

## United Nations Development Programme

Bangkok Regional Hub



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<b>Component Title:</b>	Judicial Excellence to ensure <i>Justice for All</i> : Judicial Integrity Network in ASEAN
<b>Estimated Budget:</b>	<b>783,509.95 USD</b>
<b>Implementing Agency:</b>	<b>UNDP</b>
<b>Implementation period:</b>	2 years (Oct 2021 – Sept 2023)
<b>Beneficiary countries:</b>	Cambodia <sup>1</sup> , Lao PDR, Indonesia, Malaysia, Philippines, Thailand, Vietnam.
<b>Partners:</b>	<ul style="list-style-type: none"> <li>• International Consortium on Court Excellence (ICCE)</li> <li>• Global Judicial Integrity Network (UNODC)</li> <li>• Council of ASEAN Chief Justices (CACJ)</li> </ul>

### Brief Description


UNDP, with funding support from the US Bureau of International Narcotics and Law Enforcement Affairs (INL), has established the Judicial Integrity Network – ASEAN in 2018 and has provided technical support to network members to enhance judicial integrity and court excellence through self-assessment tools (Judicial Integrity Checklist), regional workshops, learning events, and research.

The focus of the Phase three of the JIN-ASEAN project (2021-2023) is to **enhance judicial integrity and promote court excellence in the ASEAN region through the regional network and knowledge-sharing and country-level capacity building initiatives**. In other words, the project will continue to strengthen the regional network as a safe and effective space for learning and knowledge sharing for judges from the ASEAN region, and a platform for promoting court excellence. In addition, building on the findings from the research conducted in Phase two of the project, judiciary country level initiatives will be supported. Specifically, the project will advocate for and support self-assessments, action-plans to address gaps identified by self-assessments, including guidance on digital transformation initiatives, among others.

Through this project, UNDP supports judiciaries in ASEAN to fulfil their obligations under article 11 of the *United Nations Convention against Corruption* and to promote court excellence, particularly focusing on transparency, integrity, and accountability. In addition, well-functioning judiciary is essential for upholding rule of law and deliver justice for all, which is a key “enabler” targets of the Sustainable Development Goal 16 on Peace, Justice and Strong Institutions. Thus, lack of justice and rule of law will affect achievements across all goals. By strengthening judicial integrity and court excellence, this project is directly contributing to enhancing public trust in the judiciary and achievement of Agenda 2030 on sustainable development.

Contribution to Outcome and Outputs of Regional Programme Document (RPD) 2022--2025 and UNDP Strategic Plan 2022-2025: Gender Marker 2	<p><b>OUTCOME 2: No-one left behind centring on equitable access to opportunities and a rights-based approach to human agency and human development</b></p> <p>Outputs:</p> <p><b>Open, agile, accountable and future-ready governance systems in place</b> to co-create and deliver solutions to accelerate SDG achievement (SP Output 2.1.)</p> <p><b>Anticipatory, rights-based, accountable, inclusive and responsive governance systems reinforced, including local governance</b> and private sector institutions, for improved <i>and equitable access to services.</i> (RPD Output 2.1.)</p>
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Agreed by (signatures):

UNDP

Print Name: Jaco Cilliers Title: Manager, Bangkok Regional Hub Date: 24-Oct-2021

<sup>1</sup> Due to current restrictions of US Government to work with the Government of Cambodia, UNDP will seek INL approval no less than 60 days in advance for any activities that involve high-level (above Deputy Director General) Cambodian officials or travel by Cambodian government officials of any rank paid for under the project.

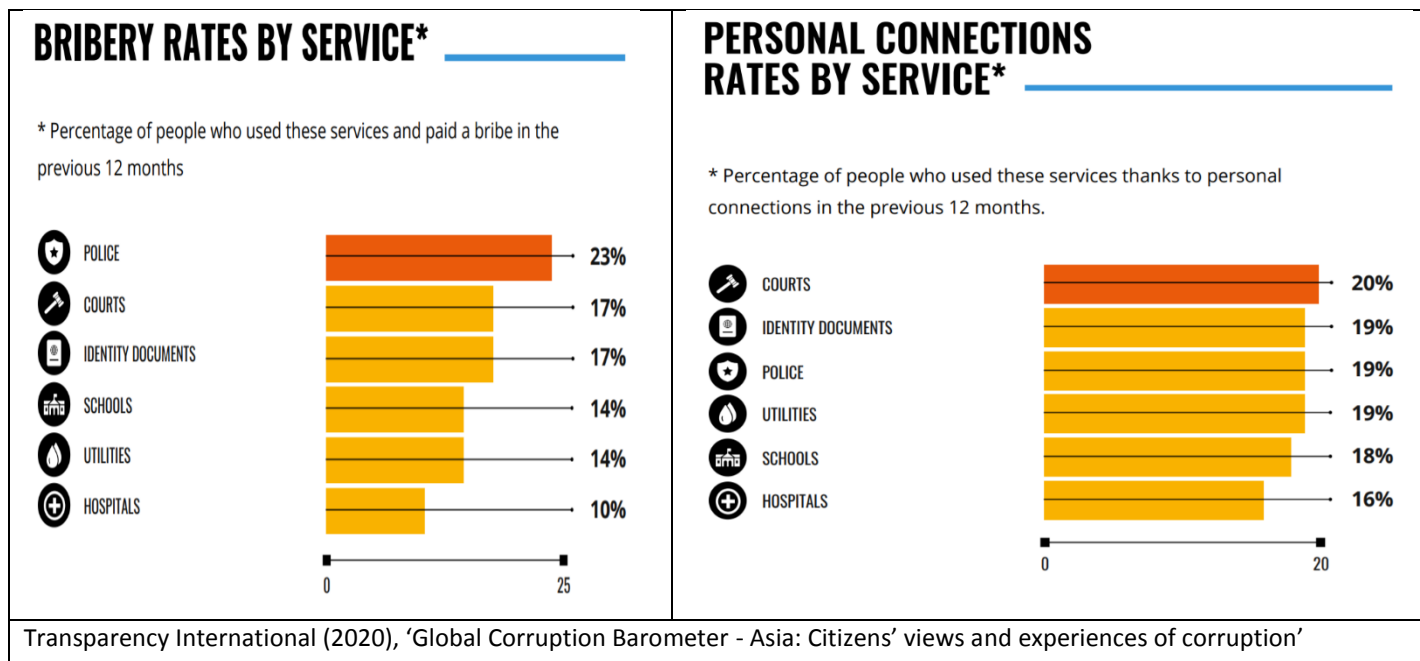
## I. DEVELOPMENT CHALLENGE

Judicial integrity is essential for independent and impartial administration of the law and to safeguard the rule of law. Strong well-functioning judiciary system serves as a check and balance of the other two branches of the government – the executive and the legislative. It reduces the scope for policy capture, promotes good governance, protects and promotes human rights, and upholds the principle of leaving no one behind – which is at the heart of the 2030 Agenda.

This important role of judiciary in ensuring rule of law also makes the judiciary vulnerable to interference and corruption. This in turn degrades legal systems, undermines public trust in the state, and erodes access to justice for all and negatively impacts the basic human right to impartial and fair trials.

**Corruption in the Judiciary:** The [2020 Global Corruption Barometer - Asia: Citizens Views and Experiences of Corruption](#) shows that there is no improvement in corruption across the region. Incidences of bribery, use of personal connection to access services and sextortion continues to be high. On corruption in the judicial system, there is a difference between the perception of judicial corruption and actual incidences/experiences of corruption in the court system. 27 percent of the respondents indicated that they have little or no trust in courts, and over 20 percent of the respondents indicated that they used personal connections, while 17 percent paid bribes to access judicial/court services. Young people between the ages of 18-34 are disproportionately affected by corruption and are more likely to pay bribes or use personal connections to access public services. Often, the poorest and the most marginalized sections of the population are the worst affected as they are less likely to be able to pay bribes and/or be able to access influential networks for their benefit.

**Impact of judicial corruption on women:** Women are also differently affected by corruption. The report finds that sextortion, corruption through sexual extortion, is a major issue. Women in Indonesia (18 percent), Thailand (15 percent), and Malaysia (12 percent) experience the highest rates of sextortion. This issue is compounded by the fact that sextortion is a silent crime and difficult to prove. Some legal systems do not consider sextortion a crime. Sextortion is not consistently addressed judges' decisions or prosecutors' arguments. Furthermore, there is little to no research on how cultural biases towards women and other gendered threats impact women judges and overall judicial integrity.



### Some key challenges affecting judicial integrity:

a. *Lack of judicial system data:*

However, the data presented above does not capture the full picture of judicial corruption. Apart from sporadic reports and studies including the Global Barometer Report, **systemic judicial system data** that might offer insights into judicial integrity issues, how they materialize, who they impact, and how they can be resolved is not widely available. This is mostly because traditional court management system is geared towards statistical reporting (i.e. number of cases filed, number of cases pending, and vacancies in court system) rather than data supporting the judiciary to make strategic decisions to promote transparency, accountability and integrity (for example: conviction rates, decisions etc.,). Even if such data could be collected, the data is not publicly released and is not available to civil society or academics to scrutinize operations or identify trends. The lack of data about justice operations and judicial integrity challenges efforts to improve court operations and strengthen the rule of law.

b. *Slow adoption of new technologies:*

Court systems are traditionally slow to adopt new technologies. The COVID-19 pandemic has accelerated e-justice initiatives. More research and analysis are required to understand the sustainability of e-justice initiatives, as well as the challenges and opportunities of using emerging technologies to promote judicial integrity.

c. *Judicial accountability Vs. Judicial Independence:*

Externally imposed efforts to address corruption risks and promoting judicial transparency and accountability creates an inherent tension or conflict with the paramount principle of judicial independence. Balance between judicial independence and judicial accountability can be achieved by strengthening judicial capacity to self-assess, lead reform processes and adopt transparent practices. At present, regional platforms such as the Council of ASEAN Chief Justices (CACJ) provide a potential space for engagement and exchange between judiciaries to implement Article 11 of UNCAC on Judicial Integrity and address corruption risks. In addition, recognising that the justice sector in each country is a complex system of actors with different roles to play in enhancing the integrity of the sector, partnerships with other justice sector actors (including bar associations, and civil society organizations working on access to justice and judicial integrity) can enhance the enabling environment for judicial integrity. Engagement of these justice sector actors in regional and national efforts to promote judicial integrity is currently limited.

