of trust in the judicial system to respond to gender-based violence. The high levels of gender-based violence, together with the lack of security and continued conflict have

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<sup>5</sup> See 'Report of the Independent Expert of Human Rights Situation in Sudan, September 2013 and August 2015'.

<sup>6</sup> Draft report of the Working Group on the Universal Periodic Review of 19 May 2016 (A/HRC/WG.6/25/I.5).

<sup>7</sup> See, 'Report of the Independent Expert of Human Rights Situation in Sudan, September 2013 and August 2015'.

resulted in traumatization and emotional distress for women and girls. A lack of basic health services and the rule of law impede women's rights to access essential services, including healthcare, or psycho-social and legal support.

### **1.3. Competition over land resources**

Secure land tenure is the fundamental right of every individual, and it is particularly important for poor and vulnerable groups, such as female-headed households, whose access to land is often their only form of security.

Land has always been central to the outbreak and escalation of conflicts between the different livelihoods groups in Darfur. Most of the community conflicts are in some way related to issues around land or access to natural resources. The great majority of Darfuris gain their livelihoods through agriculture and/or pastoralism. They are dependent on access to and ownership of land, and the direct utilization of the environment and natural resources. Conflicts arise in relation to the use of land and other natural resources: in particular, the longstanding conflict between pastoralists and sedentary farmers. Environmental degradation and climate change are reducing the area of arable land available and are thus increasing competition over scarce natural resources.<sup>8</sup> Land in Darfur, apart from its economic importance and value, has also acquired special symbolic significance linked to people's identities, history and geography. The returns of refugees and IDPs, the maintenance of nomadic corridors, long-term investment, and recovery and reconstruction processes all depend on effective land management.

The land tenure system in Darfur does not require that land be formally registered according to the provisions of statutory law. User rights predominate and tend to be inclusive rather than exclusive. Communal rights exist and are often overlapping. Land remains within the clan or tribe and can rarely, if ever, be sold to outsiders, although outsiders can have user rights. A Native Authority chief has the power to allocate land and to adjudicate disputes. Such powers are usually exercised in consultation with elders in the community. However, potential economic gains sometimes cause leaders to act in their own personal interests and allow outsiders to settle on communal land for a fee without consulting their community first. With respect to gender, women generally have restricted land rights. Women can usually only obtain land-use rights through their husbands, fathers, brothers, or sons. The custom in most areas is that land is allocated to a family or household. The male household head is considered to be the representative of his family for the purposes of the allocation. In such cases, women may have access to land but do not hold legal entitlement to that land in their own right. There are some exceptions in the case of women-headed households, where women can be given rights to use land by the civil administration leaders.

The current land tenure systems under customary law in Darfur are complex. This is exacerbated by the decay of the traditional land management system after the dissolution of the Native Administration system. Changes resulting from migration and resettlement, increased population density, environmental degradation, and droughts, etc. have affected land management systems negatively in recent years, resulting in various conflicts. In addition, the enactment of statutory laws has added to the complexity. Thus, it is no longer possible to talk about a single or homogeneous land tenure system in the whole of Darfur.<sup>9</sup>

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<sup>8</sup> UNEP Post Conflict Environmental Assessment for Sudan: Conflict and the Environment.

<sup>9</sup> Oxfam Briefing Paper, 'We no Longer Share the Land', 21 April 2014.

Sustainable peace, development and integration of returnees in Darfur will require the implementation of effective dispute resolution mechanisms for disagreements over land, as well as the introduction of proper governance over land ownership and allocation.

## **2. THE PROGRAMME STRATEGY AND THEORY OF CHANGE**

The United Nations programmatic approach and activities in Sudan are guided by the United Nations Development Assistance Framework (UNDAF), signed in July 2012. The UNDAF draws on the United Nations Country Analysis 2012 as well as on information from project and programme evaluations. The UNDAF is the basis for the Country Programme Action Plan (CPAP) 2013-2016, signed in July 2013 between UNDP and the Government of Sudan. UNDP works with the UN Country Team (UNCT) and the African Union/United Nations Hybrid operation in Darfur (UNAMID).

United Nations entities have tailored their justice and rule of law efforts to the evolving contexts, in particular the new political developments in Sudan including DDPD; institutional arrangements for Sudan after the secession of South Sudan; and changing needs in different regions in Sudan. Experiences and lessons learned in earlier phases of these interventions show that the rule of law and human rights can be advanced through the interplay of two essential pillars: the efficiency of the justice and security systems on the one hand, and citizens' capacity to claim respect for their human rights on the other. This is usually expressed in the language of "duty-bearers" and "rights-holders". The balance between the two is very important. Empowered rights bearers can exercise a certain check on strong state institutions and thus leverage their power.

Based on this experience, the programme will undertake strategic interventions to strengthen justice institutions. At the same time the programme will also focus on empowering individuals, activists, community networks and NGOs to access justice and claim their rights. This is reflected in outcomes 1 and 2. Outcome 3 addresses specific justice needs in Darfur in relation to land.

### **Outcome 1: Justice institutions are strengthened to provide equitable, effective and accountable justice services**

This outcome encompasses interventions at the institutional level. Working with different **duty bearers** including the police, prosecution, courts, corrections and native administration, the programme will provide targeted support to key justice institutions, enhancing their capacity to provide security and justice while at the same time protecting human rights and accountability.

### **Outcome 2: Communities and vulnerable groups enjoy enhanced access to justice and are empowered to demand respect for their human rights**

This outcome will focus on building the capacities of **rights holders**. The programme will empower them to claim their rights through awareness-raising, education and increased access to justice, notably through the provision of legal aid services, and expansions of Justice and Confidence Centres. The programme will also support community structures that empower marginalized and vulnerable groups, including IDP and returnee populations. By strengthening national human rights institutions such as the Sudan National Human Rights Commission and the Advisory Council for Human Rights, the programme will enable those institutions to engage more fully in the process of shaping and influencing policy in relation to justice and human rights. The implementation of outcome 2 will adopt a holistic, people-centred and needs-based approach to identify and support the real drivers of community empowerment and protection.

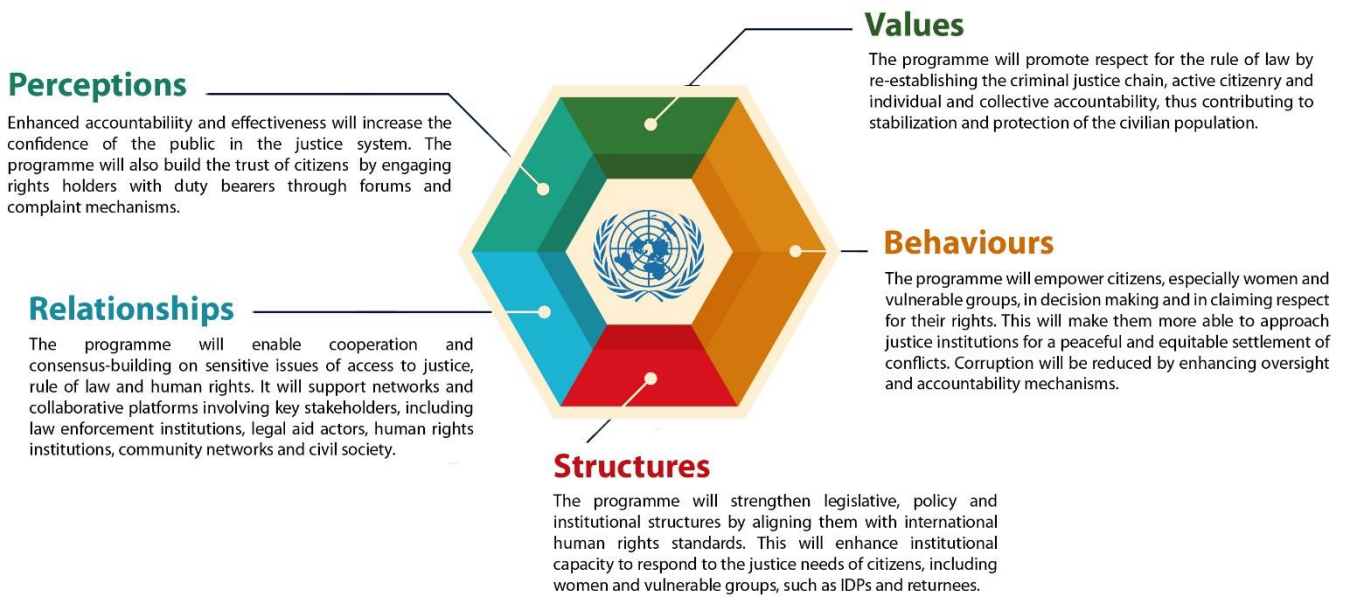
### **Outcome 3: Land management is introduced and the capacity of the justice system and local conflict resolution mechanisms to address land issues is enhanced**

Outcome 3 focuses on the relationship between land, conflict, and the justice system. Violent competition over land resources has been central to the conflict in Darfur. Moreover, as the security



situation improves, and rule of law institutions and basic services are in place, a large-scale voluntary return of IDPs is expected to happen across Darfur. This will put a lot of pressure on land and land dispute mechanisms. The UN has therefore developed a specific outcome aimed at building the necessary frameworks and institutional capacity, including informal systems, to manage and solve land disputes peacefully.

By pursuing these outcomes, the programme will support change in values, behaviours, structures, relationships and perceptions in respect of the rule of law and human rights.



## **2.1. Principles of the Joint Programme**

### **National ownership and building on local capacities**

The Joint Programme will reflect national perspectives and be linked to the country's national, regional, and local development plans, policies and regulations. The programme implementation will rely to a large extent on national expertise and capacities. Through the programme, the capacity of relevant institutions will be built to enable them to lead the future development of the rule of law in Darfur.

### **One UN approach to the rule of law**

The "One UN" approach to the rule of law aims to increase the UN system's overall impact by addressing Sudan's national priorities in the sector in a more coherent, effective and holistic way. This will be accomplished through the implementation of a robust programme structure which emphasizes joint actions and strong coordination encompassing all the UN partners, and which builds on the comparative advantage of each. The programme will also ensure that the process of the drawdown and eventual withdrawal of UNAMID are adequately planned and carried out.

### **Conflict sensitivity**

In light of the challenging and rapidly changing political and security contexts in Darfur and other parts of Sudan, a clear analysis of the political economy, conflict risks, and drivers of change in each state will be essential to inform programme interventions and risk management strategies. Such an analysis will be complemented by national- and state-level assessments of the rule of law, justice and security baseline situation.

### **Human rights and rights-based approach**

The programme will adopt a rights-based approach. It will promote the integration of human rights principles into the work of formal and traditional rule of law institutions. At the same time, the programme will work with women, youth and communities to increase their knowledge and understanding of their human rights, and to encourage and enable these rights-holders to claim their rights.

### **Gender mainstreaming**

The development of the Joint Programme places a strong gender perspective at the core of all its proposed interventions, for several reasons. The conflict in Darfur has resulted in widespread gender-based violence and other violations of women's rights. Greater protection of women's rights in the region is urgently needed. Secondly, the programme approach recognizes that women's empowerment provides an entry point to strengthen communities and vulnerable groups. This will in turn increase their capacity to engage with formal justice institutions and participate in the development of a mutual support and service delivery network for vulnerable women who are in contact with the law (e.g. survivors of sexual and gender-based violence (SGBV), former prisoners, single mothers, women IDPs). Thirdly, gender can act as a contact point for other relevant programming interventions, such as livelihoods and peacebuilding under the Darfur Development Strategy (DDS), enabling more holistic developmental interventions. Fourthly, the programme creates new opportunities to mainstream gender equality approaches into rule of law institutions and activities, allowing growing emphasis on gender issues from a legal and human rights point of view in addition to a general gender advocacy approach.

The Joint Programme will take a two-pronged approach to addressing the specific needs and issues facing women and girls in respect of the rule of law. In the first instance, the programme will mainstream gender throughout its planned activities, ensuring that gender concerns are articulated in the description of activities and that gender-sensitive indicators are in place. Secondly, the programme includes activities focusing specifically on gender and women's rights, such as empowering and enhancing the social cohesion and integration of vulnerable groups – especially women – and integrating activities which address SGBV.

### 3. RESULTS AND PARTNERSHIPS

#### 3.1. Expected results and resources

**The overall goal of the programme** is to build a foundation for sustainable peace and development by strengthening rule of law institutions, empowering rights holders and enhancing mechanisms to address land issues. This will contribute to a number of international and national objectives:

- **Sustainable Development Goal 16** on peace, justice and strong institutions.
- **Security Council Resolution 1325** on women, peace and security.
- **UNDAF Outcome 6**: "People in Sudan are protected under an enabling environment that guarantees the rule of law, basic rights and fundamental freedoms."
- **UNDP Strategic Plan Outcome 2**: "Citizen expectations for voice, development, the rule of law and accountability are met by stronger systems of democratic governance."
- **Doha Document for Peace Chapter V** on Justice and Reconciliation.
- **Pillar I of the Darfur Development Strategy** on Governance, Justice and Reconciliation.
- **Country Programme Action Plan (CPAP)**, relating to the rule of law, basic rights and fundamental freedoms, justice institutions, legal aid and access to justice.

**The Programme's vision is:** People in Darfur are legally empowered and served by effective, accountable and inclusive rule of law institutions that create a protective environment supporting sustainable peace and development in Darfur.

The programme is designed around three outcomes. These are intended to meet relevant international and national objectives in a balanced and mutually reinforcing manner, and to contribute to achievement of the programme vision. The total funding needed for the programme is \$16 million. The three outcomes are presented here:

**Outcome 1: Justice institutions are strengthened to provide equitable, effective and accountable justice services.**  
**Required funding: \$9,315,000**

*Output 1.1: Evidence generation and data collection relating to justice delivery are introduced and enhanced, notably with respect to women, children and vulnerable groups*

The Joint Programme will commission studies and research to map the use of the justice system and identify barriers to accessing justice institutions. It will also pilot a case management system and a database on justice delivery. The system will be linked to efforts to improve case management in the police force, prisons and the General Prosecutor's Office.

*Output 1.2: Selected laws and policies are brought in line with international standards and norms.*



The programme will work with a committee to review laws and make recommendations for laws and legal reforms to meet international human rights obligations. The committee will include government partners, civil society, academic institutions/centres, and lawyers. It will promote recommendations for legal reform to the legislative body, using information on the need and consequences of such law reforms. In particular, it will support the development of legal aid legislation and standard operating procedures (SOPs) for legal aid as well as modernizing criminal law and relevant procedures.

Under this output, the programme will provide support for the introduction and revision of non-legal instruments relating to the delivery of justice. These will include strategies, management structures, processes, and procedures such as SOPs with a view to enhancing capacity and long-term planning within justice institutions. In particular, the programme will support capacity-building strategies for justice institutions and relevant line ministries in order to ensure their effective functioning, and adherence to laws, policies and procedures.

*Output 1.3: The criminal justice chain is re-established in key-pilot areas.*

This will be a major output of JPROL. The programme will identify geographical pilot areas where it is feasible to achieve quick wins in relation to the rule of law and humanitarian support by ensuring the full functioning of the police, prosecution, justice and corrections services, thus re-establishing the criminal justice chain and providing security. The pilot areas will be locations where armed conflict has subsided and displaced persons are likely to return. Criminality is the main driver of conflict and insecurity in Darfur, and constitutes a principal threat against civilians in general and returnees in particular.

An in-depth assessment will be conducted to support the rehabilitation and functionality of the police, prosecution, courts and corrections services. The programme will then support the construction and refurbishment of GoS police stations, prosecution offices, courts and prisons. Family and Child Protection Units (FCPU), child prosecution and children's courts will become operational in the pilot areas. The UN will also support relevant authorities to ensure adequate staffing of these institutions. Police, prosecution and courts will receive necessary training and materials to be able to address impunity more efficiently, whilst providing and respecting due process. The programme will provide support to the prison system so that it can cope with the resulting increase in inmates, ensuring humane prison conditions.

