



UNITED NATIONS DEVELOPMENT PROGRAM

XI - Annexes.

1. Social and environmental screening.

Project information.

Project information	
1. Project title	Support for capacity development for the modernization of the Justice System in São Tomé and Príncipe.
2. Project Number	00122511
3. Project location	Sao Tome and Principe

Part A. Integration of Global Principles to Strengthen Social and Environmental Sustainability.

QUESTION 1: How does the Project integrate the Global Principles in order to strengthen Social and Environmental Sustainability?
<i>Brief description of how the project articulates human rights</i>
Respect for the principles of human rights is observable throughout the project and the activities envisaged contribute to this, to the extent that the desired results, but in particular the result C) (Human rights, and in particular the right of access to justice and a fair and <i>equitable trial, are improved, especially for women and young people, who have a better knowledge of their rights</i> and the mechanisms for their protection), contribute in particular to their implementation. As a whole, the expected products contribute to the achievement of the three objectives of the UNDP Strategic Plan, which in turn contribute to the guarantee of human rights for all.
<i>Brief description of how the project is likely to improve gender equality and women's empowerment</i>
One of the strong pillars of this project is the guarantee of women's participation, in equal proportion to men in planned activities. Actions to strengthen capacities and mobilize social and political actors are particularly committed to achieving effective gender equality and enhancing women's empowerment, aware of the indispensability of effective social and political participation of women in the construction of sustainable and inclusive development for São Tomé and Príncipe.
<i>Brief description of how the project integrates environmental sustainability</i>
Nothing to report.



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Part B. Identification and Management of Social and Environmental Risks.

QUESTION 2: What are the Potential Social and Environmental Risks?	QUESTION 3: What is the level of importance of potential social and environmental risks?			QUESTION 4: What is the general categorization of project risk?		
<i>Risk description</i>	<i>Impact and Probability</i>	<i>Meaning</i>	<i>Comments</i>	<i>Select one:</i>		<i>Comments:</i>
No risk identified.				Low Risk	X	
				Moderate Risk		
				High Risk		

Social and environmental risk screening checklist.

Potential Social and Environmental Risks Checklist	
Principle 1: Human Rights	
1. Can the Project lead to adverse impacts on the enjoyment of the human rights (civil, political, economic, social or cultural) of the affected population, particularly marginalized groups?	No.
2. Is there a likelihood that the Project will have unfair or discriminatory negative impacts on affected populations, particularly people living in poverty or marginalized or excluded individuals or groups?	No
3. Can the Project potentially restrict the availability, quality and access to basic resources or services, in particular to marginalized individuals or groups?	No.
4. Is there a likelihood that the Project will exclude any potentially affected stakeholders, in particular marginalised groups, from fully participating in decisions that may affect them?	No.
5. Is there a risk that rights holders will not be able to fulfil their obligations in the Project?	Yes.
6. Is there a risk that rights holders will not have the ability to claim their rights?	Yes.
7. Have local communities or individuals, given the opportunity, raised human rights concerns about the Project during the stakeholder engagement process?	Yes.



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8. Is there a risk that the Project will exacerbate conflicts between and/or the risk of violence for communities and individuals affected by the Project?	No.
Principle 2: Gender Equality and Women's Empowerment	
1. Is there a likelihood that the proposed project will have adverse impacts on gender equality and/or the situation of women and girls?	No.
2. Would the Project potentially reproduce discrimination against women on the basis of gender, especially with regard to participation in design and implementation or access to opportunities and benefits?	No.
3. Have women's groups/leaders raised gender equality issues regarding the Project during the stakeholder engagement process, and was this included in the Project's overall proposal and risk assessment?	Yes.
4. Would the Project potentially limit women's ability to use, develop and protect natural resources, taking into account the different roles and positions of women and men in accessing environmental goods and services?	No.

2. Risk Management Plan

Project Title: Capacity Development Support for the Modernization of the Justice System in São Tomé and Príncipe				Project Number: 00122511	Data:
#	Description	Risk category	Impact & Probability = Risk level	Risk treatment / Management measures	Risk manager
1	<p>Complexity and multifaceted nature of institutional construction capacity.</p> <p>Institutions in the justice sector lack capacity and are highly dependent on the support of international donors. The programme seeks to increase capacity through a number of measures including technical assistance and training. Such assistance will only produce long-term benefits with strong involvement of national actors.</p>		<p>While the impact of the capacity-building activities envisaged under the programme is somewhat dependent on achieving these objectives, a holistic and integrated approach to judicial reform, taking into account policy and technical aspects, requires that key interventions take place simultaneously and in order to strengthen each other.</p> <p>Probability: 3</p>	<p>Support and monitoring of the national reform of the ROL: The project team will support and closely monitor the implementation of the reform plans by the State, taking specific note of its success in achieving the objectives in a timely manner, as far as possible. If necessary, the sequence of programme activities may be reviewed to ensure maximum impact.</p> <p>The programme will create opportunities for the involvement of civil society, youth groups, women and children throughout the reform process. An informed civil society can help create pressure for the continuation and sustainability of key reforms. The programme also provides for the use of pedagogical and awareness-raising approaches that can be effective in education of the general public and specific target audiences on key aspects of key reforms. Broad understanding and public engagement can help ensure that reforms continue. When these</p>	Project Management