Addressing the above challenges and strengthening judicial integrity is critical for ensuring equal access to justice for all, and achievement of SDGs in the region.

**UNDP's Comparative Advantage:**

**UNDP** works in 170 countries and territories to eradicate poverty and reduce inequality by offering technical assistance to the countries to develop policies, strengthen institutional capabilities, and to build resilience to achieve the Sustainable Development Goals. UNDP's work is concentrated in three focus areas: sustainable development, democratic governance and peace building, and climate and disaster resilience. UNDP has supported anti-corruption for development effectiveness initiative under its governance portfolio for over three decades.

UNDP actively supported the adoption of Bangalore Principles of Judicial Conduct (UN ECOSOC res 2006/23), and several regional reviews and workshops on judicial integrity, including the 2012 Regional Workshop on Judicial Integrity in South-East Asia. UNDP also contributed to the adoption of the Istanbul Declaration on Transparency in the Judicial Process and its Implementation Measures, adopted by UN ECOSOC res 2019/22.

In 2018 UNDP, with support from the US Bureau of International Narcotics and Law Enforcement Affairs (INL), **launched the “Judicial Integrity Network in ASEAN”<sup>2</sup>**, in partnership with the judiciaries of Indonesia, Malaysia, Philippines and Thailand, aiming at fostering transparency, promoting integrity and increasing public trust through exchange of good practices and peer-to-peer learning.

UNDP, with funding support from INL, implemented the project **Judicial Excellence to ensure Justice for All: Judicial Integrity Network in ASEAN project** or **JIN ASEAN** in two phases. Phase 1 was from September 2017-September 2019 and Phase 2 from October 2019 – September 2021.

The project achieved encouraging results:

a. *Establishment of the JIN ASEAN Network:*

The Judicial Integrity Network was established in 2018, with initial participation of Indonesia, Malaysia, Philippines and Thailand, and additionally, in 2019, of Vietnam. During the second network meeting in March 2019 members of the network reiterated their interest in the network activities, indicating some areas<sup>3</sup> where they would like the network to offer further capacity building.

Phase 2 country-level outreach activities focused on expanding the reach of the Network to more countries (Laos PDR and Myanmar<sup>4</sup>) and strengthening connections with the Global Judicial Integrity Network and the Council of ASEAN Chief Justices.

b. *Development of tools to promote judicial integrity:*

UNDP and the International Consortium for Court Excellence produced the [Judicial Integrity Checklist<sup>5</sup>](#), a tool specifically designed to complement the *International Framework for Court Excellence* (IFCE), to support judiciaries in taking active steps to promote transparency, integrity and accountability within their courts, as part of the broader quality management systems. This checklist was produced in response to the need for guidance identified by the JIN ASEAN network. The Council of ASEAN Chief Justices, in 2019, in the Bangkok Declaration referred to the IFCE as a “self-assessment tool that the ASEAN Judiciaries can voluntarily adopt to identify areas of strength and areas for improvement, in order to improve court administration and the delivery of justice”.

The IFCE and the Judicial integrity Checklist were piloted in Malaysia in 2018 and the experience was shared with the members of the network, to reflect on the benefits of its implementation, as well as to identify areas for improvement both in the tool per se and in the process of implementing it. Following the conclusion for the self-assessment, UNDP provided technical assistance to implement the recommendations resulting from it.

Based on the initial success, the International Framework for Court Excellence has integrated the Judicial Integrity Checklist into the newest version of its framework (the [third edition of the International Framework for Court Excellence](#)), expanding the impact of the JIN ASEAN’s work to promote judicial integrity to impact all courts using the framework.

<sup>2</sup> Initially called “Judicial Integrity Champions Network”, it was renamed by its members as “Judicial Integrity Network in ASEAN” during the second Regional Network Meeting in Jakarta in 2019.

<sup>3</sup> As indicated in the [Network Meeting Report](#) (page 15): transparency and its limits (for instance court openness to media); ii) accountability vs. immunity/independence of judges; (iii) the role of automation and mediation.

<sup>4</sup> Myanmar was invited to take part in the regional dialogue planned in Singapore for March 2020, which was then cancelled due to the covid-19 pandemic. Following the military coup on 1st February 2021, the project has halted engagement with the judiciary in Myanmar in the current political situation, in line with the directions of the United Nations Country Team and request from INL. We do not envisage involvement of Myanmar will be realistic in the 3rd project phase, however, the Network remains ready to re-engage if the political situation should change over the duration of the funding cycle.

<sup>5</sup> The checklist was initially published as a “draft”, during the pilot-testing phase. It was then updated in 2020.

c. *Capacity development, research, knowledge sharing and outreach on judicial integrity:*

The JIN -ASEAN project implemented several activities that focused on strengthening capacities on conducting the IFCE self-assessment, and supporting research, knowledge sharing and outreach on judicial integrity. Specially, in Thailand, JIN ASEAN conducted introductory workshops and supported capacity development activities to conduct the IFCE self-assessment between March and September 2020.

In addition, the project also responded to the challenges presented by the pandemic during its second phase (2019-2021) and provided capacity development support to increase adaptiveness of the court system to deliver legal services during the pandemic. JIN ASEAN organized and promoted webinars on court adaptiveness/responses for legal service delivery during the pandemic. These webinars attracted about 2000 judges and court staff and were organized in collaboration with other global initiatives, including the International Consortium for Court Excellence and the UNDP's e-Justice initiatives.

Given the limitations in organizing the regional meetings during the pandemic, the JIN ASEAN project redirected its efforts to conduct two significant research projects that were informed by the Network's identification of priority issues:

- Emerging Technologies and Judicial Integrity: research of trends, academic and sector research into emerging technologies combined with direct surveying of judges in the region regarding their use of these technologies, their needs and the concerns about the impact of these technologies on access to justice and judicial practices.
- Gendered Threats to Judicial Integrity: sector research into sextortion and gender issues affecting judges together with anonymous surveying and focus groups (when requested) of judges in the region to identify the frequency, responses and impact of gendered threats.

JIN ASEAN project is expected to finalize research and disseminate findings by September 2021 with practical tools that judges in each of the countries active in JIN ASEAN can incorporate internally.

The findings from these two research initiatives are expected to inform and refocus JIN ASEAN's priorities, as well as enhance courts and judges' adaptiveness and flexibility in the midst of significant changes to the administration of justice.

In terms of knowledge sharing and outreach, the JIN ASEAN newsletter was launched in Phase 2. Five issues were disseminated to over 970 subscribers. The open rate for the newsletters are 53-55 percent compared to an Industry (legal) average of 18 percent and an average for similar programs of 35 percent.

### **Key lessons from the implementation of JIN ASEAN**

- 1. Two-pronged approach of supporting regional level and country level activities strengthens the provision of technical advice and knowledge sharing through the Judicial Integrity Network.** The JIN ASEAN project supports the Network at the regional level as a platform for providing technical advice, research and knowledge exchange. This includes developing the *Judicial Integrity Checklist* and organizing regional exchange workshops, conducting research and holding events to support peer-to-peer learning. In addition, the project also supported country-level engagement with relevant judicial actors to promote implementation of the self-assessments/judiciary integrity checklist and understand the needs of judicial actors in promoting judicial integrity. The country level engagement ensured a wider uptake and participation in regional level initiatives. This approach has helped to expand country level activities on judicial integrity that will be implemented in Phase 3 of the JIN ASEAN Project.

- 2. Gender-sensitive approach is needed for promoting judicial integrity.** Recent public discourse has brought attention to sexual harassment and sexual violence that women across the world face. This has also led to critical examination of how existing gender bias, stereotyping, unequal gender representation, and silence surrounding gender-based sexual violence is threatening objective, impartial and fair delivery and access to justice. In response, [The Doha Declaration on Judicial Integrity](#) (paragraph 7) calls for supporting judicial education, including on relevant standards of conduct and on gender-related topics, such as sextortion and sexual harassment. Phase 2 of the JIN-ASEAN project conducted research on **Gendered Threats to Judicial Integrity**. One of the key lessons from working on gendered threats to judicial integrity was that unequal gender representation is symptomatic of the wider systemic and culture hurdles and that concerted efforts and partnerships are required at all levels to address these threats (i.e. judicial training on sextortion in court process, protocols for reporting and responding to sextortion, platforms for discussing the impact of gendered threats, professional supports within the judiciary, capacity- building of judicial leadership to identify).
- 3. Increasing demand for better evidence and data on judicial integrity issues.** Phase 2 activities focused on regional communication, research and knowledge sharing resulting in practical tools on **Emerging Technologies** and **Gendered Threats to Judicial Integrity**. As mentioned above, these studies will be finalized by September 2021 and regional discussions will be organized to disseminate the findings and recommendations from the studies. However, these two studies – though significant – are only a small part of the growing demand for evidence and data on judicial integrity issues. There is a need for comprehensive approach at country and regional level for systemic data collection and analysis on judicial integrity.
- 4. Need for engaging judges from ASEAN on the Advisory Group.** The uptake of the tools, methodologies as well as country-level integrity activities are dependent on the participation of champions from the judicial sector. Though the network consists of judges from ASEAN region, their engagement in the project implementation is minimal as there is only one judge from the ASEAN region on the project advisory group. This affects the project’s ability to respond to and support the judicial system in the region. Moving forward, the project will aim to reach out to judges from the region to be part of the advisory board.
- 5. Importance of agile/flexible project implementation approach.** Lockdowns and travel restrictions due to the pandemic have reinforced the importance of an agile and flexible approach to project implementation. Prior to the pandemic, the project focused on strengthening the regional network by advocating for the use of self-assessments and through workshops and learning events. During the pandemic, phase 2 project quickly responded to the changing landscape of judicial service delivery and organized webinars, conducted research and shared experiences and ideas on continued provision of judicial services. The network members were open to participating and sharing experiences in online events and disseminating information. The virtual engagement helped to raise the profile of the JIN-ASEAN initiative among judges and court staff, and more importantly, contributed to the discussions on potential country-level initiatives. Implementation of Phase 3 activities will build on the partnerships established to ensure effective project implementation.