*Output 1.4: Justice institutions, including customary and traditional justice systems, are strengthened to provide effective, equitable and timely justice/protection services in line with international standards.*

Based on an assessment to be conducted, the programme will address essential needs to make basic justice services available throughout Darfur, with particular focus on building institutional and human capacities. This will require interventions in both Darfur and Khartoum, recognizing that the police, justice and corrections institutions are administered from the capital. Indeed, a key advantage of the joint approach offered by this programme is that while UNAMID is restricted to Darfur, the mandate of the UNCT extends to the whole country, enabling interventions in Khartoum and at the national level. The essential difference between outputs 1.3 and 1.4 is that the former will enable necessary hard (infrastructure and materials) and soft interventions (human and institutional) to ensure full functionality of the criminal justice chain in identified geographical locations, while the latter emphasizes Darfur

wide interventions that go beyond the criminal justice chain.

The programme will place special emphasis on enhancing the ability of rural courts to solve local disputes, and on strengthening transitional justice mechanisms. The programme will also work towards developing and establishing an agreement with the judicial authorities on the use of mobile courts. This will include agreeing criteria for cases to be referred to mobile courts, monitoring arrangements, and sharing of information on the impact of mobile courts. Criminal Justice Forums in each of the states will bring together key stakeholders, including victims of crime, police and judges to generate understanding, trust and increase the capacity of the judicial to tackle crime.

To improve security throughout Darfur, the programme will encourage greater police presence and better practices at community level. As part of this strategy, the programme will support expanding the establishment of Community Policing Posts, intended to ensure improved police presence at the community level. The programme will also work with communities to develop their capacity to engage with the police in identifying security challenges and collaborating on policing strategies.

*Output 1.5: Oversight and accountability of the justice system are enhanced.*

The programme will work with partners to adopt monitoring mechanisms to (a) measure the compliance of rural and town courts with normative frameworks and (b) monitor the trends in women's use of these courts. The programme will also support the use of monitoring frameworks for tracking cases handled by paralegals. This work stream will measure women's access to legal services, and monitor the transparency and accountability of the justice sector. To build trust and further oversight over the justice system, the programme will advocate and provide assistance for the establishment of a complaint mechanism for citizens.

**Outcome 2: Communities and vulnerable groups enjoy enhanced access to justice and are empowered to demand respect for their human rights.**

***Required Funding: \$5,065,000***

*Output 2.1: Communities and vulnerable groups are aware of their rights and empowered to demand accessible and equitable justice services.*

The programme will enhance vulnerable groups' understanding of their rights through a human rights awareness campaign and the integration of a human rights curriculum into Darfur's education system. JPROL will also work directly with rights holders by providing support to community networks empowering women and vulnerable groups to assert their rights. It will work to generate awareness of legal institutions and pathways, in particular: Family and Child Protection Units and the SGBV referral pathway within women's groups<sup>10</sup>, the IDP community and the Darfur police force. In IDP camps, the programme will work with and support the establishment of Peace Justice and Reconciliation Centres to promote community dialogue, empower vulnerable groups legally and economically, promote group solidarity and provide a space for local grassroots organizations.

*Output 2.2: The capacity of community-based mechanisms, including CBOs and NGOs, to promote the rule of law and human rights is enhanced.*

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<sup>10</sup> The referral pathway enables SGBV victims to access medical and psychosocial services, livelihood support and legal aid through a single entry point.





The programme will enhance the capacity of activists and NGOs to promote fundamental human rights and freedoms, including access to justice, with a particular focus on women and child protection. Output 2.2 will also place specific emphasis on sexual and gender-based violence (SGBV) by updating the referral pathway, building awareness of the referral pathway among women, and supporting organizations which assist survivors of SGBV.

*Output 2.3: Legal Aid providers are capable of assisting needy populations throughout Darfur.*

In order to provide access to justice and to empower individuals to exercise their rights, those with limited means must be provided with legal advice free of charge. UNDP has implemented projects in Darfur to increase the number of paralegals, expand the scope of their roles, and develop networks of community-based paralegals, with positive results. The programme will scale up these initiatives, with an increase in the number of paralegals and the establishment of Justice and Confidence Centres (JCCs) in all five states of Darfur. JCCs will enable paralegals and community members to work together, thus increasing the reach and impact of legal aid services. Paralegals will also be encouraged to operate independently when raising awareness of laws and mechanisms for protecting rights, identifying rights violations and mediating in disputes. This expansion of the paralegal role will take specific account of the needs of children and women. Support will be provided to lawyer networks and legal aid lawyers to make them more capable of serving those in need.

The professionalization of legal aid providers will be enhanced by connecting them with the legal aid clinic of the University of El Fasher. Based on UNDP's experience of supporting law schools in Darfur and offering scholarships to law graduates to increase enrolment, the United Nations Country Team (UNCT) will continue to support the Schools of Law and Bar Associations, recognizing that these play a fundamental role in advancing, regulating and increasing the professionalism of new lawyers. To ensure that people in prison are able to access legal services, legal aid desks will be installed in prisons.

*Output 2.4: Capacities of national human rights institutions are strengthened.*

The programme will support the recently established regional office of the Sudan National Human Rights Commission in fulfilling its duties in promoting, protecting, monitoring and generating awareness of human rights. It will build the capacity of the Commission in reporting and managing complaints about human rights violations. The programme will support the Darfur Human Rights Forum to organize dialogue between civil society, governmental actors and the international community on human rights. It will provide technical and financial support to the Advisory Council for Human Rights to develop the Universal Periodic Review (UPR) report, and facilitate the Government of Sudan's implementation of recommendations from the UPR.

**Outcome 3: Land management is introduced, and the capacities of the justice system and local conflict resolution mechanisms to address conflict over land are enhanced.**  
**Required Funding: \$1,620,000**

*Output 3.1: The capacity of the justice system to address land issues is enhanced.*

The programme will support the authorities in the Darfur states in drafting and endorsing policies for adjudicating land claims cases. It will provide financial and technical support for specialized training for selected judiciary staff, and for

upgrading the land registries in Darfur, introducing an electronic land registration system.

*Output 3.2: Local conflict resolution mechanisms are strengthened.*

Studies and reviews will identify conflict resolution mechanisms for land disputes, specifically considering how such mechanisms can support women's access to land. The programme will establish, revive and strengthen identified local mediation structures to negotiate and resolve land disputes systematically at the community level. It will also support efforts to ensure that women are involved in such structures, and that community agreements on land issues are legally enforced.

*Output 3.3: Introduce an inclusive and transparent land management system.*

The programme will introduce an inclusive and transparent framework for the management of fragile land resources in line with the internationally agreed Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) in Darfur. To ensure implementation of the land management system, the programme will build the capacity of non-state actors to provide relevant training and advice.

Section 7 provides a detailed list of the activities under each outcome and output.

### **3.2. Partnerships**

Different actors within the justice sector will be responsible for the planning, implementation and monitoring/reporting of the programme activities at the national and state levels, in close coordination with the Secretariat of this Joint Programme. In particular, the programme will engage with the Ministry of Justice (Legal Aid Department and General Prosecutor); the Ministry of the Interior, the Ministry of Social Welfare, Woman and Child Affairs; and the National and State Councils for Child Welfare. At the agency and NGO level the programme will primarily work with the Sudanese Police, judiciary, prison services, Native Administration, Bar Association, paralegals, community-based organizations and non-governmental organizations. The direct implementation of the programme activities is designed to create the organizational foundation necessary for the longer-term sustainability of the programme. In addition to the direct beneficiaries of technical assistance, the programme will indirectly benefit broad range of actors with a stake in better justice delivery and enhanced respect for human rights. Partnership arrangements will detail the delivery of services by national partners, respecting both national and international priorities.

The National Police Training Department and the Judicial Institute have primary responsibility for training police and justice personnel in Sudan. Both are based in Khartoum, and have indicated that they are willing to support the implementation of JPROL. Areas for potential collaboration include women's rights, children's rights, human rights in general and the protection of returnees and displaced persons. The structure of training modules developed in collaboration with national partners will be sufficiently flexible to accommodate emerging best practices and changing circumstances. Manuals will be created to use in future training. The initial training of management will be based on a training of trainer format, so that managers can in turn lead the training of the new staff.

JPROL will bring together 10 UN agencies and UNAMID under the umbrella of the UN Global Focal Point for police, justice and corrections in promoting the rule of law in Darfur. All participating agencies will follow the agreed priorities and work plan set by the programme. This partnership is key to improving and achieving greater impact from the UN's overall assistance to the rule of law in Darfur. The Joint Programme will also work with other relevant ongoing UNDP projects where these offer synergies and complement this work on the rule of law. UN partners will work together to achieve the outcomes and outputs identified in the resource and results framework (Annex F), and

maximize scarce resources through close coordination of activities and emphasizing the comparative advantages of the different UN agencies involved.

### **3.3. Transition of rule of law tasks from UNAMID to the UNCT**

Security Council resolution 2228 (2015) mandated UNAMID to transition certain rule of law tasks to the United Nations Country Team in Sudan. Resolution 2296 (2016) specifies that this transfer of justice and corrections tasks must be concluded by June 2017. The transitioning tasks are listed in paragraphs 54 (g), 55 (b), and 55 c (iv) of the Report of the Secretary General and the Chairperson of the African Union Commission on the hybrid operation in Darfur of 5 June 2007 (S/2015/378). These include (1) assistance for the promotion of the rule of law in Darfur, notably through support for strengthening an independent judiciary and the prison system; (2) assistance to the development and consolidation of the legal framework, in consultation with Sudanese authorities; and (3) rule of law assistance through institution building, and strengthening of local capacities to combat impunity.

The Joint Programme is a vehicle and a framework that will enable a smooth handover of these tasks from UNAMID to the UNCT, principally UNDP. It will enable this transition through a shift in resources whereby the UNCT will gradually take over these rule of law activities as voluntary contributions increase. This will ensure consistent UN support while UNAMID is reducing the scope of its rule of law involvement. It will also enable the UNCT to build upon the existing resources and experience of UNAMID while it develops its capacity and presence in Darfur, which is currently limited.

UNAMID retains its mandate listed under paragraph 55 (c) (i) of the said report (S/2007/307) to: (1) assist in the implementation of the provisions of the Darfur Peace Agreement and any subsequent agreements relating to human rights and the rule of law; and (2) to contribute to the creation of an environment conducive to human rights and the rule of law, in which all are ensured effective protection. Within the scope of this mandate, UNAMID's rule of law priorities are focused on (1) supporting the re-establishment of the criminal justice chain in priority areas to which return of displaced persons is most likely; (2) strengthening the capacity of rural courts to address land disputes and other conflict drivers; and (3) promoting the implementation of the DDPD through support to the Special Court and Special Prosecutor for Darfur. In addition, UNAMID will monitor criminal trials to identify and document weaknesses and capacity deficits in the justice chain. Through these activities, UNAMID will help to maintain stability in pilot areas, contribute to the protection of civilians – including returnee populations and women, and facilitate the implementation of the DDPD.

UNAMID and UNCT partners will work towards these priority initiatives as part of the Joint Programme. In addition, UNCT partners will deliver on critical rule of law initiatives with a longer-term and development focus.

### **3.4. Assumptions and risks**

In order to achieve the outcomes established by the programme, it is essential that the programme approach adapts to the changing crisis and post-crisis realities on the ground. The programme areas are characterized by insecurity, continued political instability and potential for relapse into local conflict. Drawing on experiences and lessons learned from UNDP, UNAMID and UN agencies to date, addressing the rule of law requires a practical, flexible and constantly evolving approach that is locally driven. Capacity building of communities and institutions to restore and upgrade their knowledge and operational capacities must be coupled with significant efforts to promote peaceful conflict resolution and reconciliation. In this vein, the partners behind JPROL have adopted a pragmatic and incremental approach that addresses the multiple challenges facing the current crisis and the future peace building

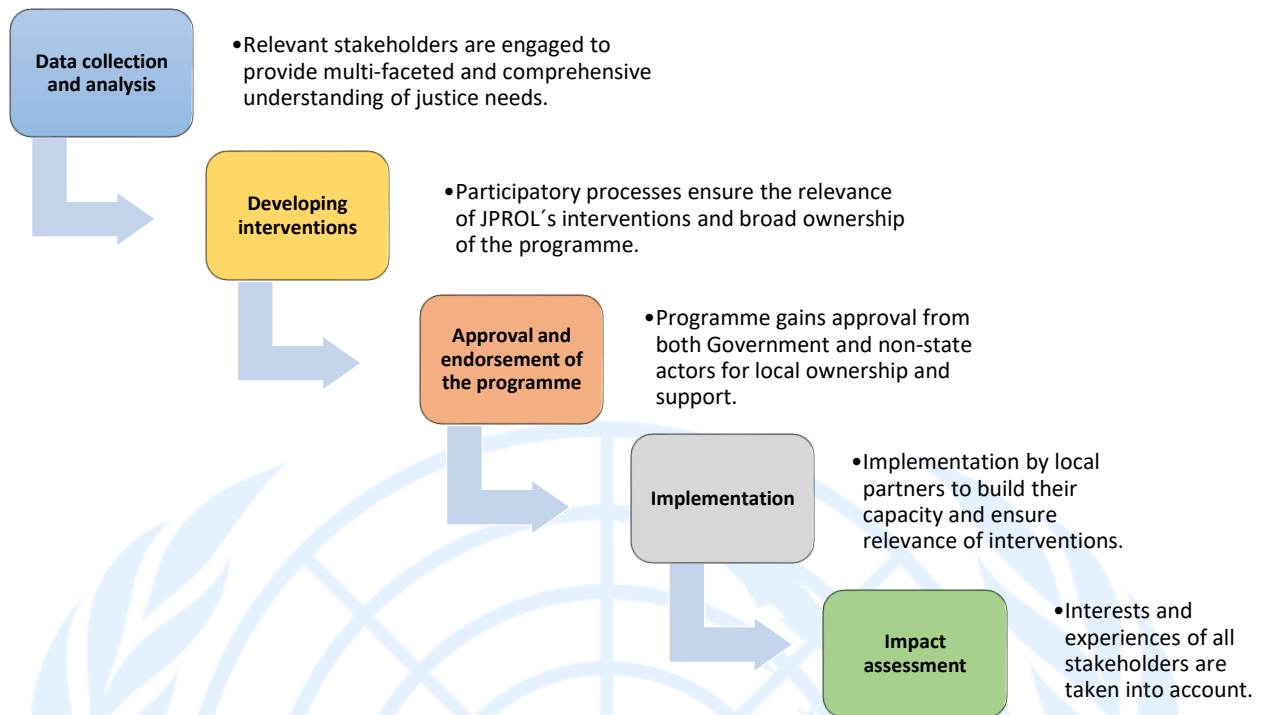
process, and is flexible to scale up and implement activities as recovery and development become feasible.

The key assumptions and risks underlying the programme design have been identified by UN partners and are outlined in the table below. Relevant mitigation strategies are listed in the Risk Log in Annex H.

Assumption	Risks
There is adequate UN capacity to implement the programme.	There is insufficient capacity to implement JPROL's activities.
There is continued international commitment/willingness to fund institution-building in Darfur despite President Bashir's ICC indictment and criticism of the government by human rights agencies.	Donor funding for the programme is insufficient.
The Government of Sudan in Khartoum and Darfur buys into and supports the programme.	Changes in the political landscape negatively impact the programme implementation.
Implementing agencies are able to gain adequate access to areas where the programme is being implemented.	Access restrictions are imposed on the UN and implementing partners.
Rule of law institutions in Darfur are committed to long-term reforms.	The initial commitment of key justice actors to reform diminishes during the implementation of the programme.
Community organizations and NGOs are supportive and capable participants in implementing the programme.	CBOs and NGOs become averse to the programme, potentially misconstruing its role, and refuse to participate.  CBOs and NGOs do not have the capacity to implement key components of the programme.
Security remains adequately stable to enable implementation of the programme.	Programme areas are affected by renewed outbreaks of conflict.
There is adequate/good coordination and flow of information between programme partners in Khartoum and Darfur.	Communications are poor and the programme operates in isolation from Khartoum.

