PORTFOLIO DOCUMENT

Portfolio Name: Justice (A Just Botswana)
Portfolio Number: 00143489
Start Date: 1 March 2022   **End Date:** 31 December 2026   **PAC Meeting date:** 17 May 2022

Projects Included in the Portfolio:

Project Names	Project Number	Implementing Partner	Budget USD
1. Justice Project: A more civically and politically engaged population and a just and corruption-free Botswana	00143489	MOJ	7,000,000
2. Flagship Project: Towards a strong, inclusive and sustainable business sector (in Prosperity portfolio)	Appendix	BCM & MOE	
3. Joint Prosperity-Justice Initiative: Inclusive social protection systems and efficient local public service delivery (in Prosperity portfolio)	Appendix	MLGRD	

Brief Description
The portfolio is guided by Vision 2036[1], National Development Plan 11[2], the Sustainable Development Goals (5, 8 and 16), and the African Union Agenda 2063. These priorities are also reflected in the United Nations Sustainable Development Cooperation Framework (UNSDCF), the Country Programme Document (CPD) (2022-2026), and the UNDP Strategic Plan 2022-2025. The objective of the portfolio, through the two projects and initiative, is to provide technical support to Government, Civil Society and Communities, Business Actors, Media and Leaders to foster: 1. A more civically and politically engaged population, including women, youth, people with disabilities and other marginalised segments, who are able to capitalise on their own skills and claim their space in national and local decision-making; 2. A human-rights compliant business sector, which through inclusive dialogue and coordination, drives a knowledge-based economy towards high income status where people create and are responsible for their own livelihoods; and 3. A cohesive and resilient society where state authorities, including local, and communities will respect, protect, promote and fulfil the rights of all, including women, youth, people with disabilities and other vulnerable segments of the population, and implement best practices through apt, context-sensitive social protection programmes. The expected outcome of the portfolio is to achieve transformational change for a just, peaceful, and prosperous Botswana through the collaborative work of the Justice and Prosperity portfolios, underpinned by key principles and in partnership with the end-users. The key principles and methods are: inclusion and participation; gender, disability and youth lens; 'Leave no one behind'; human rights-based programming; risk-informed; and digital- and data-driven.

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[1] Vision 2036 Achieving Prosperity for All. https://vision2036.org.bw/

[2] Botswana National Development Plan 11. https://botswana.un.org/en/97669-botswana-national-development-plan-ndp-11-volume-1-april-2017-march-2023

Contributing Outcome(s) (UNDAF/CPD, RPD or SP): Indicative Output(s) with gender marker[3]: Project 1: GEN 2 Project 2: GEN 2 Project 3: GEN 2 ...		

Total Justice Project resources required:		$7,000,000
Total Justice Project resources allocated:	**UNDP TRAC:**	$255,000
	Donor:	
	Government:	$402,523 (2022)
	In-Kind:	
Unfunded:		$6,342,477

Agreed by (signatures):

Government	UNDP
Ministry of Finance Print Name: KELAPILE NDOBANO	*Horváth Balázs* Print Name: BALAZS HORVÁTH
Date: 31/05/2022	Date: 31/05/2022

Implementing Partner 1
Print Name: GAEIMELWE GOITSEMANG
Date: 31/05/2022
Institution: Ministry of Justice

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[3] The Gender Marker measures how much a project invests in gender equality and women's empowerment. Select one for each output: GEN3 (Gender equality as a principal objective); GEN2 (Gender equality as a significant objective); GEN1 (Limited contribution to gender equality); GEN0 (No contribution to gender quality)

I.   DEVELOPMENT CHALLENGE

Context

Botswana is well-regarded in international circles for its multi-party democracy, free and fair elections, comparatively solid rule of law, impressive economic growth, and ongoing political stability. As a result, the country is often heralded as an "African miracle."[4] Despite its challenging geographical context—a land-locked and semi-arid country, with around 70% of its territory made up by the Kalahari Desert—Botswana has largely thrived since its independence in 1966.