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## II. STRATEGY

Judicial integrity requires the judicial system to adhere to the highest standards of judicial conduct (such as the Bangalore Principles of Judicial Conduct). Towards this end, investments are required to strengthen the capacity of judges and all court officials, establish mechanisms that protect judicial independence, and adopt transparency and accountability mechanisms to reduce corruption risks (such as public hearings, access to information).

Building on the results and lessons learnt from the previous two phases, this proposed phase three JIN ASEAN project (2021-2023) will aim to **'enhance judicial integrity and promote court excellence in the ASEAN region through regional network and knowledge-sharing and country-level capacity building initiatives'**.

Phase 1 and Phase 2 of the project reinforced the importance of and continued support at the regional level for Judicial Integrity Network, and the need for research and innovation to improve judicial services. Phase 3 of the project will expand the scope of project.

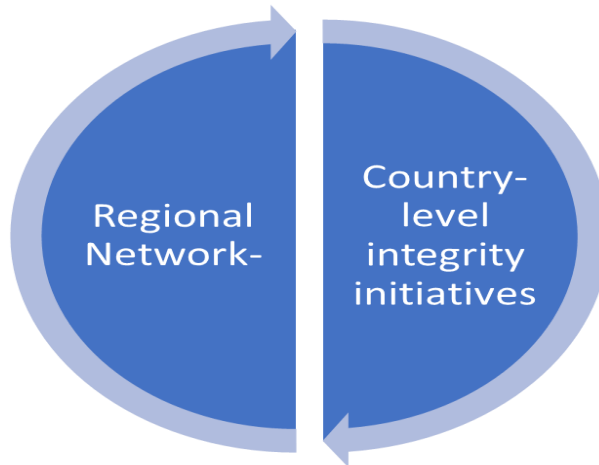
Towards this end, the project will:

- a) strengthen and institutionalize the spaces for engagement of judges (i.e. the Network)
- b) develop knowledge and capacity to inform innovative good practices on judicial integrity and independence.
- c) Support judiciary-led initiatives to address different challenges to judicial integrity in target countries, including through the use of new technologies.
- d) Strengthen judiciary stakeholders' engagement to support the broader ecosystem for enabling environment supporting greater judicial integrity.

The project activities will be implemented at two levels: regional level and national level.

Experience from UNDP's support to judicial integrity initiatives substantiate and reinforce the importance of regional networks. The JIN Network provides a platform for technical support (such as development of tools and methodologies), capacity development, and knowledge sharing and exchange, including through research and experiences sharing. In addition, the regional nature of the Network ensures a space for engagement for judges that is removed from national politics and administrative influence.

UNDP's decades of experience in strengthening institutions in different countries shows that ownership and leadership of key actors is critical for sustainability of the capacity development interventions. Therefore, under the third phase of the JIN ASEAN project, member-led initiatives will be supported to address different challenges and promote court excellence. At the same time, emphasis will be given to initiatives that leverage innovation for judicial integrity. This may include the use of new technologies, practical tools, or re-designing of systems and processes in the court systems to promote court excellence. In addition, support will be provided for implementing the recommendations from the research studies conducted in Phase 2 in relevant and effective country level initiatives.



These two levels of activities are on a continuous feed-back loop. Regional level technical and knowledge development and exchange initiatives inform country-level activities. Lessons and experiences from country-level activities inform regional technical capacities (including tools and methodologies), and research and knowledge development.

Furthermore, recognizing the importance of involvement of other stakeholders in upholding judicial integrity the project strategy in Phase 3 will involve engaging with stakeholders in the legal community such as lawyers, bar associations, CSOs providing legal assistance and promoting access to justice for all, as well as anti-corruption agencies. Spaces and forums (including online forums) will be supported to facilitate exchange and sharing of good practices between the judiciary and relevant stakeholders at both regional and country level.

UNDP's approach to strengthening judicial integrity and court excellence is based on its normative democratic governance framework of norms and standards on judicial independence and judicial integrity as the basis of its approach, – i.e. establishing supporting strong, inclusive and responsive institutions and strengthening checks and balances between all three branches of the government to protect the rights of the people and promote sustainable development. UNDP, as trusted neutral partner, will also leverage the convening and facilitating role of the UN system to bring together judicial sector stakeholders at the regional level as well as at the national level to support judiciary fulfil its role of promoting rule of law.

### ***Guiding Principles for project implementation***

The third phase of JIN ASEAN will be guided by several principles aimed at promoting judicial integrity.

JIN ASEAN activities will

- be guided by human rights-based approach, and be inclusive, fair, equitable and non-discriminatory.
- promote equality and diversity and address cultural biases (against women, minorities and other vulnerable groups) that impact judicial integrity.
- actively promote local (judiciary) ownership of all country-level initiatives, as well as regional knowledge development and exchange.
- address judiciary transparency, accountability and judicial independence and integrity.
- strengthen regional and local networks, and engage a range of stakeholders, including CSOs, to bolster and empower the judiciary in its role in social and environmental standards and sustainable development.
- contribute to the improvement of overall judicial integrity at the country level and judicial collaboration at the regional level.
- leverage innovation and support collaborative and iterative processes to address challenges and improve practices.



## ***Theory of Change***

If JIN ASEAN provides an open and safe platform for judges for knowledge exchanges, peer to peer learning and support

**And if mechanisms (such as action plans) are established and implemented to promote** court excellence, integrity, transparency and accountability

**Then,** the role and function of the judiciary in the ASEAN region will be strengthened, and public trust in judiciary will improve. This is vital **because** an independent and well-functioning judiciary is critical to the rule of law, access to justice and specific sustainable development goals like gender equality and environmental protection, ensuring that no one is left behind.

## ***Considerations for Project implementation***

Implementation of the JIN ASEAN project started in 2018. Phase 1 was from 2018-2019, Phase 2 from 2020-2021. Phase 3 will be from Oct 2021 and September 2023.

Phase 3 project implementation will benefit from taking stock of the lessons from the previous two phases as well as challenges and opportunities in the post-pandemic context, for promoting judicial integrity in ASEAN. Therefore, as part of the phase 3 project implementation strategy, a three-month inception phase – from October to December 2021 – is proposed. Phase 3 project activities will commence in January 2022 and end in September 2023.

Activities during the inception phase will be geared towards consultations with the network members, as well as with judiciaries and UNDP country offices in the target countries. Consultations will be informed by the research studies, and the results achieved during Phase 1 and 2. These consultations will be critical to cultivating ownership of project activities by the network members and judges, while also promoting active engagement and leadership by the judiciaries. During the inception phase, country support funds will be allocated based on expressions of interest.

## Mapping the theory of change for phase three of the JIN ASEAN Project

### Problem Statement

Access to tools and independent peer support amongst judges to promote court excellence and strengthen judicial integrity is limited.

### Immediate causes

1. Public trust in judiciary is limited
2. Case resolution not transparent
3. Procurement for court system is not transparent

### Underlying causes

1. Limited spaces for proactive engagement to improve judicial system, and knowledge exchange for judges.
2. Perception of corruption in judiciary is high.
3. Limited use of technology and data
4. Court delays, efficiency and decision-making transparency is not uniform
5. Capacity gaps
6. Lack of partnerships with civil society.

### Root causes

1. Undue political and administrative influence on the judiciary system results in sector specific corruption risks.
2. Limited budget and human resource allocation to judiciary.
3. Slow pace of reforms in the judicial/ court system
4. Cultural bias on gender and minorities affect diversity in judicial hiring, and access to justice for all.
5. Inconsistent judicial responses to human rights and protection of vulnerable people

### Partners

- ICCE
- Council of ASEAN Chief Justices (CACJ)
- Global Judicial Integrity Network
- Judicial training academies
- Civil society
- Bar Associations
- International Association of Women Judges

### Vision

Enhance judicial integrity and promote court excellence in the ASEAN region through regional network and knowledge-sharing and country-level capacity building initiatives.

### Outputs with key activities

Judicial Integrity Network in ASEAN strengthened as a platform for technical advisory support, knowledge exchange and peer to peer learning.

- Expand technical advisory support and research
- Organize knowledge exchange and learning events
- Establish partnership and synergies with regional bodies and judicial sector stakeholders

Court excellence, judicial transparency and integrity strengthened through country-specific initiatives and partnerships.

- Advocate for and support self-assessments
- Support development and implementation of member-led action plans
- Develop training materials and support capacity development of courts on approaches for court excellence and judicial integrity
- Support partnerships for judicial integrity and court excellence

Gendered threats to judicial integrity reduced.