### 3.5. Stakeholder engagement

The key programme actors were identified at the outset of the programme development and are listed in Annex E. Key stakeholders include decision makers, influencers, programme beneficiaries and other stakeholders affected by the programme. The following chart explains how the programme will engage with these stakeholders to ensure participatory and inclusive processes at all stages.



### 3.6. South-south and triangular cooperation (SSC/TrC)

There is great potential for UNDP to engage with other stakeholders as implementing partners on south-south and triangular cooperation as part of this programme. This will include southern CSOs, foundations, private sector actors, research institutes and academia.

JPROL will facilitate a partnership between Government of Sudan and other interested donor countries (Indonesia, Jordan, Malaysia and the African Union) through a Memorandum of Understanding which will allow the channelling of technical expertise between countries. This will facilitate the secondment of police trainers, public defenders and judges from donor countries to support the programme.

To enhance law enforcement in relation to sexual and gender-based violence cases in Darfur, UNDP will facilitate south-south knowledge sharing through study tours and extensive training exercises in Darfur with experts in SGBV from Malaysia and Indonesia.

### 3.7. Knowledge products

As a precursor to the activities to be implemented under this programme, the UN and national implementing partners will conduct extensive assessments on the current status and the use of the formal and informal justice system in Darfur. Data and evidence collection will be achieved through the establishment of a case management system and a database for the effective collection and analysis of the quality of justice delivery through the civil and criminal justice chain. These interventions will take special account of juvenile justice and gender. This will help to build a more comprehensive understanding of the current status of justice delivery in Darfur, in relation to vulnerable groups such as women, children, returnees, and IDPs in particular. This will inform future policy and programmatic direction as well as enabling future assessment of the impacts of the programme interventions in the rule of law sector.



Programme activities include the creation of curricula for students, training modules for justice actors and other materials on human rights, legal aid, criminal procedures, land rights and key justice issues. The human rights campaign will produce a broad range of information products including brochures, interviews and videos.

The programme will include the compilation and publication of lessons learned so that others, within Darfur and beyond, can benefit. It will be particularly important to share experiences of this joint programme through the UN Global Focal Point for Police, Justice and Corrections.

### 3.8. Sustainability and scaling up

Sustainability of the programme will be achieved by national actors taking ownership of key programme activities. The design and the implementation of the programme will therefore be aligned with national planning frameworks. The Government of Sudan has already committed to paying for part of the planned prison reforms, and discussions are underway for further cost sharing. The governance structure will bring about close partnerships at the central and Darfur levels. During implementation, as described in section 3.2 above, the programme will work with national partners to build local capacity and give them further ownership of the programme.

Output 1.3 on the re-establishment of the criminal justice chain is designed to enable gradual scaling up of the programme. It will yield lessons, partnerships and credibility that will enable the expansion of interventions over time, and the establishment of the criminal justice chain in areas beyond those initially identified. The enhanced security this will bring will create a better operating environment for further rule of law and development support.

The programme will make progress in a number of substantive areas encompassing institutional reforms, capacity building and legal empowerment. Best practices and national and international partnerships developed through this joint effort will serve as the first steps in developing and scaling-up innovative engagement and further activities.

## 4. PROGRAMME MANAGEMENT

### 4.1. Cost efficiency and effectiveness

JPROL introduces the following features to enhance the effectiveness of its development and reform interventions:

- **Joint UN actions building on comparative advantages:** Through joint action and coordinated efforts, the programme will maximize the UN's expertise and resources. UN partners will team up to deliver activities based on the comparative advantages of each entity, sharing resources and support services. This will ensure cost-effectiveness, enhance synergies and increase impact. The programme's leading partners are a case in point. UNDP brings longer-term planning, programming and funding for activities, while UNAMID offers expertise, political leverage through its Security Council mandate, human resources, and operational support.
- **Inclusive approach:** Through its stakeholder strategy, JPROL will benefit from the involvement of national actors, rule of law institutions and civil society groups. This will help to ensure that interventions are effective, relevant and sustainable in the long term.
- **Dynamic programme building on lessons learned:** The programme builds upon and scales up the combined experiences and knowledge of UNAMID and the UNCT about what works in



the field. Through effective communication and coordination, the programme will adjust to emerging circumstances and lessons learned to maximize impact and reduce costs.

- **Harmonized and integrated development approach:** JPROL will be implemented within a broader programmatic framework. This will encompass livelihoods, local development and conflict reduction, making the rule of law interventions more strategic and effective for the people of Darfur.

## 4.2. Programme management

The project will be operationalized in El Fasher and implemented in the five states of Darfur, with emphasis on identified pilot areas.<sup>11</sup> Initially, the Programme Secretariat will be located in UNAMID's compound in El Fasher, which offers excellent facilities and security.

UNDP will serve as the Convening Agent for the programme. In this role, UNDP will establish the Programme Secretariat. This will be comprised of a Programme Manager and a full time staff including rule of law officers, administrative and finance experts, monitoring and evaluation experts, and communication and procurement specialists. The Programme Secretariat will have the authority to ensure effective coordination so that the activities and outputs of the UN Partners are carried out in a timely and efficient manner toward the common outcomes. Where necessary, UNDP will provide necessary procurement and operational support for the implementation of the programme. UNDP will be responsible for the auditing arrangements of the programme.

UNDP and UNAMID will be setting up implementation teams that will be collocated within UNAMID's compound based on a signed agreement between the rule of law teams of the two entities. The aim is for the implementation teams and the Programme Secretariat to share offices. This will ensure rapid flow of information, coordination and efficiency.

Other UN partners will set up their own implementing teams and make necessary arrangements for their facilities. They will be encouraged to co-locate their Darfur-based staff with the Programme Secretariat. Comprehensive terms of reference defining the responsibilities of the programme partners will ensure clear and transparent division of labour, responsibility and accountability (Annex J).

Capacity assessments will be conducted on national implementing partners, for instance on training institutions for the judiciary, police and corrections, as required under the administration of the Letters of Agreement, the Micro Capital Grant Agreement and Harmonized Approached Cash Transfer (HACT)

Importantly, JPROL will be executed within a broader programmatic framework to ensure that associated development challenges are addressed in a holistic and comprehensive manner. To that effect, it will work closely with other UNDP programmes including: Reintegration and Recovery (RRR); Community Security and Stabilization Programme (C2SP); Promote Reconciliation and Coexistence for Sustainable Peace and Darfur; Poverty Reduction, Planning and Public Expenditure Management; Local Development, Livelihoods and Environment. The programme will also complement and, where relevant, integrate associated programmes of UN sister agencies.

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<sup>11</sup> As described in section 3.1., pilot areas are defined as locations where armed conflict has subsided and displaced persons are likely to return. Criminality is the main conflict driver and principal threat against the returnees.

### **4.3. Governance and management structure**

This programme has been developed in close consultation with the UN Rule of Law Coordination Group for Darfur (RLCG) based on the UNDG Guidelines on UN Joint Programming. The RLCG for Darfur is an inter-agency coordination and oversight body, established in August 2015, which ensures an integrated and coordinated “One UN” approach to rule of law support in Darfur. The programme management structure will take over the functions of the RLCG.

The programme structure will consist of the following entities, each of which is described in the following sections:

- Programme Steering Committee (PSC)
- Joint Programme Technical Task Force
- Programme Secretariat (PS)
- Administrative Agent (AA)
- Participating UN Agencies.

#### **The Programme Steering Committee**

The Programme Steering Committee (PSC) brings together senior government officials, donors, and heads of participating UN organizations to provide strategic direction and oversight to the programme. As the decision-making authority and the highest body for strategic guidance, the PSC will be entrusted with the following specific responsibilities:

- Serve as resource allocation body and undertake management oversight and coordination;
- Facilitate collaboration between participating UN organizations and government for the implementation of the programme;
- Review and approve the annual work plans, including budget allocation decisions;
- Request fund disbursements from the Administrative Agent, in line with the annual work plan and the Steering Committee budget;
- Review implementation progress and address problems;
- Review and approve progress reports, evaluation reports, budget revisions, and audit reports (published in accordance with each participating UN organization’s disclosure policy);
- Approve the selection of the participating UN agencies (based on needs, priorities and absorptive capacities);
- Advise donors on the allocation of resources.

The PSC will be co-chaired by the UN Resident and Humanitarian Coordinator, the UNAMID Deputy Joint Special Representative for Protection, and the Minister of Justice. The PSC will meet biannually to ensure that the Joint Programme is achieving the planned results. The PSC will be supported by the Programme Secretariat and Joint Programme Technical Task Force.

#### **Joint Programme Technical Task Force (JPTTF)**

The Joint Programme Technical Task Force will be composed of UNAMID RoL, UNAMID police, UNDP RoL and participating UN agencies. Other stakeholders such as interested donors, and implementing government and NGO partners can participate as observers by invitation. The JPTTF will be responsible for:

- Reviewing programme progress and results;
- Suggesting measures to ensure timely completion of programme activities;





- Facilitating the overall performance and advancement of JPROL implementation and making changes accordingly;
- Facilitating audits and evaluations, and reporting back to the Programme Secretariat;
- Reviewing and approving the M&E plan;
- Promoting synergies across the JPROL activities and with all cross cutting themes;

JPTTF will meet at least on quarterly basis or more frequently as required.

### **Programme Secretariat**

The Programme Secretariat (PS) will include the JPROL programme manager and full-time programme staff. The PS will report to the Programme Steering Committee and will be the body responsible for day-to-day operational and programmatic coordination. More specifically, its functions will include:

- Ensuring effective coordination of all the programme partners;
- Ensuring the PSC gives relevant approvals to the programme activities;
- Ensuring continued alignment of the Programme interventions with the endorsed Sudan Joint Rule of Law Programme Priorities, National Plans, the Ministry of Justice and Ministry of Interior strategic plans, and UNDAF;
- Coordinating and compiling annual work plans;
- Coordinating the monitoring of annual targets;
- Coordinating and compiling narrative reports received from participating UN agencies, and reporting back to the Programme Steering Committee for review and approval.

### **Participating UN Agencies**

Each participating UN organization (UNDP/UNAMID, FAO, UNESCO, UNFPA, UNICEF, UNHABITAT, UNHCR, UNOPS, UN Women and WFP) will assume complete programmatic and financial accountability for the funds disbursed to it by the Administrative Agent. Each can decide on the execution process with its partners and counterparts following the organization's own regulations. Participating UN agencies will establish a separate ledger account for the receipt and administration of the funds disbursed to them by the Administrative Agent. Participating UN Agencies are entitled to deduct their indirect costs (eight percent) on contributions received according to their own regulations and rules. Financial oversight and quality assurance functions will be managed and undertaken by each participating UN agency.

### **Fund Management Arrangements**

Budget execution of resources allocated to each participating UN agency remains under the purview of the agency using its own financial rules and regulations. Earmarking by donors is allowed to the level of JPROL and to the level of the JPROL outcomes. Agency-specific earmarking is not allowed. If the case arises, the participating UN agency undertakes to inform the Programme Steering Committee.

Contributions earmarked by a donor for one specific participating UN agency are not part of the funding arrangement. External contributions will not be channelled through the JPROL fund. Resources can be raised from donors, and from national partners such as private sector actors, government and other institutions. In all resource mobilization efforts, preference shall be given to un-earmarked contributions.

### **Allocation of resources**

Criteria for the allocation of resources are based on agreed priorities under the approved JPROL programme document, and shall minimize subjective judgment. Decisions on the additional allocation of contributions down to the level of the Programme Steering Committee are set out below.

If a contribution is un-earmarked and it is for the JPROL, the Programme Secretariat will prepare an allocation plan, based on the agreed priorities and analysis of the funding gap, for consideration and endorsement by the Programme Steering Committee.

If the contribution is earmarked for particular activities, the Programme Steering Committee will endorse a JPROL resource allocation plan, based on recommendations received from the Programme Steering Committee. The Joint Programme Technical Task Force will prepare a Joint Programme outcome allocation plan between the participating UN agencies. The Programme Secretariat will transmit a JPROL resource allocation plan to the co-chairs of the Programme Steering Committee for onward transmission to the UNRC who will instruct the Administrative Agent (UNDP) to carry out the pass-through transactions.

### **Allocation of resources between participating UN agencies**

For the first 12 months, the annual work plan of JPROL will be applied to determine the allocation of resources. For subsequent allocations, the following criteria will apply:

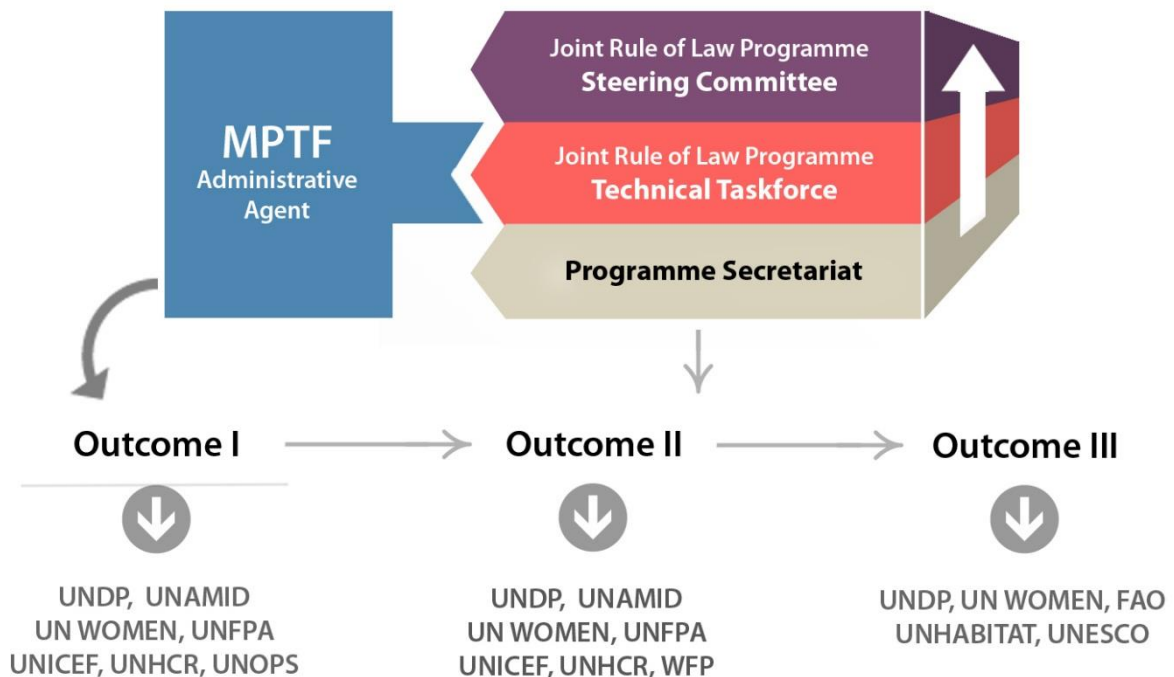
- The relevance to the outcomes and outputs of JPROL and to the agency's mandate, comparative advantage and experience;
- The clarity and realism of the budget, and coherence with the proposed JPROL activities;
- The programme results achieved to date: measurable and evidence-based results according to the approved programme resource and results framework;
- The quality and timeliness of reporting to the respective Convening Agent (UNDP) and to the Administrative Agent.