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			Impact: 3	activities are sponsored by the international community, it is more difficult for national antagonists of such reforms to launch repressive campaigns against those who speak out in favor of change. The support of the institutions of the Presidency of the Republic and the National Assembly will be decisive for the success of the project. By involving all actors, the project will work to strengthen the national commitment to reform.	
2	<p>Commitment and Coordination of Stakeholders.</p> <p>The provision of effective rule of law services is complex and depends on a concerted and coordinated effort by multiple institutions. In a fragile country such as Sao Tome and Principe, this poses significant challenges, particularly in view of competing national and international priorities and the weak capacity of the actors of justice.</p>	Operating Organizational Political Strategic	<p>The inability to ensure effective coordination and the continued commitment and support of key national and international actors to strengthen RoL can limit the impact and undermine the success of the PROJECT.</p> <p>Probability: 3</p> <p>Impact: 3</p>	<p>Through its activities to date, UNDP has developed positive working relationships with key stakeholders, including the Ministry of Justice, the Supreme Court, the Office of the Public Prosecutor's Office, NGO's and international stakeholders.</p> <p>The programme team will continue to involve these and other stakeholders with frequent consultations through the Management Committee of the Justice Modernization Programme and the Steering Committee of the Justice Modernization Programme in order to ensure their continued participation, support, assistance and commitment to the activities envisaged under the project.</p> <p>Finally, the programme includes specific measures to improve the intra-governmental and external coordination of stakeholders on the environment of the RoL institutions.</p>	Project Management
3	<p>The relative lack of capacity in São Tomé and Príncipe and the low absorption capacity and ownership by the administration.</p> <p>This programme will be implemented with the support of UNDP and capacity building partners. A variety of implementation modalities (by the national government, ons and UNDP, or combinations thereof) will be used to increase the efficiency, flexibility of UNDP operations and effective contributions to development outcomes.</p>	Operating Organizational	<p>Low absorption capacity and lack of ownership will limit and prevent the program from achieving its long-term goals.</p> <p>Probability: 3</p> <p>Impact: 3</p>	<p>The weak ownership of the programme by national institutions will be addressed by helping to improve the sharing of information between and within institutions. The appropriation of the project by the beneficiaries requires good communication. The project management team will ensure that there is a regular exchange with beneficiaries to explain the mechanisms and management process of the project, so that beneficiaries feel involved and considered. Implementing partners will be selected to ensure sustainability and based on benchmarking and capacity assessments. UNDP will provide the necessary support to national implementing partners to address capacity gaps. UNDP will carry out a micro-assessment of the implementing partners.</p>	Project Management



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4	<p>Worsening of the socio-economic situation and difficulties in mobilizing financial resources to implement the project in its entirety.</p>	<p>Operating Organizational</p>	<p>The project is quite ambitious and requires the mobilization of significant resources while the donors involved in the justice sector are quite few. In addition, São Tomé and Príncipe is heavily dependent on aid, with 93% of public investment financed by public development aid.</p> <p>Probability: 2</p> <p>Impact: 3</p>	<p>Risks associated with limited financial resources can be eliminated through a robust resource mobilization strategy. It will focus on identifying new partners through South-South cooperation; the identification and continuation of potential public-private partnerships; and learning and harnessing past achievements. This process will play an important role in reducing the country's over-reliance on aid. A continuous analysis of the situation by the coordinator will allow immediate and relevant adjustments to be made during the implementation of the project. The mitigation strategy consists of developing all the components of the project and documenting the results as best as possible and presenting them to the donor community in order to finance the scale increase.</p>	<p>Project Management</p>
	<p>Legal culture: São Tomé and Príncipe has a weak legal culture, in which the main actors in the justice sector do not comply and the general population does not require an administration of the courts of justice based on the rule of law.</p>	<p>Operating Organizational</p>	<p>The impact and sustainability of interventions depend on strengthening the key values of the rule of law, both at institutional and civil society level.</p> <p>Probability: 2</p> <p>Impact: 3</p>	<p>The programme contains specific confidence-building measures, including increasing the availability of legal assistance and awareness-raising services - awareness-raising campaigns focused on legal rights, providing access to justice. In order to respond to widespread disillusionment and skepticism about the state's ability to provide accountable justice services, the program aims to increase the quality of judicial chain service delivery by improving the knowledge capacity of law enforcement actors and law enforcement officials to resolve disputes fairly and in accordance with national law and internally accepted standards. The project team believes that such an integrated approach - which reinforces both the components of demand and the supply of the judicial administration - will respond more effectively to the value deficit of the rule of law in the society of São Tomé and Príncipe.</p>	<p>Project Management</p>