- Synthesize and disseminate findings from research studies
- Organize workshops and discussion forums
- Partnerships between judiciary and other key institutions and civil society

### Assumptions

1. Judiciary champions/actors are keen to work with UN/UNDP and engage in regional networks and country-level initiatives.
2. Judiciary is willing to reaffirm/strengthen public's confidence in the integrity of the judiciary.
3. networks promote judicial capacity and influence independence, and limit external influence.
4. Support for country-level innovative mechanisms to enhance judicial integrity.

### Risks

1. Inadequate funding.
2. Continued impact of the pandemic on court function.
3. Lack of political will and acceptance of judicial integrity initiatives.
4. Change of judicial leadership.
5. Poor understanding of existing inherent bias and promotion of different standards, (such as gender bias, and the Social and Environmental Standards), which undermines integrity and sustainable development.

### III. RESULTS AND PARTNERSHIPS (1.5 - 5 PAGES RECOMMENDED)

#### ***Expected Results***

The overall objective of the third phase of the project is to **enhance judicial integrity and promote court excellence in the ASEAN region through regional network and knowledge-sharing and country-level capacity building initiatives**. The project will be implemented over a period of 24 months.

This project will directly contribute to the achievement of Outcome 2 of the UNDP Strategic Plan and the UNDP Asia-Pacific Regional Programme Document (RPD) 2018-2021: **OUTCOME 2: Accelerate structural transformations for sustainable development**.

Furthermore, this project will contribute to the achievement of the Goal 16 of the 2030 Agenda for Sustainable Development: “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”. In addition, judicial integrity is also critical for promoting gender equality (SDG 5), and eliminating discriminatory laws and reduce inequalities (SDG 10).

The project will be implemented under three interlinked outputs. These are:

#### **Output 1: Judicial Integrity Network in ASEAN strengthened as a platform for technical advisory support, knowledge exchange and peer to peer learning.**

In phase 1 and 2 of the project, the network was fully supported by UNDP (with funding support from INL). UNDP, in collaboration with the network members, supports identification of themes for regional level network meetings, emerging research and training needs, and organize workshops and learning events. The judiciary integrity checklist produced by UNDP, and Court Excellence Self-Assessment checklist by IFCE were used by Malaysia and Thailand. A newsletter for the network was also launched during the second phase to share good practices in promoting judicial integrity and court excellence. UNDP also supported network members to participate in other international and regional training events.

In phase 3, under this output the focus will be on strengthening the robustness of JIN ASEAN as a platform for knowledge exchange and learning. Towards this end, activities will be geared towards:

- a) expanding technical advisory support and research
- b) knowledge exchange and learning
- c) partnership and synergies with regional bodies and judicial sector stakeholders

Specifically, building on the research on emerging technologies and gendered threats to judicial integrity, additional self-assessment tools/checklists will be promoted or developed. New areas of research related to integrity challenges faced by the judiciaries in the ASEAN region will be also identified in collaboration with the network members (for example: integrity issues in the courts’ procurement systems, data management within the court system for strategic decision making). Workshops and learning events will be organized to disseminate research findings and recommendations. Members will be encouraged to contribute to the Newsletter and share experiences and good practices. Furthermore, in phase 3 and as part of expanding technical advisory to the network members’, learning events or training programmes to share advances in case management, internal safeguards and oversights in the court system etc., as well as bring global and regional best practices to promote judicial integrity will be supported.

To date, the JIN-ASEAN project has only engaged and worked with judges. In phase 3, the project will also explore engaging and partnering with other judicial sector actors (such as lawyers, bar associations, as well as civil society organizations providing legal services) at the regional level to deepen and enrich the knowledge exchange and learning through the platform. Supporting engagement with other judicial sector actors at the regional level has the added advantage of broadening support within each country of strong independent judiciary. Further, UNDP will explore and expand synergies with ASEAN regional bodies, such

as the Council of ASEAN Chief Justices as well as the International Association of Women Judges (IAWJ) to promote knowledge sharing among countries.

Key activities under the three components of this output will include:

- Promote, advocate and share lessons from the use of self-assessments (such as IFCE and Judiciary Integrity Checklist) in the ASEAN region
- Produce new or promote existing self-assessment tools/checklists based on the findings from studies on emerging technologies and their use in the judiciary, and gendered threats to judicial integrity
- Synthesize and disseminate findings in different format (report, infographics, social media posts etc.,) from the seminal studies of phase 2. As needed, conduct research on topics that affect judicial integrity in the region, and organize events to share findings and facilitate discussions on next steps
- Establish synergies with regional and international bodies, and CSOs to expand knowledge sharing
- Produce and disseminate JIN-ASEAN newsletter

## **Output 2: Court excellence, judicial transparency and integrity strengthened through country-specific initiatives and partnerships.**

Phase 3 of the project will expand country-level initiatives in target countries – Cambodia, Lao PDR, Indonesia, Malaysia, the Philippines, Thailand and Viet Nam. To ensure the best use of limited project funds, country level initiatives will be selected based on Expressions of Interest from target countries. This would ensure that the initiatives respond to individual country context. Further, involvement of UNDP country offices, JIN-ASEAN network members, and/or court officials in the preparation of the Expressions of Interest would promote ownership and guarantee a higher degree of sustainability of any results that will be achieved. The criteria for selecting the Expressions of Interest will be defined during the inception phase of the project (mentioned in the previous section) and will include gender responsiveness as a key criterion. Country-specific initiatives will be defined, following a call for Expressions of Interest, during the first quarter of the project implementation phase.

Generally, under the output, support will be provided for:

- a) Implementation of self-assessments using the Judiciary Integrity Checklist in target countries.
- b) Development and implementation of action-plans to implement goals based on court priorities and self-assessment findings
- c) Implementation of innovative judicial integrity initiatives
- d) Partnerships for judicial integrity

Activities in target countries, under this output, will be developed collaboratively with network members and supported by UNDP country offices.

Broadly, countries will be encouraged to implement self-assessments, such as using the *Judicial Integrity Checklist* and the *International Framework for Court Excellence Checklist*. Additionally, judiciaries will also be encouraged and supported to implement new tools/checklists developed based on the research conducted in Phase 2. Self-assessments are critical for judiciaries to proactively identify and address gaps and strategies, and thus, strengthen judicial integrity. Self-assessments also pave the way for stronger internal oversight and accountability and promote innovation within the judicial system. The Self-Assessments will also be expanded, in collaboration with the participating judiciary/court system, to include aspects on equality and non-discrimination (including gender equality and gender discrimination) to assess the level of integrity. At present, the checklist allows for self-assessment on how well the judiciary/court system is adhering to the Bangalore Principles of Judicial Conduct (i.e. independence, impartiality, integrity, propriety, equality, competence, and diligence). The Bangalore principles are gender sensitive. However, the gender-sensitive nature of the Bangalore Principles may be lost if not clearly articulated and included as a separate aspect to

be measured in the checklist. Therefore, where possible, the project will collaborate with relevant stakeholders to include gender equality and gender discrimination in the self-assessment process.

Following the self-assessment, judiciaries and court administrators will be supported to develop action-plans. Where requested, UNDP will provide technical support to implement the action-plans, including through adoption of emerging technologies. In addition, UNDP can also support court officials and judges to use collaborative approaches to (re)design systems for greater transparency, accountability and access to justice. Using innovation approaches allows the institution to define the problem and develop solutions iteratively, allowing for better uptake and sustainability of the solutions.

Experiences and lessons from implementing the action plans will be documented and will inform regional level peer to peer learnings.

Attention will also be paid to encourage partnerships that would promote and sustain judicial integrity. These partnerships are vital for promoting public debate and discussions on the importance of judicial independence for safeguarding rule of law, and for blocking any external influence in the judiciary.

Specific activities under this output will include:

- Advocate for and support self-assessments by the judiciary in target countries, including also a focus on gender.
- Support development and implementation of member-led action plans based on courts priorities and findings from the self-assessments
- Develop training materials and support capacity development of courts on approaches for court excellence and judicial integrity such as codes of ethics, initiatives to improve access to justice and legal assistance, use of new technologies
- Support partnerships for judicial integrity and court excellence

### **Output 3: Increased awareness on gendered threats to judicial integrity**

The COVID-19 pandemic has altered the landscape of judicial service delivery. Courts have adapted quickly to deliver justice and reduce case backlogs. However, there are very few studies that look at the challenges and opportunities of emerging technologies on judicial integrity. UNDP has supported seminal research, using a strategic foresight approach to consult with the Judiciary in ASEAN, on emerging technologies and judicial integrity and transparency.

Women are differently affected by corruption. In addition to sextortion becoming a growing concern, gender and cultural bias also affects women lawyers and judges when performing their role which in turn affects overall judicial integrity. Findings from these two studies will inform follow-up actions to reduce systemic hurdles and threats to judicial integrity, transparency, and access to justice for all.

Under this output, focus will be on knowledge products and learning events to critically analyze the findings and identify follow-up actions. Key activities under this output will include:

- Organize workshop and discussions forums to discuss findings of the gendered threats research conducted in phase 2 and identify follow-up actions.
- Encourage partnerships between judiciary and other key institutions and partners (such as network of women lawyers and judges, and CSOs working on access to justice for all, including digital access).

### ***Project activities to be implemented at regional and country level***

The table below summarizes the activities included under the three outputs above and to be implemented at the regional level and the target countries level.