### **Administrative Agent (AA)**

The programme, which is part of the Sudan UN Multi-Partner Trust Fund (MPTF), will follow the pass-through fund management modality according to the UNDG Guidelines on UN Joint Programming. The UNDP MPTF Office will serve as the Administrative Agent, and will perform the following functions as agreed in the programme MoU:

- Receive contributions from donors that wish to provide financial support to the programme and to Sudan UN MPTF (not earmarked);
- Administer any funds received, in accordance with the programme MoU;
- Subject to availability of funds, disburse funds to each of the participating UN agencies in accordance with instructions from the governing body (Programme Steering Committee) taking into account the budget set out in the programme document, as amended in writing from time to time by the Programme Steering Committee;
- Disburse funds to participating UN agencies for any additional costs of tasks that the Programme Steering Committee may decide to allocate in accordance with the programme document;
- Consolidate annual and final financial reports, based on submissions provided to the Administrative Agent by each participating UN agency. Provide these to each donor that has contributed to the Programme; to the Programme Steering Committee; and to the participating UN agencies;
- Provide annual and final certified financial statements for the programme.

## Programme Governance Structure



### 5. MONITORING AND EVALUATION

The programme will put in place a rigorous monitoring and evaluation (M&E) system aimed at improving the efficiency and effectiveness of programme outcomes, outputs and activities. The M&E system will: 1) ensure continuous assessment of the strengths and weaknesses of the programme interventions; b) identify policies and institutions that need to be improved or developed in order to ensure that the programme has positive impacts for the poorest and most socially disadvantaged groups in Darfur; and c) strengthen the monitoring and evaluation capacities of national partners.

A detailed overall M&E framework will be developed as the first step of the implementation process, in line with the principles laid down in this Joint UN Programme Document. The draft M&E framework is provided as Annex G. It is based on a logical framework approach, and includes the programmatic outcomes and outputs with their respective indicators, targets, data sources, and assumptions.

A Participatory Monitoring and Evaluation System (PMES) will be designed within JPROL to monitor programme implementation and progress. The implementing partners, including beneficiaries, will be fully involved. The PMES will ensure effective implementation of the programme activities and achievement of the desired programme outputs. The annual and quarterly work plans will further facilitate monitoring of the programme activities:

- Each partner organization will submit quarterly and annual reports reporting quantitative and qualitative programme results in an agreed format.

- The Programme Secretariat will be responsible for arranging regular field visits to ensure the efficient and effective use of programme resources and the quality of programme outputs. For this purpose, the JPROL implementation team will include an M&E officer, and be supported by technical specialists.

### **5.1. Monitoring of outputs**

The M&E framework includes measurable (quantitative and qualitative) indicators for each output and indicator, to facilitate the monitoring of progress. The framework also provides suitable targets and baselines for each indicator. Where baseline data for output indicators cannot be obtained during the planning phase, it will be gathered through assessments to be conducted prior to capacity building and reform activities.

The primary responsibility for monitoring rests with the Programme Secretariat assisted by the programme team, with support from M&E specialists. The Joint Programme Technical Task Force will support the Programme team and Programme Secretariat in monitoring the progress of outputs and activities and will facilitate the overall monitoring of the Joint Programme outcome implementation.

Progress in relation to all output indicators will be reviewed regularly through quarterly and annual reviews and reports. These reports will be shared with the participating UN agencies and other implementing partners. The JPTTF will meet on a quarterly basis to review progress and provide feedback to the Programme Secretariat. Participating UN Agencies will be involved in rigorous monitoring of activities in the field during the implementation.

### **5.2. Evaluation of outcomes**

The outcomes of the Joint Programme will be monitored using the programme M&E framework. Outcome assessment will consist of a mid-term and final review of progress towards the agreed targets for each outcome indicator. The Programme Secretariat (PSC) will play a lead role in the assessment of outcomes through annual outcome reviews. The JPTTF may also commission small-scale surveys and case studies on selected outcomes or outputs in order to assess results.

In addition to the outcome assessments, the Joint Programme may be evaluated externally by independent evaluation missions.

### **5.3. Reporting progress**

Under the overall guidance of the Programme Steering Committee, the Administrative Agent will work closely with UNDP and other participating UN organizations in the annual progress reporting exercise. Each participating UN organization will report to the Joint Programme on its progress in relation to planned outputs and activities. The Programme Secretariat will send progress reports to the JPTTF which will review and send endorsed reports to the Programme Steering Committee. The PSC will provide the Administrative Agent with one Annual Narrative Progress Report. This report will give a summary of results and achievements in relation to the programme targets. The Administrative Agent will prepare consolidated narrative reports, based on the above-mentioned inputs, and send them to the Resident Coordinator for review and onward submission to all contributing donors in accordance with the timetable established in the Administrative Arrangement.



## 6. LEGAL CONTEXT STANDARD CLAUSES

The table below specifies which cooperation or assistance agreements form the legal basis for the relationships between the Government and each of the UN organizations participating in the programme.

Participating UN organization	Agreement
UNDP	Article I, Paragraphs 1 and 2 of the Standard Basic Assistance Agreement (SBAA) between the Government of Sudan (GoS) and the United Nations Development Programme, signed by the parties on October 24, 1978 and ratified by the Government on 2 January 1980.
UNWOMEN	The SBAA signed between UNDP and GoS on 24 October 1978 applies <i>mutatis mutandi</i> to UNWOMEN.
UNICEF	
FAO	
UNHABITAT	The SBAA signed between UNDP and GoS on 24 October 1978 applies <i>mutatis mutandi</i> to UNHABITAT.
UNESCO	Agreement between the Government of Sudan and UNESCO of 22/05/2006.
UNFPA	
UNHCR	
UNOPS	The SBAA signed between UNDP and GoS on 24 October 1978 applies <i>mutatis mutandi</i> to UNOPS.
WFP	



## 7. MULTI-YEAR WORK PLAN<sup>12</sup>

OUTCOME 1: Justice institutions are strengthened to provide equitable, effective and accountable justice services.		Indicator: a) Level of capacity; b) % of citizens who have confidence in rule of law institutions being independent, impartial, effective and fair				Baseline: a) Low capacity; b) TBD			
EXPECTED OUTPUTS	PLANNED ACTIVITIES	PLANNED BUDGET BY YEAR				RESPONSIBLE PARTY	PLANNED BUDGET <sup>13</sup>		
		Y1	Y2	Y3	Y4		Funding Source	Budget Description	Amount
<b>Output 1.1</b> Evidence generation and data collection on justice delivery are introduced and enhanced, notably in relation to women, children and vulnerable groups.	1.1.1 Conduct assessments, research and studies to generate evidence on all aspects of the justice system relevant to Outcome 1, including gender-sensitive mapping of the use of the justice system and the structural barriers to accessing justice by type of case - notably GBV.					1.1.1 UNDP, UNAMID Gender* and UN Women, UNFPA			85,000
	1.1.2 Support the establishment of a case management system and a database for the effective collection and analysis of the quality of justice delivery through the civil and criminal justice chain, including juvenile justice and GBV. Provide necessary training for relevant staff.								150,000
	MONITORING								
	<b>Sub-total for Output 1.1</b>								<b>235,000</b>
<b>Output 1.2</b>	1.2.1 Map and support the review of required amendments to laws and regulations relating to police, justice					1.2.1 UNAMID RoL, Police, Gender and HRS*,			310,000

<sup>12</sup> \*UNAMID support to any listed initiatives is subject to extension of the UNAMID mandate, approval of the UNAMID 2016/17 budget proposal and any potential adjustment to Mission priorities.

<sup>13</sup> Cost definitions and classifications for programme and development effectiveness costs to be charged to the project are defined in the Executive Board decision DP/2010/32. Changes to a project budget affecting the scope (outputs), completion date, or total estimated project costs require a formal budget revision that must be signed by the project board. In other cases, the UNDP programme manager alone may sign the revision provided the other signatories have no objection. This procedure may be applied for example when the purpose of the revision is only to re-phase activities among years.



Selected laws and policies are brought in line with international standards and norms.	(including traditional and transitional justice) and corrections.					UNDP, UNICEF, UN Women, UNFPA, UNICEF			
	1.2.2. Provide support to introduce and revise strategies, management structures, processes and procedures, including SOPs, of police, courts and prisons.					1.2.2. UNAMID RoL and Police*, UNDP			290,000
	1.2.3 Enhance the ability of women legislatures, and leaders from civil society, CSOs and women's groups to advocate and drive legislative reform.					1.2.3 UN Women, UNAMID Gender*, UNFPA			220,000
	MONITORING								
	<b>Sub-total for Output 1.2</b>								
<b>Output 1.3</b> The criminal justice chain is re-established in key pilot areas.	1.3.1. Identify geographical pilot areas and conduct an in-depth assessment for rehabilitation and functionality of police, prosecution, courts and corrections in those areas.					1.3.1 UNAMID RoL and Police*, UNDP			10,000
	1.3.2. Support the provision of necessary infrastructure, training and materials to enable the full functioning of police, including community police, prosecution, courts with criminal jurisdiction and prisons in pilot areas.					1.3.2 UNAMID RoL, Police and Gender*, UNDP, UN Women, UNFPA, UNOPS, UNHCR.			2,500,000
	1.3.3 Advocate and support relevant authorities in recruiting essential staff and achieving gender balance within police, prosecution, courts with criminal jurisdiction and corrections.					c UNAMID RoL, Police and Gender*, UNDP, UN Women, UNFPA			160,000
	1.3.4. Support the establishment of Family and Child Protection Units (FCPUs), child prosecution and children's courts at locality level in key pilot areas.					d UNICEF, UNAMID Police			250,000



	MONITORING								
	Sub-total for output 1.3								2,920,000
<b>Output 1.4</b> Justice institutions, including customary and traditional justice systems, are strengthened to provide effective, equitable and timely justice and protection services in line with international standards.	1.4.1 Conduct an assessment of essential needs outside of pilot areas for the functionality of police, prosecution, courts (including rural and town courts) and corrections with focus on capacity building and training.					1.4.1 UNAMID RoL (rural courts only) and Police*, UNDP, UNICEF, UNOPS			210,000
	1.4.2 Support the provision of essential infrastructure, equipment and training for police, including community police, prosecution offices, courts (including rural and town courts) and prisons.					1.4.2 UNAMID RoL (rural courts) and Police*, UNDP, UNFPA, UN Women			3,300,000
	1.4.3 Advocate and support relevant authorities in recruiting essential staff and achieving gender balance within police including community police, prosecution, courts (including rural and town courts) and corrections.					1.4.3 UNAMID RoL (rural courts) and Police*, UNDP, UN Women			200,000
	1.4.4. Support the functioning of the criminal justice forums.					1.4.5 UNDP			100,000
	1.4.5. Facilitate logistics and deployment for mobile court programme. Enhance oversight over mobile courts.					1.4.6 UNDP			200,000
	Activities relating specifically to Transitional justice mechanisms	1.4.6. Technical support to conduct a needs assessment of the Special Court and Prosecutor for Darfur Crimes.					1.4.7 UNAMID HRS and RoL*, UNDP, UNICEF, UN Women		
	1.4.7. Provide technical support in accordance with the assessment to enable the Special Court and the Office of the Special Prosecutor to operate efficiently.					1.4.8 Assessment reports, copies of framework and strategies, capacity building materials and reports			200,000





	1.4.8. Support the establishment of the Justice, Truth and Reconciliation Commission and provide technical support to develop an outreach strategy and programme for the Commission.					1.4.9 UNAMID HRS*, UNDP, UN Women			520,000
	MONITORING								
	<b>Sub-total for Output 1.4</b>								<b>4,780,000</b>
<b>Output 1.5</b> Oversight and accountability of the justice system are enhanced.	1.5.1 Develop and support the adoption of a monitoring tool to measure compliance with legal procedure by rural and district courts and the appeal system. The tool will specifically monitor women and children's use of the courts.					1.5.1. UNAMID (rural courts only)*, UNDP, UN Women, UNICEF			200,000
	1.5.2 Support the use of monitoring frameworks for tracking cases handled by paralegals that will measure women's and children's access to legal services.					1.5.2. UN Women, UNICEF, UNDP			60,000
	1.5.3. Support the establishment of complaint mechanisms in respect of the operations of police, including FCPUs, courts and prisons.					1.5.3. UNDP, UNICEF			300,000
	MONITORING								
	<b>Sub-total for Output 1.5</b>								<b>560,000</b>
									<b>Total for Outcome 1</b>
<b>OUTCOME 2: Communities and vulnerable groups enjoy enhanced access to justice and are empowered to demand respect for their human rights.</b>				Indicator: % of citizens who know how to access justice systems and are aware of their human rights			Baseline: 22% know how to access justice; % for human rights awareness TBD		
<b>EXPECTED OUTPUTS</b>	<b>PLANNED ACTIVITIES</b>	<b>PLANNED BUDGET BY YEAR</b>				<b>RESPONSIBLE PARTY</b>	<b>PLANNED BUDGET</b>		
		Y1	Y2	Y3	Y4		Funding Source	Budget Description	Amount



<b>Output 2.1</b> Communities and vulnerable groups are aware of their rights and empowered to demand accessible and equitable justice services.	2.1.1 Support the development and execution of a human rights awareness campaign.					2.1.1 UNAMID HRS*, UNDP, UNICEF, UN Women, UNHCR, WFP, UNFPA			350,000
	2.1.3 Support community networks to empower and promote the social cohesion of women and vulnerable groups to enable them to assert their rights.					2.1.3. UNDP, UN Women, UNFPA			1,000,000
	2.1.4 Provide support for the establishment of Peace, Justice and Reconciliation Centres in IDP camps and remote areas to generate awareness of human rights and support reconciliation.					d) UNAMID HRS, UNDP			155,000
	2.1.5 Support the development of a human rights curriculum and its integration within Darfur's education system; build capacity to deliver human rights training.					2.1.3 UNESCO, UNAMID HRS*, UNDP, UNICEF, UN Women			370,000
	2.1.6 Generate awareness of FCPU, and SGBV remedies particularly within women's groups, the IDP community and Darfur Police.					2.1.4 UNAMID HRS, UNICEF			125,000
	MONITORING								
	<b>Sub-total for Output 2.1</b>								<b>2,000,000</b>
<b>Output 2.2</b> The capacity of community-based mechanisms, including CBOs and NGOs, to promote the rule of law and human rights is enhanced.	2.2.1 Enhance the capacity of activists and NGOs, promoting fundamental human rights and freedoms including access to justice. Particular focus on women and child protection.					2.1.2 UNAMID HRS*, UNDP, UNICEF, UNFPA			1,500,000
	2.2.2. Update the referral pathway for SGBV, support organizations and networks assisting SGBV survivors.					2.2.2. UNFPA			330,000
	MONITORING								
	<b>Sub-total for Output 2.2</b>								<b>1,830,000</b>



<b>Output 2.3</b> Legal aid providers are capable of assisting needy populations throughout Darfur.	2.3.1: Establishment of new JCCs in all 5 Darfur states.					2.2.1: UNDP, UNICEF, UN Women			240,000
	2.3.2: Conduct training of trainers; refresher training for existing paralegals and training for new paralegals. Revise existing training modules for paralegals.					2.2.2: UNDP, UN Women			150,000
	2.3.3: Strengthen lawyer networks and build the capacity of legal aid lawyers.								170,000
	2.3.4: Support the introduction of legal aid desks for prisoners.					2.2.3: UNDP			80,000
	2.3.5: Provide support to legal education in Darfur. Legal aid clinic of the University of El Fasher operational and connected to other legal aid actors.					2.2.4: UNDP, UNESCO, UN Women, UNFPA			200,000
	MONITORING								
	<b>Sub-total for Output 2.3</b>								<b>840,000</b>
<b>Output 2.4</b> The capacities of national human rights institutions are strengthened.	2.4.1: Provide necessary support to make the regional office of the Sudan National Human Rights Commission operational and able to fulfil its duties in monitoring, awareness raising, reporting and managing complaints.					a) UNAMID HRS*, UNDP			300,000
	2.4.2: Support the establishment of the Darfur Human Rights Forum and its role in organizing human rights dialogue, etc.					b) UNAMID HRS*, UNFPA			45,000
	2.4.3: Provide technical and financial support to the Advisory Council for Human Rights to develop UPR reports and facilitate GoS implementation of recommendations from the UPR.					c) UNAMID HRS*, UNDP			50,000
	MONITORING								