Indeed, following the end of colonial rule Botswana was one of the poorest countries in Africa, dependent on international aid for 60 per cent of its government expenditure, with only 12 kilometres of roads, and a life expectancy of 37 years.[5] By 2007, per capita had risen from $70 a year at independence to $6,000 a year, with 7,000 km of paved roads, and a life expectancy ten years above average; moreover, development assistance is now only around 3 percent of the government budget.[6]

Contributing to Botswana's narrative of 'exceptionalism' is the fact that, despite its high dependence on minerals for its wealth, the country has not fallen victim to the 'resource curse.' Good governance has significantly prevented the 'bad politics associated with mineral wealth that can easily foster predatory regimes and armed conflict. Government investment in public goods and infrastructure, sound economic management, and effective governance—particularly as a result of the continuance of the Tswana tribal tradition of consultation[7]—fostered the stability required for Botswana to achieve and maintain its status as a middle-income country. As a result, in 2019, Botswana came in at 5th place in the Mo Ibrahim Index of African Governance, after Mauritius, Cabo Verde, Seychelles and Tunisia.

Despite this formidable trajectory, a deeper analysis reveals societal factures and dynamics that risk reversing these development gains and undermining Botswana's future prosperity. Several pressing concerns are raised across the governance-economy continuum, which must be addressed with some degree of urgency if Botswana is to achieve the SDGs and protect the most vulnerable, particularly women, youth, those living with disabilities, the elderly and those living in rural and border areas.

Challenges

Justice Project

Fractures and weaknesses have been exposed and accelerated on the **justice** front in large part as a result of the COVID-19 crisis, magnifying the weaknesses of the State and highlighting challenges that must be overcome.

- First, while at national, ministry and local authority levels budgets are publicly available, there is a lack of **budget transparency laws**, particularly those on declaration of assets and liabilities, and on political party financing, and due to the low public oversight of the state.

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[4]https://www.againstcorruption.eu/wp-content/uploads/2021/02/ERCAS-Working-Paper-n.-63-Botswana-Carlotta-Molteni.pdf

[5]https://documents1.worldbank.org/curated/en/304221468001788072/930107812201408253094647/additional/634310PUB0Yes00615128B09780821387450.pdf

[6]https://documents1.worldbank.org/curated/en/304221468001788072/930107812201408253094647/additional/634310PUB0Yes00615128B09780821387450.pdf

[7]https://documents1.worldbank.org/curated/en/304221468001788072/930107812201408253094647/additional/634310PUB0Yes00615128B09780821387450.pdf

- Second, **judicial independence is weak**; according to the Global Competitiveness Report of the World Economic Forum 2020, Botswana is the worst performer in this domain in Sub-Saharan Africa, particularly due to excessive executive power.[8] Similar challenges facing the judiciary also apply to other oversight institutions which are currently limited in the requisite level of independence and autonomy.

- Third, **freedom of press is limited** due to a lack of legal framework on freedom of information, thereby limiting key rights associated with freedom of speech and expression and constraining much needed debate on core national issues.

- Fourth, as result of these issues, **corruption is an endemic challenge** in Botswana, with the Mo Ibrahim 2020 Index Report showing a 15.4% drop.[9] Additionally, the Corruption Perceptions Index (CIP) saw a 5-point score drop from 60 in 2020 to 55 in 2021; coupled with half of the Botswana population sentiment being that corruption has increased in the last 12 months.[10] The corruption has been exacerbated and enabled by close intertwining between military, state and business, where increasing levels of corruption are undermining state-society relations and putting additional strain on the social contract.

- Fifth, **relatively weak, fragmented and often marginalised trade unions, interest groups, faith-based organisations, political parties, and civil society organisations** fail to provide the necessary checks and balances necessary for a vibrant democracy and are unable to fully participate in national development and democratic processes, including the promotion and protection of human rights and the achievement of the SDGs and inclusive and participatory decision-making.

- Sixth, **women, youth and people with disabilities continue to be under-represented** in the political sphere in particular; and gender-based violence (GBV) has also soared during the COVID-19 crisis and impacting vulnerable women and girls, particularly those with disabilities and those in remote or rural areas the most.

- Lastly, **many individuals and groups remain endemically marginalised from political, economic and social spheres,** including those with disabilities, LBGTIQ+ individuals.

Flagship Project and Joint Prosperity-Justice Initiative

As indicated in the United Nations Common Country Analysis and the UNDP Inequality Report (2020), Botswana continues to struggle with high levels of poverty and inequality. Moreover, its poverty level is high relative to its categorisation as an upper middle-income country. While economic gains have been made, the economy is insufficiently diverse to achieve the levels of development required to meet the SDGs, the benefits of growth are overly concentrated in a small elite circle, and the private sector has yet to take its rightful place as the engine of growth.[11]

Several key challenges—brought to the fore by a recent 2021 study, "*Inequality in Botswana; An analysis of the drivers and district-level mapping of select dimensions of inequality*"[12]—must therefore be addressed in the **socio-economic domain** if Botswana is to continue its strong development path:

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[8] Molteni, Carlotta. Transition to bad governance in Botswana. https://www.againstcorruption.eu/wp-content/uploads/2021/02/ERCAS-Working-Paper-n.-63-Botswana-Carlotta-Molteni.pdf

[9] Mo Ibrahim Foundation Report (2020). https://mo.ibrahim.foundation/sites/default/files/2020-11/2020-index-report.pdf

[10] Transparency International (2021). https://www.transparency.org/en/countries/botswana

[11] Ministry of Finance and Economic Development (2020)

[12] https://www.bw.undp.org/content/botswana/en/home/library/poverty/inequality-in-botswana--an-analysis-of-the-drivers-and-district-.html

- **Inequality** is a pressing challenge and analysis suggests that Botswana is one of the most unequal countries in the world. Botswana has the 9th highest Gini coefficient and inequality appears to be rising at significant speed. As a result, Botswana's impressive development trajectory has benefited an elite few to the detriment of the broader population.
- Rural areas are the most economically marginalised, with **stark sub-regional differences** both amongst and between districts. This divide is also exacerbated by stark differences in wealth between those employed in the public sector and with higher levels of education. Those most at risk of being left behind, therefore, are the unemployed and those working in the private or informal sector, who have low levels of education. Women and people with disabilities are over-represented in both categories.

- **Women's participation in the workforce** is also lower than that of men (56% of women participate compared to 64.6% of men) and women experience higher levels of unemployment than men (23.5% for women, 21.7% for men). There is also a persistent gender pay gap as a result of women's over-representation in lower paid sectors and lower paid roles.

- The COVID-19 crisis also magnified challenges associated with **public service delivery as well as social protection systems**. Service delivery may not always be inclusive or apply a human rights-based approach. Social protection systems are not rights based and do not sufficiently protect people from shocks, leaving many – particularly the most vulnerable – at risk of falling further into poverty.

- As a result of Botswana's high dependence on natural minerals, **economic diversification** is likely to remain a challenge in the years ahead. The private sector has a critical role to play in creating a more open, supportive, and competitive business environment in which such businesses not only deliver the goods and services required to make Botswana thrive but do so in a manner that protects the environments and includes the most vulnerable.

The portfolio is therefore designed to address these critical and interrelated development challenges at the justice and socio-economic levels, where the impetus for the strategy to deliver through an integrated portfolio approach is that the development challenges are inextricably linked.

The portfolio builds upon key achievements from the Governance Programme (2018-2021) "Support to Fulfilment of Human Rights, Access to Justice and Empowerment of Youth and Women Project" including critical policy and strategy development in the areas of disability, human rights, youth development, sentencing and law reform. Valuable achievements were also made in the establishment of the national human rights institution (NHRI) at the Ombudsman Office; critical skills building for results-based monitoring and evaluation (RBME) and a quality management system (QMS) for anti-corruption; community-level and national response to GBV through training of Dikgosi and community responders; as well as the support to public information and awareness through the legal knowledge management tools, such as the establishment of BotswanaLII and the launch of the bilingual and interactive Legal Aid Botswana website. The launch of the Botswana #YouthConnekt in 2021 marked a milestone for the programme, which will be carried through and scaled up in the current portfolio. Lastly, in preparation for an expanded focus on people and partnerships, the previous programme piloted engagement with civil society in areas of strategic planning and coordination, human rights, SDGs and transparency. Elements of these pilots will be brought forward in the current portfolio as it strengthens its civil society partnerships.
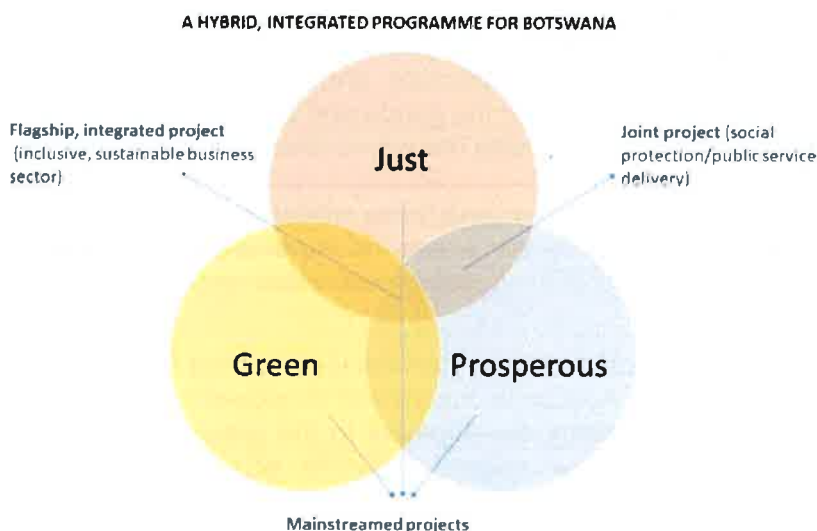
II. STRATEGY