Outputs and Activities	Implementation by
Output 1	

<ul style="list-style-type: none"> <li>Promote, advocate and share lessons from the use of self-assessments (such as IFCE and Judiciary Integrity Checklist) in the ASEAN region</li> </ul>	Project team BRH
<ul style="list-style-type: none"> <li>Produce new or promote existing self-assessment tools/checklists based on the findings from studies on emerging technologies and their use in the judiciary, and gendered threats to judicial integrity</li> </ul>	Project team BRH (With input from target UNDP country offices)
<ul style="list-style-type: none"> <li>Synthesize and disseminate findings in different format (report, infographics, social media posts etc.,) from the seminal studies of phase 2.</li> </ul>	Project team BRH (With involvement of target UNDP country offices)
<ul style="list-style-type: none"> <li>Establish synergies with regional and international bodies, and CSOs to expand knowledge sharing</li> </ul>	Project team BRH (With involvement of target UNDP country offices)
<ul style="list-style-type: none"> <li>Produce and disseminate JIN-ASEAN newsletter</li> </ul>	Project team BRH
<b>Output 2</b>	
<ul style="list-style-type: none"> <li>Advocate for and support self-assessments by the judiciary in target countries, with specific focus on gender.</li> </ul>	BRH and country offices
<ul style="list-style-type: none"> <li>Support development and implementation of member-led action plans based on courts priorities and findings from the self-assessments</li> </ul>	Country level (With support from BRH)
<ul style="list-style-type: none"> <li>Develop training materials and support capacity development of courts on approaches for court excellence and judicial integrity such as codes of ethics, initiatives to improve access to justice and legal assistance, use of new technologies</li> </ul>	Project team BRH (With input from country offices)
<ul style="list-style-type: none"> <li>Support partnerships for judicial integrity and court excellence</li> </ul>	BRH and country level
<b>Output 3</b>	
<ul style="list-style-type: none"> <li>Organize workshop and discussions forums to discuss findings of the gendered threats research conducted in phase 2 and identify follow-up actions.</li> </ul>	Project team BRH (With support from country offices)
<ul style="list-style-type: none"> <li>Encourage partnerships between judiciary and other key institutions and partners (such as network of women lawyers and judges, and CSOs working on access to justice for all, including digital access).</li> </ul>	BRH and country offices.

### ***Resources Required to Achieve the Expected Results***

The project is fully funded by the US Bureau of International Narcotics and Law Enforcement Affairs. The Project Specialist on Integrity, Transparency and Accountability, at UNDP BRH will lead the implementation of the project and serve as the Project Manager of the JIN-ASEAN Project, under the guidance of the Governance Team Leader.

In addition, the project will require expertise of external consultants to lead research, develop tools, support assessments as well as coordinate/organize workshops and events. To meet this need, the project will maintain a roster of experts (as part of the UNDP GPN expert roster), who can be called upon to provide specialized expertise as and when required.

The project will also rely on full-term consultants to support project implementation (including produce JIN ASEAN Newsletters) and provide administrative support.

At the country level, designated UNDP Country Office staff and/or consultants will provide technical expertise, policy advisory services, quality assurance and other management services (as required) for implementation of the project.

Estimated costs for staff time, and other personnel costs are reflected in the project budget.

### **Partnerships**

Phase three project target countries are: Indonesia, Lao PDR, Malaysia, Philippines, Thailand and Viet Nam. Possible inclusion of Cambodia among the target countries is currently being explored with UNDP CO.

The main counterparts of the project are the JIN ASEAN members. As a platform to promote dialogue, exchange good practices, share lessons learned and pilot new tools, the *Judicial Integrity Network ASEAN* promotes judicial cooperation and collaboration to enhance court excellence through judicial integrity, which has an impact on the overall socio-economic growth and development of ASEAN. Through the JIN ASEAN members, national institutions such as Supreme Courts, Federal Courts, Offices of the Chief Justices, National Judicial Academies, Anti-Corruption Agencies will continue to be engaged in project implementation.

This project will benefit from the cooperation with representatives of other countries (such as USA, UK, Australia, Singapore, Europe, Japan), that can lend technical expertise and serve as resource persons.

Additionally, the project, through UNDP Country Offices, identify and engagement with CSO actors and coalitions that are active on justice promotion, judicial integrity and independence, legal assistance. Specifically, the project will aim to engage with other stakeholders including Bar Associations at national and regional level. The **International Association of Women Judges (IAWJ)** is another potential partner of this project. IAWJ is a non-profit non-governmental organization founded in 1991 whose members are judges from around the world committed to equal justice for women. JIN-ASEAN is committed to increasing the presence of women judges and experts in the network as well as pay special attention to issues affecting gender equality and inclusion, as part of the overall focus on judicial integrity, independence, openness and fairness.

JIN ASEAN has also previously worked with or relied on several initiatives and organizations through its research initiatives. These include:

- UNDP e-Justice
- UNODC Global Judicial Integrity Network
- International Consortium for Court Excellence
- Open Government Partnership: Coalition on Justice
- World Justice Project
- International Commission of Jurists
- UN WOMEN
- International Association of Women Judges
- International Bar Association (re: Sextortion Research)
- American Bar Association

JIN ASEAN will continue to strengthen association with the above initiatives and organizations as well as expand its engagement and involve diverse groups and organizations that are committed to judicial integrity. Specific areas of engagement with CSOs and identified partners will be clarified during the inception phase.

## Risks and Assumptions

Implementation of the project strategy is not expected to be challenging or face any risks that are not manageable, given that UNDP is considered a trusted and neutral partner.

The project makes several assumptions that inform the project design and implementation strategy. These are:

- Judicial sector champions/actors are willing to work with UN/UNDP and engage in regional networks and country-level initiatives on judicial integrity.
- Judiciary is willing to reaffirm/strengthen public's confidence in the integrity of the judiciary. Judges are willing to engage with civil society to support judicial integrity, transparency and accountability.
- Regional peer networks between judiciaries offer a safe space for judges to engage and learn from each other without any perception of external interference.
- Support from national institutions such as Supreme Courts, Federal Courts, Offices of the Chief Justices, National Judicial Academies, Anti-Corruption Agencies exists for innovative mechanisms to enhance judicial integrity.

The below table highlights all the risks that would have an impact on implementation and achievement of desired results. A detailed risk log is included in the annex.

Risk Description	Impact & Probability <sup>6</sup>	Countermeasures/ Management response
Lack of political will and interest from the judiciary or from other national partners to engage with the project.	Implementation of work plan delayed or incomplete. P = 2 I = 4	The Project would engage judges from the target countries on the advisory group and engage them to support ASEAN judiciaries to commit to the planned initiatives. UNDP would also seek support from stakeholders at country level.
Change of judicial leadership. Some judges may be more open to engaging with the UN system than others. Change in leadership could affect "judiciary-led" initiatives.	Implementation of work plan delayed and/or non-achievement of project outputs. P = 3 I = 4	Engage with champions at various levels of the judiciary so that the initiatives are more deeply rooted and less likely to be diverted by a change of CJ. Engage the new judiciary leadership to identify solutions.
Continued lockdowns due to the pandemic	Implementation of work plan delayed and/or non-achievement of project outputs. P = 3 I = 3	Virtual workshops, meetings and learning events will be used. And continued support will be provided to judiciaries to adopt new technologies (based on the findings from the research on emerging technologies)
Inadequacy of funding. Though the judiciary is separate and independent branch of the government, it is still dependent on the other two branches of the government for allocation of	Implementation of work plan delayed and/or non-achievement of project outputs (especially in cases where cost-sharing with courts are anticipated for implementation)	Activities under this project are low cost but have a high impact.  Country-level project activities will be aligned to the strategic plans of the courts. This would ensure

<sup>6</sup> Probability (P) of risk is measured on a scale from 1 (low) to 5 (high) ; Impact (I) of the risk is measured on a scale from 1 (low) to 5 (high)



financial and human resources, and appointment of judges.	P = 1 I = 2	allocation of resources for or cost-sharing of project activities.
Poor understanding of existing inherent bias and promotion of different standards (such as gender bias, social and environmental standards), which undermines integrity as well as sustainable development.	Inability to uphold standards and promote sustainable development P=3 I=3	To address this, the project has already produced research on gendered threats. Depending on the demand, the project will support country level initiatives to address gender bias, and promote other standards (such as the social and environment standards).

### ***Stakeholder Engagement***

The key stakeholders of the project are the JIN-ASEAN network members. The network already offers a space for members to participate in regional learning events and benefit from regional research and technical advisory support (mainly tools and methodologies). In addition, in Phase 3, key national institutions, especially court systems, Offices of the Chief Justices, Judicial Academies and anti-corruption agencies can be engaged to support and implement judiciary-led integrity initiatives.

Furthermore, relevant judicial sector stakeholders will also be engaged. A full stakeholder engagement strategy will be developed during the inception phase, along with a communication strategy to reach different stakeholders.

The JIN ASEAN advisory group, established in 2018 will continue to provide guidance as the network evolves. The advisory group is comprised of key experts on judicial integrity. Its main purpose is to review and guide project implementation, and advice the project on emerging trends, challenges and opportunities to promote judicial integrity in ASEAN. In Phase 3 the advisory group will be expanded to include more judges and judicial experts from the ASEAN region.

### ***South-South and Triangular Cooperation (SSC/TrC)***

A core principle informing the project design is cooperation and collaboration between judges to promote judicial integrity in the ASEAN region. Thus, by design this project supports South-South and triangular cooperation. In addition, JIN-ASEAN has established strategic partnerships with the Global Judicial Integrity Network (coordinated by UNODC), as well as judicial technical experts from outside the ASEAN region. The project will support collaboration and cross-regional expertise sharing to promote judicial integrity.

### ***Knowledge***

Learning, capacity development and knowledge sharing are key aspects of this project. The project is geared towards providing the space and resources to judges and court officials in ASEAN. In phases 1 and 2, the project has produced self-assessment checklist and research and practical toolkits on key areas affecting judicial integrity. These knowledge products and resources are available to network members, and will be available through the Global Judicial Integrity Network, and the JIN-ASEAN newsletter.

In phase 3, all resources and knowledge products developed will be made available in the above-mentioned websites and online repositories. In addition, UNDP will organize several learning events to disseminate the findings and encourage discussions on how to translate the findings from the research into actionable initiatives that inform policy and process change.