		<b>Sub-total for Output 2.4</b>										<b>395,000</b>
											<b>Total for Outcome 2</b>	<b>5,065,000</b>
<b>OUTCOME 3: Land management is introduced and the capacities of the justice system and local conflict resolution mechanisms to address land issues are enhanced.</b>		Indicator: # of women and men solving land issues through the justice system or through local conflict resolution mechanisms.				Baseline: TBD during the inception phase.						
<b>EXPECTED OUTPUTS</b>	<b>PLANNED ACTIVITIES</b>	<b>PLANNED BUDGET BY YEAR</b>				<b>RESPONSIBLE PARTY</b>	<b>PLANNED BUDGET</b>					
		Y1	Y2	Y3	Y4		Funding Source	Budget Description	Amount			
<b>Output 3.1</b> The capacity of the justice and administrative system to address land issues is strengthened.	3.1.1 Support authorities in drafting and endorsing policies (state laws and local orders) for adjusting land claims cases.					3.1.1 FAO, UN Habitat, UN Women, UNDP			80,000			
	3.1.2 Provide financial and technical support towards specialized training for select judiciary and administrative staff.					3.1.2 UNAMID RoL (rural courts only)*, UNDP, FAO, UN Habitat			230,000			
	3.1.3 Provide financial and technical assistance to revamp the land registries in Darfur, notably through the introduction of an electronic registration system.					3.1.3 FAO, UNDP, UN Habitat			180,000			
	MONITORING											
	<b>Sub-total for Output 3.1</b>								<b>490,000</b>			
<b>Output 3.2</b> Local conflict resolution mechanisms are strengthened.	3.2.1: Conduct studies and reviews to identify conflict resolution mechanisms for land disputes. This will include studies on women's access to land and associated conflict resolution mechanisms.					3.2.1: FAO, UN Women, UNDP, UN Habitat, UNFPA			150,000			
	3.2.2: Revive / establish community mediation structure to support systematic negotiation and resolution of community-based land-related disputes. Provide necessary training and materials.					3.2.2: FAO, UN Women, UNESCO, UNFPA			450,000			



	Support women's engagement in such structures.								
	3.2.3: Community agreements on issues related to land tenure are legally recognized and enforced through the support of state and non-state actors.					3.2.3 FAO, UNDP, UN Habitat, UN Women, UNFPA			300,000
	MONITORING								
	<b>Sub-total for Output 3.2</b>								<b>900,000</b>
<b>Output 3.3</b> An inclusive and transparent land management system to secure land tenure rights is introduced.	3.3.1: Introduce an inclusive and transparent framework for management of fragile land resources in line with the Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) in Darfur.					a) FAO			150,000
	3.3.2: Build the capacity of CBOs and other non-state actors to provide training and advice on issues relating to the management of land resources.					b) FAO			80,000
	MONITORING								
	<b>Sub-total for Output 3.3</b>								<b>230,000</b>
								<b>Total for Outcome 3</b>	<b>1,620,000</b>
<b>Evaluation (as relevant)</b>	EVALUATION								
<b>General management support</b>									
								<b>TOTAL</b>	<b>16,000,000</b>



## ANNEXES

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## ANNEX A: List of Acronyms

ACHR	Advisory Council for Human Rights	PS	Programme Secretariat
CA	Capacity Assessment	PSC	Programme Steering Committee
CBOs	Community-Based Organizations	PUNOs	Participating United Nations
CO	Country Office	Organizations	
CPAP	Country Programme Action Plan	JPTTF	Joint Programme Technical Task Force
CPD	Country Programme Document	RLCG	Rule of Law Coordination Group
CSOs	Civil Society Organizations	ROL	Rule of Law
DDS	Darfur Development Strategy	SDGs	Sustainable Development Goals
DDPD	Doha Document for Peace in Darfur	SGBV	Sexual and Gender-Based Violence
DIM	Direct Implementation Modality	SNHRC	Sudan National Human Rights
DPKO	Department of Peacekeeping Operations	Commission	
AO	Food and Agriculture Organization	SP II	Strategic Partnership Phase II
GoS	Government of Sudan	TBD	To Be Determined
HRBA	Human Rights and Rights-Based Approach	ToT	Training of Trainers
HACT	Harmonized Approached Cash Transfer	UNAMID	African Union/United Nations Hybrid
HCT	Humanitarian Country Team	operation in Darfur (UNAMID).	
IDPs	Internally Displaced Persons	UNFPA	United Nations Population Fund
IE	Independent Expert	UNCT	United Nations Country Team
JCCs	Justice and Confidence Centres	UNDAF	United Nations Development Assistance
JPROL	Joint Rule of Law Programme	Framework	
NCLAE	National Council for Literacy and Adult	UNDP	United Nations Development Program
Education		UNESCO	The United Nations Educational,
M&E	Monitoring and Evaluation	Scientific and Cultural Organization	
MoE	Ministry of Education	UNOPS	United Nations Office for Project
MoJ	Ministry of Justice	Services	
MoU	Memorandum of Understanding	UN-HABITAT	United Nations Human Settlement
NGOs	Nongovernmental Organizations	Programme	
OHCHR	Office of the High Commission for Human	UNHCR	United Nations High Commissioner for
Rights		Refugees	
		UNICEF	United Nations Children's Fund
		UNWOMEN	United Nations Entity for Gender
		Equality and the Empowerment of	
		Women	
		UPR	Universal Periodic Review
		VAW	Violence Against Women
		WFP	United Nations World Food Programme

## **ANNEX B: The UN in Darfur and Sudan**

The United Nations in Sudan is comprised of 27 entities whose work encompasses development cooperation, humanitarian assistance and peacekeeping operations. The collective response of the United Nations to national development priorities is outlined in the United Nations Development Assistance Framework (UNDAF). The United Nations efforts to help address humanitarian needs in Sudan are presented in the Humanitarian Response Plan. The developmental arm of the United Nations is represented through the broad presence of the United Nations agencies, funds and programmes collectively called the United Nations Country Team (UNCT), whereas United Nations agencies, funds and programmes engaged in humanitarian action, together with representatives from non-governmental organizations form the Humanitarian Country Team (HCT). UNAMID is a hybrid DPKO / Africa Union mission established by Security Council resolution 1769 of 31 July 2007 with a mandate to promote the rule of law. The mission is geographically limited in its operations to Darfur. There is close collaboration between the UNCT and UNAMID through such structures as the Integrated Strategic Framework and Plan, the Senior Leadership Forum that meets on a bimonthly basis, the Joint Working Group on the Protection of Civilians and the Coordination mechanism to address communal violence in Darfur. The recovery and development work of the UN will be enhanced with the full implementation of the Darfur Development Strategy.

In August 2015, UNAMID and the UNCT established the Rule of Law Coordination Group (RLCG) for Darfur. Its role is to share information, coordinate and build consensus among its members on Rule of Law interventions in Darfur under the “one UN” umbrella. Through this, the UN has introduced in Darfur a Global Focal Point arrangement for Police, Justice and Corrections Areas in the Rule of Law in Post-Conflict and Other Crisis Situations (GFP).<sup>14</sup> The RLCG is co-chaired by UNAMID and UNDP and enjoys broad participation by other UN entities. Among its key initial roles is to oversee the development of this Joint Rule of Law Programme.

### **UNCT support to the rule of law in Darfur**

Apart from the humanitarian agencies, the UNCT has limited permanent presence in Darfur. A number of UN entities have however engaged extensively in the promotion of the rule of law. Examples of UNCT programmatic activities in Darfur are given below.

UNDP's most prominent rule of law interventions in Sudan to date fall under the Strategic Partnership on Governance and Rule of Law (SP), which was executed in two phases. SP Phase I was created in late 2005 as a national and major multi-donor funding mechanism to support the UNDP Governance and Rule of Law Programme. Funding of \$120m was made available for the programme. SP Phase II commenced on 31 December 2009 and ended on 31 December 2012, its total funding was \$38.6 million. According to an independent programme evaluation, the programme achieved outstanding results, particularly in the area of promoting access to justice. The establishment of Justice and Confidence Centres in IDP camps (seven in Darfur) enabled paralegals to provide essential legal services and generated awareness on legal rights among IDPs. UNDP has also worked to raise awareness of human rights and RoL amongst law-enforcement, judiciary and security officials, empower local stakeholders to engage in preventing and bringing an end to violations of international human rights standards, restore confidence in RoL institutions, and gradually build a culture of justice – resulting in an environment responsive to long-term human development. In 2015, UNDP established the “Promoting Access to Justice and Rule of Law in Sudan – Bridge and Inception Project”, which built on the successes of previous programmes through strategic interventions and in addition provided an important foundation for the Joint Rule of Law Programme by bringing the UN system together to design a longer-term joint approach to the rule of law across Sudan.

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<sup>14</sup> The GFP is an arrangement between DPKO, UNDP and other UN partners, providing joint operational country support in the police, justice and corrections sectors.



UNFPA works closely with the UNDP rule of law programme to deliver training on sexual and gender-based violence (SGBV) investigations, interviews for SGBV survivors, and initiatives providing legal support for victims. There is coordination between both agencies on the training of female police, GOS police and Family and Child

Protection Units. There is also collaboration between UN Women, UNFPA and UNDP through the Bridge and Inception Project where UNFPA focuses on: 1) enhancing civil society's contribution to the rule of law and community access to justice in Darfur; 2) strengthening the gender responsiveness of justice, security and legislative actors; and 3) improving women and girls' access to justice and security by ensuring accountable service provision to prevent protect and respond to violence, and by addressing their broader legal needs.

UN Women has worked closely with UNAMID's Rule of Law section to implement the project "Improving Community Based and Public Mechanisms for Preventing and Responding to Violence against Women and Girls in Darfur". Within this project UN Women supported women's access to justice through a series of capacity-development activities targeting rural court judges, paralegals and police personnel as part of efforts to strengthen the response to GBV and promote women's access to justice. This resulted in an increase in cases reported or brought to the attention of the paralegals by survivors, for assistance in obtaining medical care and referral to initiate legal proceedings. In addition, in 2013, UN Women collaborated with the UNAMID police for the training of more than 100 police personnel on evidence collection, crime scene management and case management of SGBV. The training introduced monitoring frameworks to the participants to measure the number of new cases reported to the police.

UNICEF is working with the Government of Sudan (GoS) and civil society organization on legal reforms, promoting the CRC provisions, and ensuring that regulatory frameworks are put in place through the development and enforcement of different legislation related to children including the Child Act (2010). UNICEF is also supporting the capacity building of different justice actors including judges, prosecutors, police, social workers, lawyers and NGOs involved in justice and law enforcement on justice for children, diversion and alternatives to detentions. UNICEF has been supporting the government to establish Family and Child Protection Units (FCPU) in 18 states to provide an integrated child-friendly services for children in contact with the law including victims, witnesses and offenders. UNICEF is working to establish a diversion system that will divert children in conflict with the law out of the current justice system, instead promoting the use of alternatives to prosecution and court-based trials. UNICEF has supported the establishment of specialized child courts and prosecutions in Darfur with more emphasis on enhancing data collection, analysis and reporting.

UNHCR's rule of law activities have focused on strengthening the capacity of police, encouraging peaceful coexistence between communities, supporting community structures, protection monitoring, advocacy, and training and awareness raising on the rights of displaced people. Since 2013 UNHCR has constructed and equipped more than 15 police stations and posts, primarily in West Darfur, which help enforce the rule of law for nearly 8,000 refugees and more than 21,000 displaced people who have returned to their villages. Where possible, UNHCR has also dedicated resources to support community structures in IDP and return areas that help promote the rule of law and mediate conflict, including crop protection and community safety/policing committees. In West Darfur, peaceful coexistence projects aimed at preventing conflict and crime have been implemented with NGO partners for IDPs, returnees, host communities and nomads. Other states will be targeted by similar activities in 2016. Through the protection sector and sub-sectors, UNHCR monitors protection issues in all four States where it has a presence, and follows up on these with authorities and other humanitarian actors to help develop remedies to lapses in the rule of law. To further build knowledge and respect for the rights of displaced people, UNHCR has delivered training and awareness raising to relevant stakeholders in four of the five Darfur states, including government authorities, police personnel, NGOs, host and nomadic communities, as well as IDPs, refugees and returnees.

While these activities have helped many and provide important basis for this programme, most have been implemented on a stand-alone basis, with few agencies involved. This has limited their sustained impact. Such fragmentation will be overcome through this joint programme which will bring all relevant UN entities together to work towards shared objectives on a long-term basis.

## **UNAMID Rule of Law, Police and Human Rights Sections**

The African Union United Nations Hybrid Operation (UNAMID) was established and given a very ambitious rule of law mandate by the UN Security Council in resolution 1769 (2007). The rule of law, judicial and prisons advisory component of the operation was mandated to assist all stakeholders in promoting the rule of law, including through support to the strengthening of an independent judiciary and professional corrections system and combating impunity, working in close cooperation with the United Nations country team, the United Nations Development Programme (UNDP), other United Nations agencies, funds and programmes and non-governmental organizations.

UNAMID Rule of Law Section has made substantial contribution in building the capacity of Darfur's justice and correction services. By way of example, its activities since 2014 have included:

- Building the capacity of rural court judges to mediate community conflict.
- Supporting paralegals to strengthen community-based mechanisms for crime prevention.
- Supporting the legal aid lawyer association to promote legal aid services for vulnerable populations.
- Providing technical support to transitional justice mechanisms: the Special Court for Darfur Crimes, the Office of the Special Prosecutor for Darfur Crimes and the Truth and Reconciliation Commission.
- Strengthening, restructuring and reforming the prison system in Darfur. In collaboration with UNDP, UNAMID has trained over 500 prison personnel in the last five years, refurbished dilapidated facilities, delivered equipment and provided support for the development of the five-year strategic plan for Darfur prisons.

UNAMID Police Section has been actively engaged in the promotion of the Rule of Law in Darfur in partnership with other key stakeholders such as the Government of Sudan police, UNCT, local communities, and other UNAMID sections. With regard to the Sudanese police, this cooperation has been in areas of capacity building, joint implementation of community policing in IDP camps, and infrastructure development. This cooperation was formalized in a landmark achievement on 20th August 2013, when a Memorandum of Understanding (MoU) was signed in Khartoum between UNAMID and GoS Police with regards to cooperation and support in the fields of development and capacity building of the Sudanese police. Since 2008, significant achievements have been made including the development of joint curricula in areas of community policing, human rights, SGBV and child protection, arrest, detention and treatment of detainees, crime investigation and crime scene management, first aid, and computer skills.

UNAMID Human Rights Section monitors, investigates and documents human rights violations and abuses in Darfur, and advocates with the Government of Sudan authorities on human rights issues of concern, including sexual and gender-based violence, with a view to supporting its primary responsibility to protect civilians through providing information for early warning prevention and response. It monitors compliance with international and regional human rights commitments by the Government of the Sudan in the administration of justice and transitional justice mechanisms, and addresses impunity for human rights violations and abuses. UNAMID Human Rights builds the human rights capacity of both State and non-State institutions, including various levels in the criminal justice chain and relevant security forces. It also facilitates the work of the United Nations and African Union human rights special procedure mandate holders; e.g. the Independent Expert on the situation of human rights in the Sudan, including Darfur; and the African Union Human Rights Country Mandate Holder for the Sudan. UNAMID's human rights efforts also aim at mainstreaming human rights in peace and political processes and humanitarian assistance pertaining to Darfur.

## **ANNEX C: Governmental commitment to the Rule of Law, Human Rights and JPROL**

The Government of Sudan has a ten-year strategic plan on human rights and has made efforts in recent years to enhance justice service delivery. The Special Court for Darfur Crimes was established, and the Special Prosecutor was appointed, in 2012, pursuant to the provisions of the Doha Document for Peace in Darfur (DDPD). Since 2015 the Office of the Special Prosecutor has extended its presence in the states, including South Darfur, East Darfur and Central Darfur. GoS has recently established a Supreme Court in Nyala, composed of nine judges, with jurisdiction over all Darfur States. The Government has also constructed three justice palaces in El Fasher, Nyala and El Geneina with its own resources and deployed in 2015 a total of 74 new prosecutors across Darfur. It has established procedures to provide child-friendly justice services to children victims, witnesses and offenders through the introduction of Family and Child Protection Units within police, which have been effective in this respect.

Notable efforts of the Government of Sudan to bring national laws in line with its constitutional and international human rights obligations, include: the Khartoum State Public Order Act (1996), the Act on the Rights of Persons with Disabilities (2009), the promulgation and implementation of the Combatting of Human Trafficking and Smuggling of Persons Act (2014), the Anti-Corruption Act (2015), the amendment of the Election Act (2014), Refugee Act (2014), Access to Information Act (2015), The Public Prosecutor Act (2015).<sup>15</sup> Furthermore, a concrete step in the fight against impunity for violence against women in the Sudan was exemplified in the amendment of Article 149 of the Sudanese Criminal Code (1991), which made a substantive and legal distinction between rape and adultery. Other positive amendments to the Criminal Code were made to Article 151 on Gross Indecency and Article 126 on Apostasy. There is a recent draft legislation on separating the Attorney General from the Minister of Justice. This, alongside amendments to the Press and Publications Act (2009) under consideration at the Parliament and the declared intention by the Ministry of Justice to draft a legal aid bill, gives hope for more independent and better access to justice.

There have, however, been setbacks. Some of the legislative progress has been offset by subsequent legislation. The Security Act (2010) undermined some of the press freedom established by the Press Act (2009). Some of the newly deployed prosecutors in Darfur had to be withdrawn due to insecurity.

Importantly, there is now certain political will to work with the United Nations in promoting justice and human rights. At a consultation forum held in Khartoum on November 2015 including senior officials from the police, the judiciary, prisons and the Ministry of Justice, the government endorsed the Joint Rule of Law Programme and expressed interest in supporting its implementation. The GoS reiterated its commitment to work with the UNCT and UNAMID in promoting the rule of law and human rights at a donor conference on the Joint Programme, held in April 2015, in collaboration with the Ministry of Justice and participation of the Minister of Justice. This is a significant step forward in relations with GoS on the rule of law in Darfur, creating perhaps an unparalleled opportunity to make progress on this front through the Joint Programme. Moreover, during extensive consultations with key stakeholders in the five Darfur states, both governmental and non-governmental counterparts expressed interest in and support for the programme.

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<sup>15</sup> Source, The Sudan Ministry of Justice, Monitoring Visit, January 2016

## ANNEX D: Outcome of the Consultations with National Stakeholders

The Joint Programme is based on extensive consultations with national partners. These commenced at the inception of the programme development in May 2015. In addition to regular bilateral consultations, key justice actors were brought together at a Consultation Forum held on the Joint Programme in November 2015, where they not only endorsed the programme but also made concrete suggestions on its content. Consultations were also conducted in the five Darfur states in April and May 2016. Approximately 100 participants in each state came together to discuss and make suggestions for the Joint Rule of Law Programme. Participants included representatives from police, justice, prosecution, corrections, lawyers, native administration leaders and local civil society organizations.

The table below presents a summary of priority needs and challenges identified by local stakeholders. These have already been taken into account in developing the outputs and activities of the programme.

	Institutions	Human Capacity
<b>Outcome 1: Justice Institutions are Strengthened to Provide Equitable, Effective and Accountable Justice Services.</b>	<ul style="list-style-type: none"> <li>- Extend coverage of justice institutions to bring needed security and build capacity to address impunity and SGBV.</li> <li>- Ensure independence of all justice institutions, notably from tribalism and political influence. Address discriminatory attitudes; enhance effectiveness to reduce litigation times.</li> <li>- Enhance coordination between justice institutions; align procedures between justice institutions.</li> <li>- Legal reform to address the particular types of crimes affecting Darfur.</li> <li>- Address distrust in justice institutions, in particular build trust between communities and the police</li> <li>- Install FCPU in police stations; establish forensic laboratory.</li> <li>- Support Transitional Justice Mechanisms.</li> <li>- Bring prison conditions up to national and international standards; establish reformatories for children; enhance vocational training.</li> </ul>	<ul style="list-style-type: none"> <li>- Provide necessary materials for justice institutions, including transport</li> <li>- Specific training for informal justice to enable them to deliver justice as prescribed by law.</li> <li>- Address deficiencies in staffing.</li> </ul>
<b>Outcome 2: Communities and vulnerable groups enjoy enhanced access to justice and are empowered to demand respect for their human rights..</b>	<ul style="list-style-type: none"> <li>- Enhance legal aid for poor and vulnerable people; introduce legal aid legislation; enhance paralegal services.</li> <li>- Support NGOs and civil society organizations empowering women and raising awareness of legal rights.</li> <li>- Insecurity and availability of arms obstructs access to security.</li> <li>- Build Peace, Justice and Confidence Centres (South Darfur).</li> </ul>	<ul style="list-style-type: none"> <li>- Lack of women in justice institutions discourages women from seeking justice.</li> <li>- Generate awareness to ensure that vulnerable groups are aware of their rights.</li> <li>- Incorporate human rights into education.</li> <li>- Attorneys need to be available throughout Darfur.</li> </ul>
<b>Outcome 3: Land management is introduced and the capacity of the justice system and local conflict resolution mechanisms to address land issues is enhanced.</b>	<ul style="list-style-type: none"> <li>- Extend coverage of justice institutions to areas where land disputes take place.</li> <li>- Build capacity of local conflict resolution mechanism (Hawakeer).</li> <li>- Reform Land Registration Act of 1925, the Civil Act of 1982 to allow legislative councils of each state to enact necessary laws, the Civil Transactions Act of 1984 as it relates to abandoning land in exceptional circumstances, the Urban Planning Act of 1994 as relates to ownership of land.</li> <li>- Codify customary law relating to land.</li> <li>- Register all land.</li> </ul>	<ul style="list-style-type: none"> <li>- Training on Sawani (open land with no specific limits).</li> <li>- Training for native administration on land issues.</li> </ul>



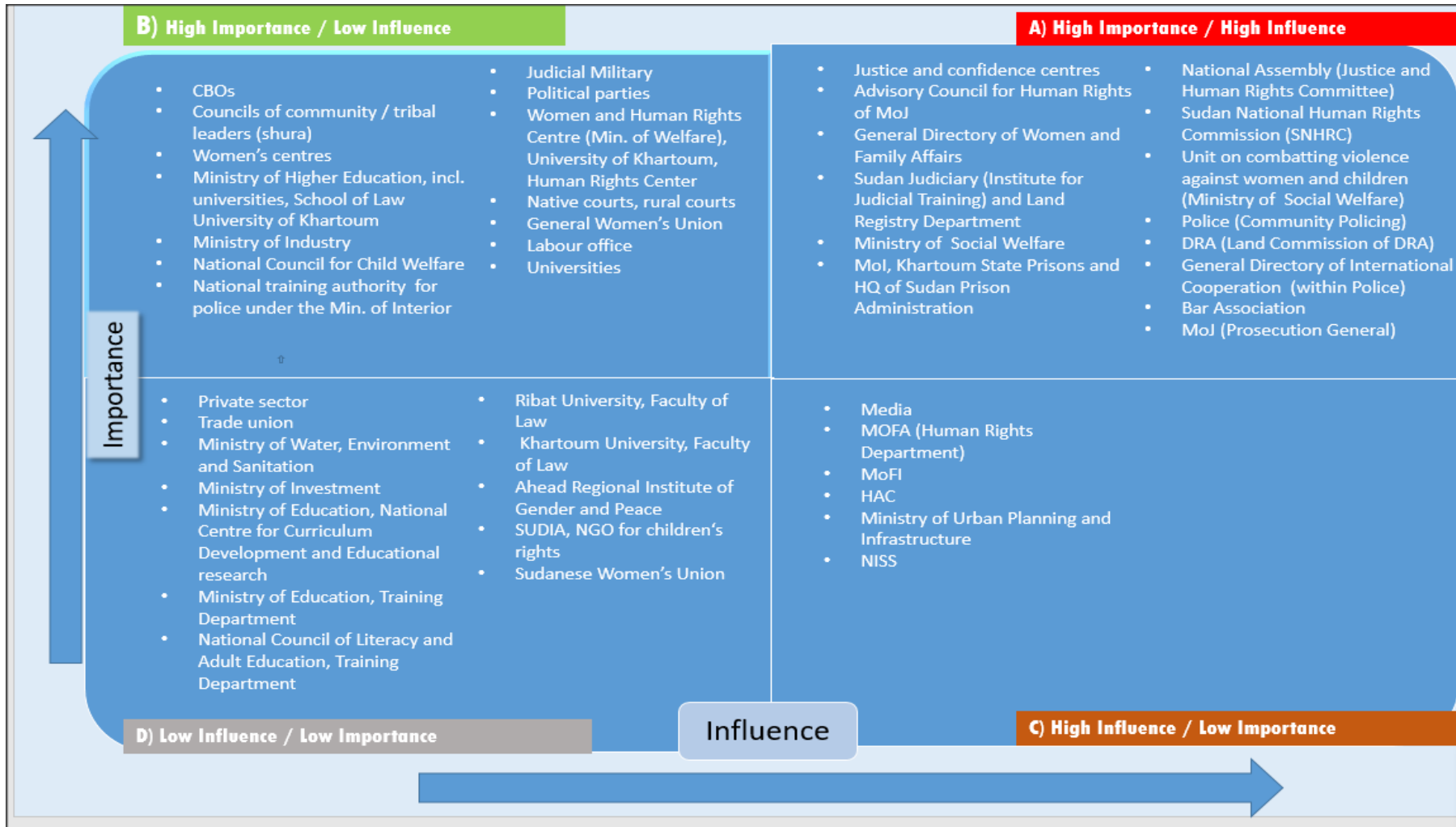
## ANNEX E: Matrix of JPROL Stakeholders

Key stakeholders of the Joint Rule of Law Programme were identified by the UN participating agencies and categorized based on:

- a) Their influence over the programme, i.e. the power the stakeholder has to facilitate or impede the achievement of an activity.
- b) The importance of the programme in satisfying the needs of the stakeholder.

The table below presents the results of that work. This categorization will affect the type and intensity of the engagement with relevant stakeholders.





## ANNEX F: Results and Resources Framework<sup>16</sup>

<b>DARFUR JOINT PROGRAMME FOR RULE OF LAW (JPROL)</b>
<b>Resource and Results Framework</b>
<b>VISION: PEOPLE IN DARFUR ARE LEGALLY EMPOWERED AND SERVED BY EFFECTIVE, ACCOUNTABLE AND INCLUSIVE RULE OF LAW INSTITUTIONS THAT CREATE A PROTECTIVE PEACE AND DEVELOPMENT IN DARFUR</b>
<b>SDG # 16 : Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.</b>
<b>SDG Indicator/s:</b>
<b>Intended Outcome as stated in the UNDAF Programme Results and Resource Framework:</b> Outcome 2: Citizen Expectations for voice, development, the rule of law and accountability are met by stronger systems of democratic governance. Outcome 6: People in Sudan are protected under an enabling environment that guarantees the rule of law, basic rights and fundamental freedoms.
<b>Outcome indicators as stated in the Country Programme Results and Resources Framework, including baseline and targets:</b> <b>Indicators / Baselines / Targets:</b> 1. Number of justice institutions per 100,000 residents in selected states, disaggregated by type of institutions / Baseline: West Darfur (police stations 1.9/100,000, courts 2.36/100,000) / Target: 4/100,000). 2. % of people expressing high confidence in and easy access to rule of law institutions disaggregated by gender disaggregated by state / 3. Baseline: 46% report high confidence overall; 40% women report high confidence; 22% reported easy access. Target: 60% report high confidence overall; 50% women report high confidence; policies in the governance sector reviewed or endorsed in line with international standards and norms 4. Baseline: TBD /Target: 5 new laws/acts to reviewed and endorsed and human rights provisions incorporated in the new constitution

<sup>16</sup> \* UNAMID support to any listed initiatives is subject to extension of the UNAMID mandate, approval of the UNAMID 2016/17 budget proposal and any potential adjustment to Mission priorities.



**Applicable Output(s) from the UNDP Strategic Plan:**

Output 2.3 Capacities of human rights institutions strengthened.

Output 2.5. Legal and regulatory frameworks, policies and institutions enabled to ensure the conservation, sustainable use, and access and benefit sharing of natural resources, bio-diversity, and international conventions and national legislation.

Output 2.6. Legal reform enabled to fight discrimination and address emerging issues (such as environmental and electoral justice)

**\* UNAMID support to any listed initiatives is subject to extension of the UNAMID mandate, approval of the UNAMID 2016/17 budget proposal and any potential adjustment to Mission priorities.**

<p><b>OUTCOME 1:</b> Justice institutions are strengthened to provide equitable, effective and accountable justice services.</p>						<p>Indicator: <b>a) Level of capacity; b) % of citizens who have confidence in rule of law institutions being independent, impartial, effective and fair</b></p>	<p>Baseline: <b>a) Low Capacity; b) TBD</b></p>	<p>Final target: 1) medium to high capacity; 2) TBD</p>





Output <b>1.1</b>	Planned Activities	Output <b>indicators</b>	Data <b>source</b>	Baseline <b>value</b>	Targets ( <b>by frequency of data collection</b> )	Final	Means of <b>verification</b>	PUNOs	Costs <b>in USD</b> (Per activities planned)
				Value	Year	Year <b>1</b>	Year <b>2</b>	Year <b>3</b>	
Evidence generation and data collection on justice delivery are introduced and enhanced, notably in relation to women, children and	1.1.1 Conduct assessments, research and studies to generate evidence in all aspects of the justice system relevant to outcome 1, including gender sensitive mapping on use of the justice system and structural barriers to accessing	1.1.1 # of data bases established and used for data collection and evidence generation on justice delivery.  1.1.2 Qualitative and quantitative data segregated by age, gender, type of violations, geographical location, etc. at		1.1.1 No database  1.1.2 TBD  1.1.3 TBD					



<b>vulnerable groups.</b>	justice by type of case notably GBV.	Darfur level.							
	1.1.2 Support the establishment of a case management system and a database for the effective collection and analysis of the quality of justice delivery through the civil and criminal justice chain, including juvenile justice and GBV. Provide necessary training for relevant staff.	1.1.3 # of research studies conducted at the Darfur level to address issues of women, children and vulnerable groups, studies of systems and structure are gender sensitive.							





Output <b>1.2</b>	Planned Activities	Output <b>indicators</b>	Data <b>source</b>	Baseline	Targets ( <b>by frequency of data collection</b> )	Final	Means of <b>verification</b>	PUNOs	
				Value	Year	Year <b>1</b>	Year <b>2</b>	Year <b>3</b>	
Selected <b>laws and policies are brought in line with international standards and norms.</b>	1.2.1 Map and support the review of required amendments to laws and regulations relating to police, justice (including traditional and	1.2.1 # of laws, procedures, processes and other instruments reviewed or enacted.  1.2.2. # of revised strategies,		1.2.1 TBD by the assessment. No legal aid legislation in force  1.2.2 TBD by the assessment.					1.2.1. Legal aid legislation and SOPs for legal aid in force. Nine regulations / bylaws brought in line with international standards.