### ***Sustainability and Scaling Up***

To ensure the sustainability of the project results, the project will ensure the following:

*Participation and ownership:* participation and ownership of network members is critical for continued functioning of the JIN ASEAN network. UNDP will encourage more member-led activities and learning events to promote ownership and will also invite ASEAN representatives to join the Advisory Group. The project will focus on member-led initiatives, building local buy-in and resource allocation for full implementation of the country initiatives, increasing the scope for sustainability and potential scale-up.

*Visibility:* The wider visibility of the project could be improved. By expanding participation and ownership of the network members – especially through member-led initiatives, the visibility of the project will also be enhanced. In addition, in Phase 2 JIN-ASEAN newsletter was published and this will be periodically published during phase 3 – which will also enhance the visibility of the project.

*Capacity development:* regional and country-level activities are geared toward building individual and institutional capacities of individual judges, the judicial offices, and the court system. Priority on digital transformation will help judges in the region adapt to changing delivery of legal services.

*Gender equality and diversity:* identifying and addressing gendered threats and systemic barriers to diversity and inclusivity is critical if courts are going to consider diverse issues and assure access to justice for all. By supporting courts to address gender equality and inclusivity, the project will contribute to increasing public trust, and accelerate judicial reforms in the region.

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## IV. PROJECT MANAGEMENT

### ***Cost Efficiency and Effectiveness***

The regional project will benefit from UNDP's architecture, including policy support and access to global networks, knowledge and experiences through the global team on Rule of Law, Justice, Human Rights and Security (which has identified judicial integrity as a strategic area for engagement), as well as the global team on e-Justice, anti-corruption, transparency and accountability, together with in-country presence and existing relationships at the national level with Supreme Courts, Office of Chief Justices and other judicial institutions. The UNDP Country Offices will play a key role the national level for ensuring smooth operationalization of Outputs 2 and 3, which focuses on providing direct support to the courts that request assistance.

### ***Project Management***

UNDP BRH will provide in-country and remote technical support for the implementation of the outputs of the project, and will be responsible for monitoring and reporting.

The UNDP regional team directly supporting this project will include a part time Project Manager and a Programme Associate who will provide project management, coordination, communication and administrative support, under the overall guidance of the Governance Team Leader.

In addition, a Judicial Integrity Expert will be hired to provide advisory and technical support.

- **Project Manager:** UNDP BRH's Project specialist on Transparency and Accountability will act as the project manager. They will be responsible for day-to-day management of the project including timely and efficient delivery of the project technical, operational, financial and administrative outputs and substantive project inputs, regular outreach and coordination with the project beneficiaries, coordination and quality assurance of expert inputs and products; regular coordination among project partners to ensure coherence and complementarity. 50 percent of costs of the Project Manager's post will be charged to the project.
- **Programme Associate:** Responsible for operational, financial and administrative transactions, as well as assisting the project team in reporting. 50 percent of the Programme Finance Associate's post will be charged to the project.

- Judicial Integrity Expert: Responsible for providing overall technical support to achieve project results, they will lead research, coordinate the JIN-ASEAN network, engage with the network members to organize events and workshops, as well as support UNDP Country Offices to engage with judiciaries and assist judiciary-led initiatives.

National level activities will be supported by country project focal points in countries where country-level initiatives will be supported (to be confirmed during the inception phase). They will be responsible for day-to-day implementation of the project in their respective countries as well as financial management of the project. A portion of their cost will be covered by this project, details to be provided during the inception phase based on the specific country initiatives supported and related allocations identified.

The project will benefit from the technical guidance of the Advisory Group that was set up during the first phase, which brings together high-profile judges and experts in the area of judicial integrity as well as selected partners.

International experts can be hired, if necessary, to provide technical advice, provide recommendations as well as help conduct the self-assessments in the courts, as well as assist courts in the target countries to develop and implement improvement action plans.

## V. RESULTS FRAMEWORK<sup>7</sup>

<p><b>Intended Outcome as stated in the Regional Programme Results and Resource Framework:</b>  <b>OUTCOME 2: Accelerate structural transformations for sustainable development</b></p>
<p><b>Outcome indicators as stated in the Regional Results and Resources Framework, including baseline and targets:</b>  no relevant outcome indicator but contributes to the achievement of output indicator 2.1.1.  2.1.1 Number of measures to strengthen accountability (including social accountability), prevent and mitigate corruption risks, and integrate anti-corruption in the management of public funds, service delivery and other sectors at:</p> <ul style="list-style-type: none"> <li>• Regional level</li> <li>• National level</li> <li>• Sub-national level</li> <li>• Sectoral level</li> </ul>
<p><b>Applicable Output(s) from the UNDP Strategic Plan (SP):</b> Open, agile, accountable and future-ready governance systems <u>in place</u> to co-create and deliver solutions to accelerate SDG achievement (Output 2.1. SP)</p>
<p><b>Project title and Atlas Project Number:</b></p>

<sup>7</sup> UNDP publishes its project information (indicators, baselines, targets and results) to meet the International Aid Transparency Initiative (IATI) standards. Make sure that indicators are S.M.A.R.T. (Specific, Measurable, Attainable, Relevant and Time-bound), provide accurate baselines and targets underpinned by reliable evidence and data, and avoid acronyms so that external audience clearly understand the results of the project.

EXPECTED OUTPUTS	OUTPUT INDICATORS <sup>8</sup>	DATA SOURCE	BASELINE		TARGETS (by frequency of data collection)		DATA COLLECTION METHODS & RISKS
			Value	Year	Year 1	Year 2	
<b>Output 1</b> Output 1: Judicial Integrity Network in ASEAN strengthened as a platform for technical advisory support, knowledge exchange and peer to peer learning.	1.1. Percentage (%) of participants who find the workshops and learning events on judicial integrity are useful and relevant (disaggregated by gender)	UNDP JIN ASEAN	N/A	2020	50 percent	60 percent	standardized surveys post-workshops and events
	1.2 No of country to country partnerships and knowledge transfers facilitated.	UNDP JIN ASEAN	1	2021	1	2 cumulative	Webinars, country visits, email exchange.
	1.3 (a) No of JIN-ASEAN newsletters produced.(half-yearly) (b) No of substantive contributions from partners and other regional bodies to of JIN-ASEAN newsletters	UNDP JIN ASEAN	5 (linked to research events)	2021	2	4 cumulative	Newsletter emails/ printed copies
		UNDP JIN ASEAN	N/A	2021	1 contribution	2 contributions	Copies of newsletter articles

<sup>8</sup> It is recommended that projects use output indicators from the Strategic Plan IRRF, as relevant, in addition to project-specific results indicators. Indicators should be disaggregated by sex or for other targeted groups where relevant.

<b>Output 2</b> Court excellence, judicial transparency and integrity strengthened through country-specific initiatives and partnerships.	<b>2.1</b> No of courts conducting self-assessments using tools produced or promoted by JIN-ASEAN	JIN-ASEAN UNDP	2 (Malaysia and Thailand)	2019	1	2 cumulative	Self-assessment report (if the judiciary does not publicize the findings then a press release or blog post on the main findings)
	<b>2.2</b> No of courts developing action plans following the self-assessments	UNDP JIN ASEAN	1 (Malaysia)	2021	1	-	Copy of the action plans
	<b>2.3</b> No of member-led integrity initiatives supported in target countries	UNDP JIN-ASEAN	1 (Malaysia)	2021	1	2 cumulative	Concept notes/ work plans related to the initiative
<b>Output 3</b> Increased awareness on gendered threats to judicial integrity	<b>3.1.</b> percentage (%) of JIN ASEAN initiatives' participants reporting an increased awareness of gendered threats to judicial integrity (gender disaggregated)	JIN ASEAN UNDP	N/A	2021	30 percent	50 percent	Workshop/ FGD/ survey records; Project progress reports from country offices
	<b>3.2.</b> No of policy level changes or administrative/ process level changes informed by the findings and recommendations of the research studies on gendered threats.	UNDP JIN ASEAN	0	2021	-	1 cumulative	Policy document or administrative records

## VI. MONITORING AND EVALUATION

In accordance with UNDP's programming policies and procedures, the project will be monitored through the following monitoring and evaluation plans.

### Monitoring Plan

Monitoring Activity	Purpose	Frequency	Expected Action	Partners (if joint)	Cost (if any)
<b>Track results progress</b>	Progress data against the results indicators in the Results and Resource Framework will be collected and analysed to assess the progress of the project in achieving the agreed outputs.	Quarterly, or in the frequency required for each indicator.	Slower than expected progress will be addressed by project management.		
<b>Monitor and Manage Risk</b>	Identify specific risks that may threaten achievement of intended results. Identify and monitor risk management actions using a risk log. This includes monitoring measures and plans that may have been required as per UNDP's Social and Environmental Standards.	Quarterly	Risks are identified by project management and actions are taken to manage risk. The risk log is actively maintained to keep track of identified risks and actions taken.		
<b>Learn</b>	Knowledge, good practices and lessons will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project.	At least half-yearly	Relevant lessons are captured by the project team and used to inform management decisions.		
<b>Annual Project Quality Assurance</b>	The quality of the project will be assessed against UNDP's quality standards to identify project strengths and weaknesses and to inform management decision making to improve the project.	Annually	Areas of strength and weakness will be reviewed by project management and used to inform decisions to improve project 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 project board and used to make course corrections.		

<b>Project Report</b>	A progress report will be presented to the Project Board 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.	Quarterly reporting to the donors, and at the end of the project phase (final report by phase)			
<b>Project Review (Project Board)</b>	The project's governance mechanism (i.e., project board) will hold regular project reviews to assess the performance of the project and review the Multi-Year Work Plan to ensure realistic budgeting over the life of the project. In the project's final year, the Project Board shall hold an end-of project review to capture lessons learned and discuss opportunities for scaling up and to socialize project results and lessons learned with relevant audiences.	annually	Any quality concerns or slower than expected progress should be discussed by the project board and management actions agreed to address the issues identified.		