	<p>transitional justice) and corrections.</p>	<p>management structures, processes and procedures.</p> <p>1.2.3 # and type of women legislatures, networks and NGOs involved in legislative reforms.</p>		<p>1.2.3 TBD by the assessment.</p>			<p>Comprehensive human resources plan for Darfur justice institutions developed. Multi-year Darfur Police Strategy that offers a cooperation framework with the UN exists and is available. Other # to be determined after the assessment.</p>	a r
	<p>1.2.2. Provide support to introduce and revise strategies, management structures, processes and procedures, including SOPs, of police, courts and prisons.</p>							

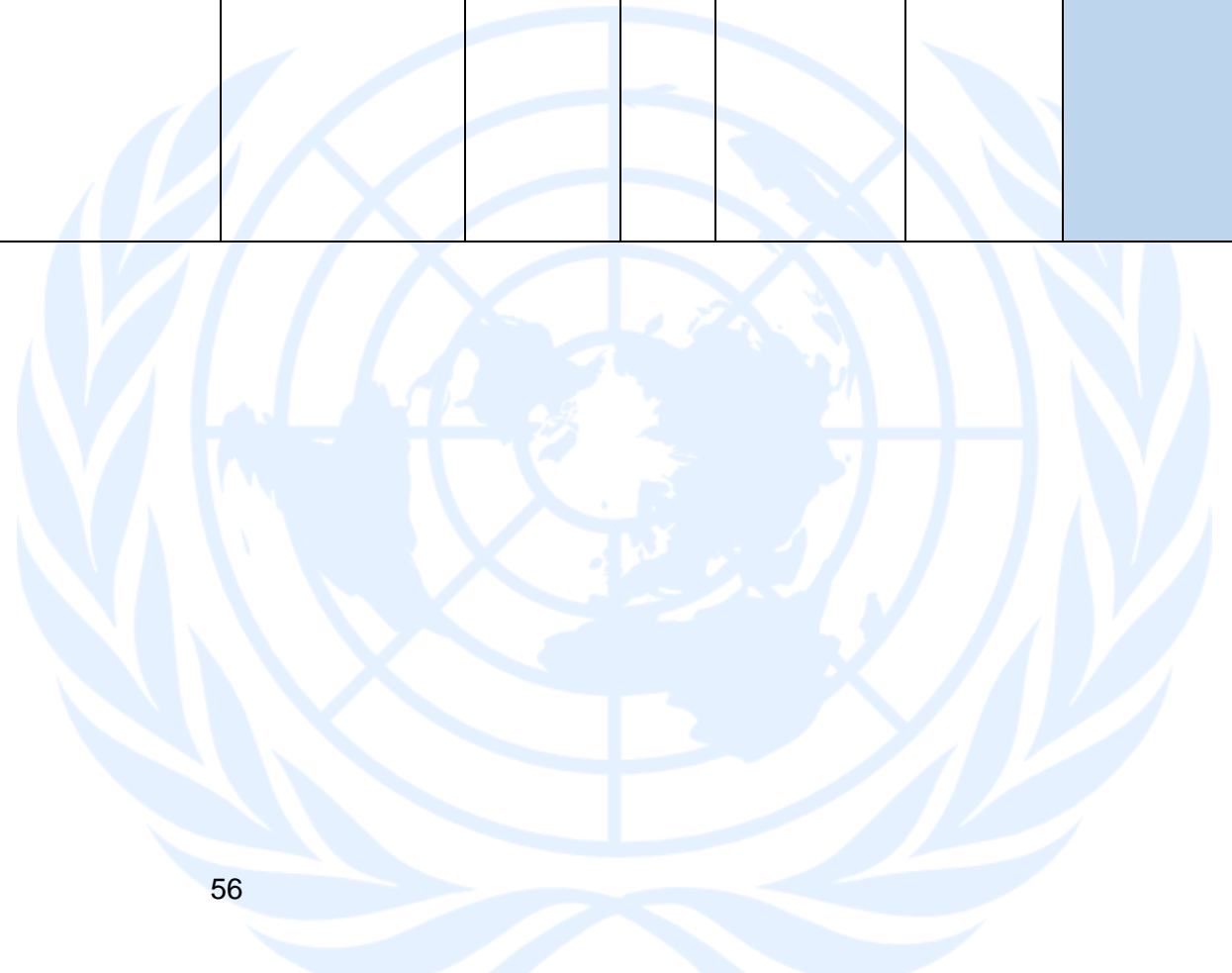


	1.2.3 Enhance the ability of women legislatures, leaders from civil society, CSOs and women groups to advocate and drive legislative reform.									





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<b>Output 1.3</b>	Planned Activities	Output <b>indicators</b>	Data <b>source</b>	Baseline	Targets ( <b>by frequency of data collection</b> )	Final	Means of <b>verification</b>	PUNOs	





				Value	Year	Year 1	Year 2	Year 3	
<b>The criminal justice chain is re-established in key pilot areas.</b>	<p>1.3.1 Identify geographical pilot areas and conduct an in-depth assessment for rehabilitation and functionality of police, prosecution, courts and corrections in those areas.</p> <p>1.3.2 Support the provision of necessary infrastructure, training and materials to enable the full functioning of police, including community police, prosecution, courts with criminal jurisdiction and prisons in pilot areas.</p>	<p>1.3.1 # of fully furnished police stations, FCPUs, prosecution offices, courts in pilot areas able to cover the targeted population.</p> <p>1.3.2 % of newly recruited and trained staff recruited and deployed in pilot areas to provide justice services to target population.</p> <p>1.3.3 # of trained justice actors on children, gender and other RoL/human rights issues that support the</p>		<p>1.3.1 TBD by the assessment</p> <p>1.3.2 TBD by the assessment</p> <p>1.3.3 TBD by the assessment</p> <p>1.3.4 TBD by the assessment</p> <p>1.3.5 TBD by the assessment</p>					<p>1.3.1 At least four police posts established, FCPUs established at locality level, other targets TBD by the assessment.</p> <p>1.3.2 TBD</p> <p>1.3.3 TBD</p> <p>1.3.4 TBD</p> <p>1.3.5 TBD</p>



	<p>1.3.3 Advocate and support relevant authorities in recruiting essential staff and achieving gender balance within police, prosecution, courts with criminal jurisdiction and corrections.</p>	<p>provision of effective and equitable justice services.</p>								
	<p>1.3.4 Support the establishment of Family and Child Protection Units (FCPUs), child prosecution and Children’s Courts at locality level in key pilot areas.</p>	<p>1.3.4 # of victims of violence who receive protection and justice through RoL institutions (segregated by age/gender/type of offense/locality/type of remedies).</p> <p>1.3.5 % of unsentenced detainees as percentage of the overall prison population.</p>								<p>1. E d s r</p>





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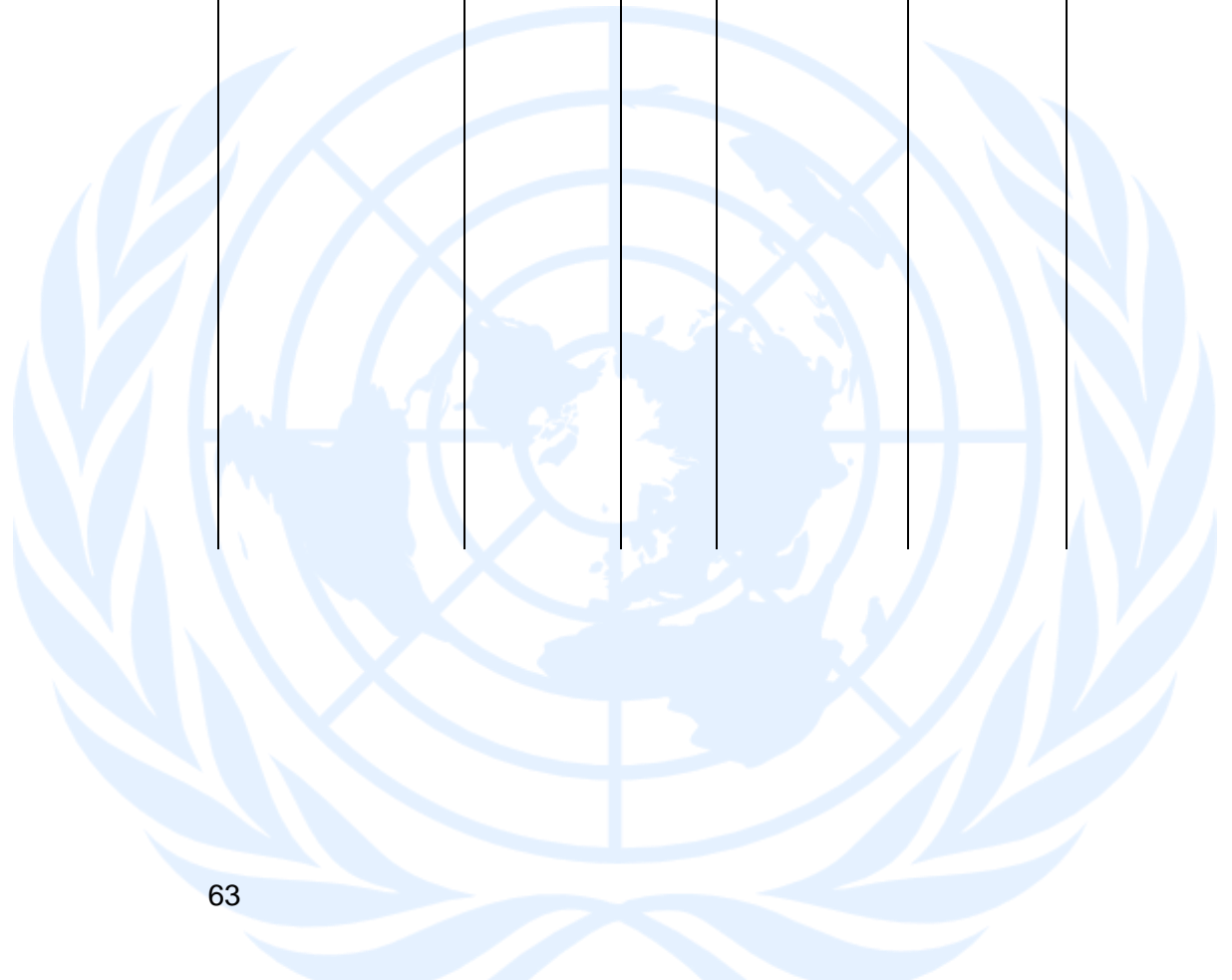
<b>Output 1.4</b>	Planned Activities	Output <b>indicators</b>	Data <b>source</b>	Baseline	Targets ( <b>by frequency of data collection</b> )	Final	Means of <b>verification</b>	PUNOs	



				Value	Year	Year 1	Year 2	Year 3	
<b>Justice institutions, including customary and traditional justice systems, are strengthened to provide effective, equitable and timely justice and protection services in line with international standards.</b>	1.4.1 Conduct an assessment of essential needs outside of pilot areas for the functionality of police, prosecution, courts (including rural and town courts) and corrections with focus on capacity building and training.	1.4.1 # of fully refurbished police stations, prosecution offices, courts and prisons.  1.4.2 % of newly recruited and trained staff recruited and deployed to provide justice services.		1.4.1 TBD by the assessment  1.4.2 TBD by the assessment  1.4.3 TBD by the assessment  1.4.4 TBD  1.4.5 TBD					1.4.1 Five prisons, 10 courts and 15 police stations have been refurbished. A prison training school in Darfur has been established. Other targets TBD  1.4.2 TBD  1.4.3 TBD  1.4.4 One Criminal Justice Forum function in each of the Darfur States  1.4.5 TBD
	1.4.2 Support the provision of essential infrastructure, equipment and training for police, including community police, prosecution offices, courts	1.4.3 # of trained justice actors on children, gender and other RoL/Human rights issues that support the provision of effective and equitable justice							



	(including rural and town courts) and prisons.	services.
	1.4.3 Advocate and support relevant authorities in recruiting essential staff and achieving gender balance within police including community police, prosecution, courts (including rural and town courts) and corrections.	1.4.4 # of victims of violence who receive protection and justice through RoL institutions (segregated by age/gender/type of offense/locality/type of remedies).
	1.4.4 Support the functioning of the criminal justice forums.	1.4.5 % of unsentenced detainees as percentage of the overall prison population.



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	support to develop an outreach strategy and programme for the Commission.									
<b>Output 1.5</b>	Planned Activities	Output <b>indicators</b>	Data <b>source</b>	Baseline	Targets ( <b>by frequency of data collection</b> )	Final	Means <b>of verification</b>	PUNOs		





			Value	Year	Year 1	Year 2	Year 3	
<b>Oversight and accountability of the justice system are enhanced.</b>	1.5.1 Develop and support the adoption of a monitoring tool to measure compliance with legal procedure by rural and district courts and the appeal system. It will specifically capture women and children's use of the courts .	1.5.1 # of established monitoring mechanisms for the justice system and # of cases monitored.  1.5.2. # of monitoring mechanisms for cases handled by paralegals and # of cases monitored.	1.5.1 No monitoring mechanism exists.  1.5.2 No monitoring mechanism.  1.5.3 No monitoring mechanism.					1.5.1 One monitoring mechanism for courts in place, 10 cases monitored each year.  1.5.2. One monitoring mechanism for paralegals in place, 30 cases monitored each year.  1.5.3 TBD
	1.5.2 Support the use of monitoring frameworks for tracking cases handled by paralegals that will notably measure women's and children's access to legal services.	1.5.3. # of complaint mechanisms established for police, courts and prisons.						



			1.5.3. Support the establishment of complaint mechanisms in respect of the operations of police, including FCPUs, courts and prisons.						
Outcome 2: Communities and vulnerable groups enjoy enhanced access to justice and are empowered to demand respect for their human rights.						Indicator: % of citizens who know how to access justice systems and are aware of their human rights	Baseline: 22% know how to access justice; % for human rights awareness TBD	Target: 40% know how to access justice, 30 % of target population aware of HR	



Output <b>2.1</b>	Planned Activities	Output <b>indicators</b>	Data <b>source</b>	Baseline <b>value</b>	Targets <b>(by frequency of data collection)</b>	Final	Means of <b>verification</b>	PUNOs	Costs <b>in USD</b>
				Value	Year	Year <b>1</b>	Year <b>2</b>	Year <b>3</b>	
Communities and vulnerable groups are aware of their rights and empowered to demand accessible and equitable justice services.	2.1.1 Support the development and execution of a human rights awareness campaign.	2.1.1 % of citizens in the five states who know how to access the justice system and aware of FCPU and other justice remedies.		2.1.1 22% of local population where UNDP has Rule of Law activities (North, South and West Darfur) know how to access justice systems.					2.1.1 40% of citizens in the five states know how to access the justice system; 50% of concerned population aware of FCPU and SGBV remedies.
	2.1.2 Support community networks to empower and promote the social cohesion of women and vulnerable groups to enable them to assert their rights.	2.1.2 % of target population aware of their basic human rights.  2.1.3 Number of PJRCs established.		2.1.2 TBD.  2.1.3 No PJRCs in Darfur beginning of 2016.					2.1.2. TBD.  2.1.3. 15 PJRCs established and operational



	<p>2.1.3 Provide support for the establishment of Peace, Justice and Reconciliation Centers (PJRCs) in IDP camps and remote areas to generate awareness of human rights and reconcile conflict.</p>								<p>throughout Darfur.</p>	<p>2 d</p>
	<p>2.1.4 Support the development of a human rights curriculum and its integration in Darfur's education system, build capacity to deliver human rights training.</p>		<p>Reports of UNESCO and MoE / NCLA</p>							
	<p>2.1.5 Generate awareness of FCPUs, and SGBV remedies</p>									<p>2 s b t</p>



	particularly within women's groups, the IDP community and Darfur Police.									
<b>Output 2.2</b>	Planned Activities	Output <b>indicators</b>	Data <b>source</b>	Baseline	Targets ( <b>by frequency of data collection</b> )	Final	Means of <b>verification</b>	PUNOs		
				Value	Year	Year <b>1</b>	Year <b>2</b>	Year <b>3</b>		
The capacity of <b>community-based mechanisms, including CBOs and NGOs, to promote the rule of law and human</b>	2.2.1 Enhance the capacity of activists and NGOs, in promoting fundamental human rights and freedoms including access to justice. Particular focus on women	2.2.1. # of community based networks actively engaged in promoting human rights, in particular children's and women's rights.  2.2.2. # of CBOs, NGOs referring vulnerable groups to		2.2.1. TBD						



rights is enhanced.	and child protection.	justice services and remedies.								
	2.2.2 Update the referral pathway for SGBV, support organizations and networks assisting SGBV survivors.			2.2.2. TBD						2.2.2. TBD
<b>Output 2.3</b>	Planned Activities	Output <b>indicators</b>	Data <b>source</b>	Baseline	<b>Targets (by frequency of data collection)</b>	Final	<b>Means of verification</b>	PUNOs		
				Value	Year	Year <b>1</b>	Year <b>2</b>	Year <b>3</b>		

<p><b>Legal aid providers are capable of assisting needy populations throughout Darfur.</b></p>	<p>2.3.1 Establishment of new Justice and Confidence Centers (JCCs) in all five Darfur states.</p>	<p>2.3.1 # of cases benefitting from legal aid</p>						<p>2.3.1 300 cases benefit from legal aid per year.</p>	
	<p>2.3.2 Conduct training of trainers; refresher training for existing paralegals and training for new paralegals. Revise existing training modules for paralegals.</p>	<p>2.3.2 # of legal aid networks operational</p>	UNDP					<p>2.3.2 15 local lawyer networks.</p>	
	<p>2.3.3 Strengthen lawyer networks and build the capacity of legal aid lawyers.</p>	<p>2.3.3 # of JCC, legal aid desks and legal aid clinics established and operational</p>						<p>2.3.3 Six new JCC established for a total of 13 JCC actively running in Darfur, legal aid desk in each of Darfur's 13 prisons; legal clinic functioning.</p>	
	<p>2.3.4: Support the introduction of legal aid desks for prisoners.</p>								
	<p>2.3.5: Provide support to legal education in Darfur and the legal aid clinic of the University of El-Fasher operational and</p>								



	connected to other legal aid actors.									
<b>Output 2.4:</b>	Planned Activities	Output <b>Indicators</b>	Data <b>source</b>	Baseline	<b>Targets (by frequency of data collection)</b>	Final	<b>Means of verification</b>	PUNOs		
				Value	Year	Year <b>1</b>	Year <b>2</b>	Year <b>3</b>		
<b>The capacities of national human rights</b>	2.4.1 Provide necessary support to make the	2.4.1 Capacity of national human rights institutions,		2.4.1 Low (SNHRC established in El Fasher in 2016;					SNHRC and the HRF are operational and	2 E d



<p><b>institutions are strengthened.</b></p>	<p>Regional office of the Sudan National Human Rights Commission operational and fulfilling its duties in respect of monitoring, awareness raising, reporting and managing complaints.</p> <p>2.4.2 Support the establishment of the Darfur Human Rights Forum and its role in respect of organizing HR dialogue, etc.</p>	<p>notably measured by number of effective meetings, activities conducted and where relevant complaints managed (low, medium, high).</p> <p>2.4.2 Support provided by the ACHR to implement UPR Recommendations.</p>		no functional HRF exists in Darfur)					fulfilling their mandates duties at high capacity.	a r a d r
				2.4.2 TBD (15% of UPR recommendations relating to justice and HR need to be implemented)					ACHR has developed a strategy and actively supports implementation of the recommendations.	2 E d C a
			<p>2.4.3 Provide technical and financial support to the Advisory Council for Human Rights to develop UPR reports and facilitate GoS implementation of recommendations from the UPR.</p>							



Outcome 3: Land management is introduced and the capacities of the justice system and local conflict resolution mechanisms to address conflict over land issues are enhanced.							Indicator: <b># of women and men solving land issues through the justice system or local conflict resolution mechanism</b>	Baseline: <b>TBD during the inception phase.</b>	
<b>Output 3.1</b>	Planned Activities	Output <b>indicators</b>	Data <b>source</b>	Baseline	Targets ( <b>by frequency of data collection</b> )	Final	Means of <b>verification</b>	PUNOs	Costs in USD



				Value	Year	Year 1	Year 2	Year 3	
<b>The capacity of the justice and administrative system to address land issues is strengthened.</b>	3.1.1 Support authorities in drafting and endorsing policies (state laws and local orders) for adjusting land claims cases.	3.1.1 # of recommendation of policy change  3.1.2 % of justice actors with necessary management and technical skills on issues relating to land resources		3.1.1 One set of laws and local order relating to land claim cases needs to be reviewed.					3.3.1 TBD by the assessment
	3.1.2 Provide financial and technical support towards specialised training for select judiciary and administrative staff.	3.1.3 # of land issue cases being solved the justice system, segregated by year and user (sex and IPDs)		3.1.2 TBD (during an inception phase to be conducted by FAO)					
	3.1.3 Provide financial and technical assistance to			3.1.3 TBD					3.1.3 TBD



	revamp the land registries in Darfur, notably through the introduction of an electronic registration system .									
<b>Output 3.2</b>	Planned Activities	Output <b>indicators</b>	Data <b>source</b>	Baseline	Targets ( <b>by frequency of data collection</b> )	Final	Means of <b>verification</b>	PUNOs		
				Value	Year	Year <b>1</b>	Year <b>2</b>	Year <b>3</b>		
Local <b>conflict resolution mechanisms</b>	3.2.1: Conduct studies and reviews to identify	3.2.1. # of functioning community mediation		3.2.1. TBD 3.2.2 TBD					3.2.1. TBD 3.2.2 TBD	3.2.1. TBD 3.2.2 TBD





	support of state and non-state actors.									
Output 3.3	Planned Activities	Output <b>indicators</b>	Data <b>source</b>	Baseline	Targets ( <b>by frequency of data collection</b> )	Final	Means of <b>verification</b>	PUNOs		
				Value		Year		Year <b>1</b>		
Introduce <b>an inclusive and transparent land management system to secure land tenure rights</b>	3.3.1: Introduce an inclusive and transparent framework for management of fragile land resources in line with the Voluntary Guidelines on the Responsible Governance of	3.3.1. % of fragile land resources managed in line with VGGT.  3.3.2 % of non-state actors with management and technical skills on issues relating to land resources.		3.3.1 Currently no recognized proper framework for responsible governance of land tenure.					3.3.1 At least 70% of the fragile land resources in Darfur are managed in line with the VGGT.	3.3.1 At least 70% of the fragile land resources in Darfur are managed in line with the VGGT.












## ANNEX G: Monitoring and Evaluation Framework

Monitoring Outcomes	Purpose	Frequency	Expected Action	Partners (if joint)	Cost (if any)
Track results progress	Progress data against the results indicators in the Results and Resources Framework will be collected and analysed to assess the progress of the programme in achieving the agreed outputs.	Quarterly, or in the frequency required for each indicator.	Slower than expected progress will be addressed by programme management.		
Monitor and manage risk	Identify specific risks that may threaten achievement of intended results ( <b>Charter 3.4.</b> ). Identify and monitor risk management actions using a risk log ( <b>Annex H</b> ). This includes monitoring measures and plans that may have been required as per UNDP's Social and Environmental Standards. Audits will be conducted in accordance with UNDP's audit policy to manage financial risk.	Quarterly	Risks are identified by programme management and actions are taken to manage risk. The risk log is actively maintained to keep track of identified risks and actions taken.		
Learn	Knowledge, good practices and lessons will be captured regularly, as well as being actively sourced from other projects and partners and integrated back into the Joint Rule of Law Programme.	At least annually	Relevant lessons are captured by the project team and used to inform management decisions.		

<b>Annual project quality assurance</b>	The quality of the joint programme will be assessed against UNDP's quality standards to identify programme strengths and weaknesses and to inform management decision making to improve the programme.	Annually	Areas of strength and weakness will be reviewed by programme management and used to inform decisions to improve programme performance.		
<b>Review and make course corrections</b>	Internal review of data and evidence from all monitoring actions to inform decision making.	At least annually	Performance data, risks, lessons and quality will be discussed by the Programme Steering Committee and used to make course corrections.		
<b>Programme Report</b>	Under the overall guidance of the Programme Steering Committee, the Administrative Agent will work closely with UNDP and participating UN organizations in the annual progress reporting exercise. Each participating UN organization will report on progress of outputs and activities to the Joint Programme. The PS will submit the progress reports to the PSC through the JPTTF.	Annually	Using those reports, PSC will provide the Administrative Agent with one Annual Narrative Progress Report. The report will give a summary of results and achievements compared to the stipulated targets of the Joint Programme. The Administrative Agent will prepare consolidated narrative reports, based on the above-mentioned inputs, and send them to the Resident Coordinator for review and onward submission to each donor that has contributed to the Joint Programme, in accordance with the timetable established in the Administrative Arrangement.		
	Programme Steering Committee and key stakeholders, consisting of progress data showing the results achieved against pre-defined annual targets at the output level, the annual project quality rating summary, an updated risk log with mitigation measures, and any evaluation or review reports prepared over the period.	At the end of the programme (final report)			



<b>Programme Review (Programme Steering Committee)</b>	The Programme Steering Committee will hold regular project reviews to assess the performance of the programme activities in Darfur, and review the Multi-Year Work Plan to ensure realistic budgeting over the life of the programme. In the final year of the Joint Programme's, the Programme Steering Committee shall hold an end-of programme review to capture lessons learned and discuss opportunities for scaling up and to socialize project results and lessons learned with relevant audiences.	Specify frequency (i.e., at least annually)	Any quality concerns or slower than expected progress should be discussed by the programme steering committee and management actions agreed to address the issues identified.		
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## ANNEX H: Risk Log

#	Description	Date Identified	Type	Impact and Probability	Countermeasures / Management response	Owner	Submitted, updated by	Last Update	Status
1	Insufficient capacity of UN partners to implement JPROL's activities.	August 2016	Organizational	Delay in the implementation of programme activities.  P = 2 I = 3	JPROL's activities are based on demonstrated capacities of UN partners. An effective governance mechanism will monitor progress both in terms of funding and implementation. JPROL builds concretely upon past programmes and achievements making them realistic and feasible given current capacity.	Programme Manager	Task Force	August 2016	
2	Lack of funding from donors.	May 2016	Political	Lack of good governance and accountability might lead donors to stop investment to Sudan.  P=3 I=3	JPROL introduces measures strengthening the accountability of state institutions and the capacity of rights holders, thus ensuring that enhanced capacity of state institutions will benefit rather than being used against the people of Darfur.  Follow-up with the partners and internal reallocation of funds if necessary.	Programme Manager	Team Leaders	August 2016	Resource mobilization strategy developed.
3	Changes in the political landscape negatively impact the programme implementation.	August 2016	Political	Potential changes to the political landscape can impact the Joint Programme implementation.  P = 2 I = 3	Depending on the outcome of the national dialogue and the new priorities voiced by the new Government, the Joint Programme may have to re-prioritize activities. Possible mitigation measures include a committed focus on technical capacity development of institutional partners.	Programme Manager	Team Leaders	August 2016	Monitoring of situation by Programme management and advise on taking measures as appropriate.



4	Access restrictions imposed on the UN and implementing partners.	July 2016	Operational	The planned activities in the no-go areas are delayed or interrupted  P = 2 I = 4	Continue follow up and negotiations with government and other relevant counterparts on issues related to access. The Ministry of Interior and HAC fully support the UNDP's capacity building initiatives to Government of Sudan institutions at state level, and have provided a letter of support.	Programme Manager	UNCT	August 2016	UNCT working together with key government counterparts to find common ground.
5	Initial commitment of key justice actors to reform fades during the implementation of the programme.	August 2016	Strategic	The activities related to the justice sector under the Joint Programme might be challenged, if priorities are not implemented by justice institutions.  P = 2 I = 4	Regular follow up with justice institutions and keep track of records on the progress of implementation of strategic plans in the justice sector.	Programme Manager	Team Leaders	August 2016	Capacity development of counterparts is ongoing.
6	CBOs and NGOs do not have the capacity to implement key components of the programme.	August 2016	Organizational	Delay the implementation of activities  P=3 I=3	Capacity assessments will be conducted on the ability of national partners to implement parts of the programme. A rigorous capacity development approach will help to strengthen capacities of local NGOs/CBOs.	Programme Manager	Programme Manager	August 2016	Capacity development of local NGOs/CBOs ongoing.
7	Conflict in pilot areas.	May 2016	Operational	All activities in pilot areas might be affected if the programme implementation is suspended due to increased security risks. The risk of this is greater in relation to areas where state	The programme will be sequenced and implemented in a manner respecting the security environment in Darfur, thus mitigating risks and increasing ability to continue the implementation of activities even under adverse circumstances.	Programme Manager	Programme Manager	August 2016	Some of the areas are stabilized.



				institutions are not present.  P = 2 I = 5					
8	Breakdown of communication and the programme's isolation from Khartoum.	August 2016	Organizational	Lack of co-ordination of activities, leading to duplication and gaps.  P = 3 I = 3	JPROL programme structure envisages an implementation team based in Darfur to ensure prompt delivery. The Programme Steering Committee will be used as a strong coordination mechanism to follow up with national partners	Programme Manager	Programme Manager	August 2016	The governance structure established within the programme.







## ANNEX I: TOR for Key Management Positions



## ANNEX J: Standard Clauses for Participating UN Agencies

### UNDP (DIM)

1. UNDP as the Implementing Partner shall comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS).
2. UNDP agrees to undertake all reasonable efforts to ensure that none of the programme funds<sup>17</sup> (UNDP funds received pursuant to the Programme Document)<sup>18</sup> are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via [http://www.un.org/sc/committees/1267/ag\\_sanctions\\_list.shtml](http://www.un.org/sc/committees/1267/ag_sanctions_list.shtml). This provision must be included in all sub-contracts or sub-agreements entered into under this Programme Document.
3. Consistent with UNDP's Programme and Operations Policies and Procedures, social and environmental sustainability will be enhanced through application of the UNDP Social and Environmental Standards (<http://www.undp.org/ses>) and related Accountability Mechanism (<http://www.undp.org/secu-srm>).
4. The Implementing Partner shall: (a) conduct project and programme-related activities in a manner consistent with the UNDP Social and Environmental Standards, (b) implement any management or mitigation plan prepared for the project or programme to comply with such standards, and (c) engage in a constructive and timely manner to address any concerns and complaints raised through the Accountability Mechanism. UNDP will seek to ensure that communities and other project stakeholders are informed of and have access to the Accountability Mechanism.
5. All signatories to the Programme Document shall cooperate in good faith with any exercise to evaluate any programme or project-related commitments or compliance with the UNDP Social and Environmental Standards. This includes providing access to project sites, relevant personnel, information, and documentation.

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<sup>17</sup> To be used where UNDP is the Implementing Partner

<sup>18</sup> To be used where the UN, a UN fund/programme or a specialized agency is the Implementing Partner