### Evaluation Plan

Evaluation Title	Partners (if joint)	Related Strategic Plan Output	UNDP SP Outcome	Planned Completion Date	Key Evaluation Stakeholders	Cost and Source of Funding
Final Evaluation	UNDP BRH and JIN ASEAN		Outcome 2	By end of project implementation	Donors (INL)	15,000



## VII. WORK PLAN<sup>9</sup>

The multi-year workplan provides an overview of the key activities planned under each output, the budget required per year and the responsible parties. The multi-year workplan, including related budget, is attached separately as an Excel file.

EXPECTED OUTPUTS	PLANNED ACTIVITIES	TIMEFRAME		Funding source	PLANNED BUDGET					Indicative annual budget	
		Year 1 (1 to 12 Months)	Year 2 (13 to 24 Months)		Budget Description	Unit	Quantity	Unit price	Total Amount (USD)	Year 1	Year 2
<b>Output 1: Judicial Integrity Network in ASEAN strengthened as a platform for technical advisory support, knowledge exchange and peer learning</b>	1.1 Promote, advocate and share lessons from the use of self-assessments (such as IFCE and Judiciary Integrity Checklist) in the ASEAN region	1-12 months	13-24 months	INL	Technical expertise (Contractual/consultancy Services)	Days	168	\$ 700.00	\$ 117,600.00	\$ 58,800.00	\$ 58,800.00
	1.2 Produce new or promote existing self-assessment tools/checklists based on the findings from studies on emerging technologies and their use in the judiciary, and gendered threats to judicial integrity	4-12 months	13-24 months		Network Meetings (online logistic conference support, ICT, etc.)	Service fee per 1 online event	2	\$ 8,500.00	\$ 17,000.00	\$ 8,500.00	\$ 8,500.00
	1.3 Synthesize and disseminate findings in different format (report, infographics, social media posts etc.) from the seminal studies of phase 2. As needed, conduct additional research on topics that affect judicial integrity in the region.	4-12 months	13-24 months		Editing and Graphic Design	Knowledge product	2	\$ 1,000.00	\$ 2,000.00	\$ 1,000.00	\$ 1,000.00
	1.4 Establish synergies with other regional and international bodies, and CSOs that promote judicial integrity	1-12 months	13-24 months		Translation of research products / interpretation (into Thai, Vietnamese, Lao, Bahasa as needed) at regional events - amount	Languages	4	\$ 3,136.30	\$ 12,545.20	\$ 6,272.60	\$ 6,272.60
	1.5 Produce and disseminate JIN-ASEAN newsletter	1-12 months	13-24 months		Staff and other personnel costs				\$ 61,533.33	\$ 30,766.67	\$ 30,766.67
	<b>Total for Output 1</b>									<b>\$ 210,678.53</b>	<b>\$ 105,339.27</b>
<b>Output 2: Court excellence, judicial transparency and integrity strengthened through country-specific initiatives and partnerships</b> <b>Note:</b> <b>The support listed here will be provided upon request, to support specific country initiatives selected through expressions of interest. Additional details for specific assistance will be</b>	2.1 Advocate for and support self-assessments by the judiciary in target countries.	1-24 months		INL	Technical expertise (Contractual/consultancy Services)	Days	140	\$ 700.00	\$ 98,000.00	\$ 49,000.00	\$ 49,000.00
	2.2 Support development and implementation of member-led action plans based on courts priorities and findings from the self-assessments	1-24 months			Consultants, and transfers to UNDP Country Offices (funds assigned will include event organization, capacity building, technical expertise, research at national level, specific allocations will be determined during project implementation, and in consultation with INL, as countries make specific requests for assistance under the project)				\$ 200,000.00	\$ 200,000.00	\$ -
	2.3 Develop training materials and support capacity development of courts on approaches for court excellence and judicial integrity such as: codes of ethics, initiatives to improve access to justice and legal assistance, use of new technologies	1-24 months			Staff and other personnel costs				\$ 61,533.33	\$ 30,766.67	\$ 30,766.67
	2.4 Support partnerships for judicial integrity and court excellence	1-24 months									
	<b>Total for Output 2</b>									<b>\$ 359,533.33</b>	<b>\$ 279,766.67</b>
<b>Output 3: Gendered threats to judicial integrity reduced</b>	3.1 Organize workshop and discussions forums (including virtual) to discuss findings and identify follow-up actions.	1-24 months		INL	Contractual/consultancy Services (Technical expertise)	Days	108	\$ 500.00	\$ 54,000.00	\$ 27,000.00	\$ 27,000.00
	3.3 Encourage partnerships between judiciary and other key institutions and partners (such as network of women lawyers and judges, and CSOs working on access to justice for all, including digital access).	1-24 months			Network Meetings (online logistic conference support, ICT, etc.)	Service fee per 1 online event	1	\$ 8,500.00	\$ 8,500.00	\$ -	\$ 8,500.00
	<b>Total for Output 3</b>									<b>\$ 61,533.33</b>	<b>\$ 30,766.67</b>
<b>Total Direct cost (3 Outputs)</b>									<b>\$ 634,245.19</b>	<b>\$ 451,372.60</b>	<b>\$ 242,872.60</b>
<b>Operational Costs</b>	Communications: - Social Media Platform - Online Survey Subscription/Tools								\$ 2,000.00	\$ 1,000.00	\$ 1,000.00
	Monitoring and Evaluation								\$ 15,000.00	\$ -	\$ 15,000.00
	Administrative Services (ISS)								\$ 14,226.98	\$ 9,049.53	\$ 5,177.45
	<b>Total Operational Costs</b>								<b>\$ 31,226.98</b>	<b>\$ 10,049.53</b>	<b>\$ 21,177.45</b>
<b>General Management Support (8%)</b>									\$ 58,037.77	\$ 36,913.77	\$ 21,124.00
<b>TOTAL</b>									<b>\$ 783,509.95</b>	<b>\$ 498,335.90</b>	<b>\$ 285,174.05</b>

<sup>9</sup> The work plan will be revised in Q1 of year 1 based on demand and expressed commitments through JIN-ASEAN

## VIII. GOVERNANCE AND MANAGEMENT ARRANGEMENTS

The programme is implemented under the Direct Implementation Modality (DIM). The management team is based in UNDP's Bangkok Regional Hub, with country-level staff supporting implementation in national contexts (see section IV for more details on programme management).

The UNDP Asia-Pacific-BRH Advisory Board serves as the highest-level board for the overall Regional Programme, providing strategic direction, oversight and executive management decisions; it meets once a year. The project will be part of the Regional Programme Document (RPD) for Asia-Pacific,

The project will be managed by UNDP BRH, specifically the Project Specialist on Integrity, Transparency and Accountability and under the overall guidance of the Team Leader for Governance and Peacebuilding. The Project Specialist will be responsible for day-to-day management of the project, and for delivering project results.

A dedicated Project Board, chaired by the Manager of the Bangkok Regional Hub and comprising the UNDP Resident Representatives (or their designated officials) of programming countries as well as donor representatives, serves as project-level decision-making body. The Project Board makes consensual decisions concerning project issues and risks, and will provide advice and guidance when required to the Project Specialist. It convenes, at a minimum, once a year to review progress in implementation, to take high-level strategic decisions, and to consider and approve the annual work plans indulging any significant project revisions) (see Annex 4 for the TORs of the Management Board) but may additionally be called upon any time as needed.

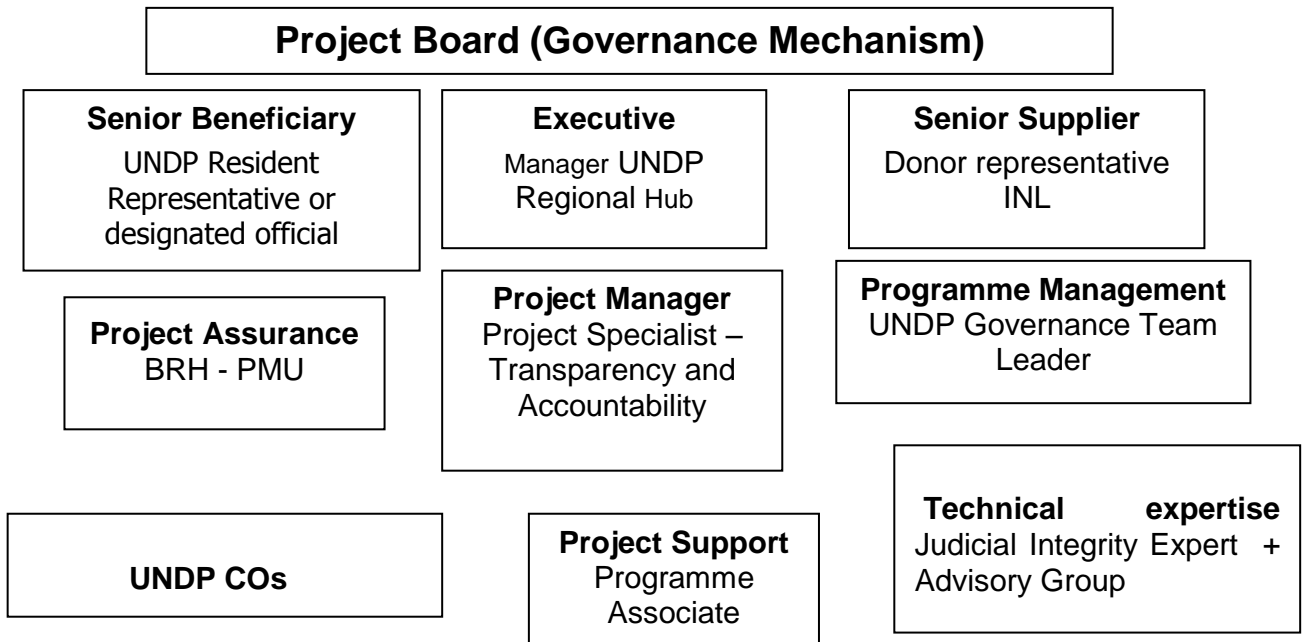
The Project Assurance role is performed by BRH's Programme Coordinator under the overall direction of the Hub Manager. The Programme Coordinator, through the Programme Management Unit (PMU), carries out objective and independent programme oversight and monitoring functions, and supports the Project Team to ensure compliance. In addition to meeting monitoring and evaluation requirements of donors and UNDP, the Programme Coordinator delivers annual reports to showcase progress made and a final report at the end of the project, as well as an independent evaluation of the project.

The Project Specialist will consult the Project Board for decisions if/when tolerances (i.e. constraints normally in terms of time and budget) have been exceeded. The composition of the Project Board will be as follows:

- a) The Executive will be represented by UNDP BRH (specifically, the Regional Hub Manager).
- b) The Senior Supplier role will be represented by INL as the major donor for this project
- c) The Senior Beneficiaries on the Board will be represented by UNDP Resident Representative or designated official.
- d) The PMU unit of BRH will ensure project quality assurance by carrying out objective and independent project oversight and monitoring and evaluation functions.
- e) UNDP teams in the target country offices will be responsible for project activities implementation and reporting in the selected countries.

JIN ASEAN network members can also join the project board as observers.

In addition to the project board, the project benefits from pro-bono support from the Advisory Group, established at its inception in 2018, and meeting at least annually. The JIN ASEAN Advisory Group is comprised of key experts on judicial integrity. Its main purpose is to review and guide project implementation, and advice the project on emerging trends, challenges and opportunities and provide advice on project implementation, including project outreach, partnerships, knowledge products, etc.



## IX. LEGAL CONTEXT

[NOTE: Please choose **one** of the following options, as applicable. Delete all other options from the document]

### Option c. For Global and Regional Projects

This project forms part of an overall programmatic framework under which several separate associated country level activities will be implemented. When assistance and support services are provided from this Project to the associated country level activities, this document shall be the “Project Document” instrument referred to in: (i) the respective signed SBAs for the specific countries; or (ii) in the [Supplemental Provisions to the Project Document](#) attached to the Project Document in cases where the recipient country has not signed an SBAA with UNDP, attached hereto and forming an integral part hereof. All references in the SBAA to “Executing Agency” shall be deemed to refer to “Implementing Partner.”

This project will be implemented by **UNDP** in accordance with its financial regulations, rules, practices and procedures only to the extent that they do not contravene the principles of the Financial Regulations and Rules of UNDP. Where the financial governance of an Implementing Partner does not provide the required guidance to ensure best value for money, fairness, integrity, transparency, and effective international competition, the financial governance of UNDP shall apply.

## X. RISK MANAGEMENT

### Option b. UNDP (DIM)

1. UNDP as the Implementing Partner will comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS.)

2. UNDP as the Implementing Partner will undertake all reasonable efforts to ensure that none of the [project funds]<sup>10</sup> [UNDP funds received pursuant to the Project Document]<sup>11</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/aq\\_sanctions\\_list.shtml](http://www.un.org/sc/committees/1267/aq_sanctions_list.shtml). This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.
3. 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. UNDP as the Implementing Partner will: (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. In the implementation of the activities under this Project Document, UNDP as the Implementing Partner will handle any sexual exploitation and abuse (“SEA”) and sexual harassment (“SH”) allegations in accordance with its regulations, rules, policies and procedures.
6. All signatories to the Project 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.
7. UNDP as the Implementing Partner will ensure that the following obligations are binding on each responsible party, subcontractor and sub-recipient:
  - a. Consistent with the Article III of the SBAA [*for the Supplemental Provisions to the Project Document*], the responsibility for the safety and security of each responsible party, subcontractor and sub-recipient and its personnel and property, and of UNDP’s property in such responsible party’s, subcontractor’s and sub-recipient’s custody, rests with such responsible party, subcontractor and sub-recipient. To this end, each responsible party, subcontractor and sub-recipient shall:
    - i. put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;
    - ii. assume all risks and liabilities related to such responsible party’s, subcontractor’s and sub-recipient’s security, and the full implementation of the security plan.
  - b. UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of the responsible party’s, subcontractor’s and sub-recipient’s obligations under this Project Document.
  - c. In the performance of the activities under this Project, UNDP as the Implementing Partner shall ensure, with respect to the activities of any of its responsible parties, sub-recipients and other entities engaged under the Project, either as contractors or subcontractors, their personnel and any individuals performing services for them, that those entities have in place adequate and proper procedures, processes and policies to prevent and/or address SEA and SH.
  - d. Each responsible party, subcontractor and sub-recipient will take appropriate steps to prevent misuse of funds, fraud or corruption, by its officials, consultants, subcontractors and sub-recipients in implementing the project or programme or using the UNDP funds. It will ensure

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<sup>10</sup> To be used where UNDP is the Implementing Partner

<sup>11</sup> To be used where the UN, a UN fund/programme or a specialized agency is the Implementing Partner

that its financial management, anti-corruption and anti-fraud policies are in place and enforced for all funding received from or through UNDP.

- e. The requirements of the following documents, then in force at the time of signature of the Project Document, apply to each responsible party, subcontractor and sub-recipient: (a) UNDP Policy on Fraud and other Corrupt Practices and (b) UNDP Office of Audit and Investigations Investigation Guidelines. Each responsible party, subcontractor and sub-recipient agrees to the requirements of the above documents, which are an integral part of this Project Document and are available online at [www.undp.org](http://www.undp.org).
- f. In the event that an investigation is required, UNDP will conduct investigations relating to any aspect of UNDP programmes and projects. Each responsible party, subcontractor and sub-recipient will provide its full cooperation, including making available personnel, relevant documentation, and granting access to its (and its consultants', subcontractors' and sub-recipients') premises, for such purposes at reasonable times and on reasonable conditions as may be required for the purpose of an investigation. Should there be a limitation in meeting this obligation, UNDP shall consult with it to find a solution.
- g. Each responsible party, subcontractor and sub-recipient will promptly inform UNDP as the Implementing Partner in case of any incidence of inappropriate use of funds, or credible allegation of fraud or corruption with due confidentiality.

Where it becomes aware that a UNDP project or activity, in whole or in part, is the focus of investigation for alleged fraud/corruption, each responsible party, subcontractor and sub-recipient will inform the UNDP Resident Representative/Head of Office, who will promptly inform UNDP's Office of Audit and Investigations (OAI). It will provide regular updates to the head of UNDP in the country and OAI of the status of, and actions relating to, such investigation.

- h. *Choose one of the three following options:*

*Option 1:* UNDP will be entitled to a refund from the responsible party, subcontractor or sub-recipient of any funds provided that have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of this Project Document. Such amount may be deducted by UNDP from any payment due to the responsible party, subcontractor or sub-recipient under this or any other agreement. Recovery of such amount by UNDP shall not diminish or curtail any responsible party's, subcontractor's or sub-recipient's obligations under this Project Document.

Where such funds have not been refunded to UNDP, the responsible party, subcontractor or sub-recipient agrees that donors to UNDP (including the Government) whose funding is the source, in whole or in part, of the funds for the activities under this Project Document, may seek recourse to such responsible party, subcontractor or sub-recipient for the recovery of any funds determined by UNDP to have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of the Project Document.

*Note:* The term "Project Document" as used in this clause shall be deemed to include any relevant subsidiary agreement further to the Project Document, including those with responsible parties, subcontractors and sub-recipients.

- i. Each contract issued by the responsible party, subcontractor or sub-recipient in connection with this Project Document shall include a provision representing that no fees, gratuities, rebates, gifts, commissions or other payments, other than those shown in the proposal, have been given, received, or promised in connection with the selection process or in contract execution, and that the recipient of funds from it shall cooperate with any and all investigations and post-payment audits.

- j. Should UNDP refer to the relevant national authorities for appropriate legal action any alleged wrongdoing relating to the project or programme, the Government will ensure that the relevant national authorities shall actively investigate the same and take appropriate legal action against all individuals found to have participated in the wrongdoing, recover and return any recovered funds to UNDP.
- k. Each responsible party, subcontractor and sub-recipient shall ensure that all of its obligations set forth under this section entitled "Risk Management" are passed on to its subcontractors and sub-recipients and that all the clauses under this section entitled "Risk Management Standard Clauses" are adequately reflected, *mutatis mutandis*, in all its sub-contracts or sub-agreements entered into further to this Project Document.

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## **XI. ANNEXES**

- 1. Project Quality Assurance Report**
- 2. Social and Environmental Screening Template [English]**, including additional Social and Environmental Assessments or Management Plans as relevant. *(NOTE: The SES Screening is not required for projects in which UNDP is Administrative Agent only and/or projects comprised solely of reports, coordination of events, trainings, workshops, meetings, conferences, preparation of communication materials, strengthening capacities of partners to participate in international negotiations and conferences, partnership coordination and management of networks, or global/regional projects with no country level activities).*
- 3. Risk Analysis.** Use the standard [Risk Log template](#). Please refer to the [Deliverable Description of the Risk Log](#) for instructions
- 4. TORs of key management positions and Project Board Terms of Reference**
- 5. Capacity Assessment:** Results of capacity assessments of Implementing Partner (including HACT Micro Assessment) **N/A**