The portfolio strategy is based on: a) a hybrid and integrated approach to justice; b) SDG 16 as a goal, an integrator and an approach; c) six key design principles; and d) a partnership-oriented methodology across all aspects of the programme.

a) *A hybrid, integrated approach to justice*

Justice is at the heart of society. As such, a hybrid and integrated approach to this programme is applied. In practice, this means that certain aspects of the portfolio will specifically target issues related to the justice of political power broadly understood, while other aspects of programme will be focused on the justice of the economy. Justice in this sense is understood both as an objective and as approach to realising our objectives.

In practice, there are three key elements to this hybrid approach, and which fall under this portfolio:

➢ **Mainstreamed approach (Justice Project):** In the mainstreamed approach, those working on the Justice portfolio will integrate aspects related to the economy and the environment into their programmes, similarly the Prosperity and Green portfolios will incorporate Justice into theirs. Each portfolio will seek the support of the others to mainstream effectively and efficiently and avoid gaps/overlaps.

➢ **Joined up approach (Prosperity-Justice Project):** The Justice and Prosperity portfolios will jointly deliver specific programmes to respond specifically to the challenges associated with justice of the economy, with a primary focus on social protection and public service delivery.

➢ **Integrated approach (Flagship Project):** The justice, green and prosperity portfolios will jointly deliver one key flagship project designed to address a critical issue/bottleneck of developing an inclusive, sustainable, and independent private sector able to drive green, diversified growth and reduce inequalities.

A HYBRID, INTEGRATED PROGRAMME FOR BOTSWANA

Flagship, integrated project (inclusive, sustainable business sector)

Just

Joint project (social protection/public service delivery)

Green

Prosperous

Mainstreamed projects

b) *An SDG-16+ -based portfolio*

The SDGs, the commitment to 'leave no one behind' and human rights-based programming provide a unifying framework, supported by the Government of Botswana, around which local, national, regional and international actors from both public and private sectors can and should coalesce. Rather than being government-owned strategy, the SDGs and human rights represent a global partnership and a vision in which all actors—public, private, state and non-state—have a critical role to play.

More specifically, SDG 16+ —on peaceful societies, justice, and accountable/inclusive institutions —provides a cross-cutting framework and a rallying 'call' behind which all actors can unite. SDG 16+, with its strong links with all other goals provides a motor to not only address the most pressing issues in Botswana—including inclusion, accountability and transparency—but also a motor through which to achieve the other SDGs.

As outlined in the *Roadmap for Peaceful, Just and Inclusive Societies*[13] "without peace, justice and inclusion, none of the SDGs can be delivered in full since the "patterns of exclusion, and the grievances they feed, undermine societies and may lead to insecurity and violence."[14] SDG 16, moreover, is widely recognised as "having the potential to catalyse profound social transformation" because it is designed to address the root causes and drivers that generate and reproduce economic, social, political and environmental problems and inequities, not merely their symptoms.[15]

Given the pressing issues in Botswana, the portfolio will use three key facets of SDG 16+ as the organising framework for the work on all three core pillars of the UNDP Botswana programme: green, just and prosperous. Those three key lenses through which to organise the work are:

➢ Inclusion;
➢ Peace and justice; and,
➢ Transparency and accountability.

These three key issues go to the very heart of the challenges in Botswana and, if mainstreamed across UNDP's work have the potential to be both catalytic and meaningful.

c) *Key principles and methods*

All parts of the portfolio are underpinned and informed by the following key principles and methods (as outlined in the Chapeau - Appendix 6):

* **Inclusion and participation**
* **Gender, disability, and youth lens**
* **Leave No One Behind**
* **Human rights-based programming**
* **Risk-informed.**
* **Digital and data-driven**

d) *Partnerships at the core*

Following the principle of inclusion and participation, all projects will engage the following core partners in different ways depending on the specificity of the project at hand, in order to build synergies between these actors, and ensure each engagement is leveraging the 'how' of the engagement to foster greater levels of inclusion, transparency and trust.

* **Government/State:** The State comprising the executive, legislature and judiciary is an essential partner for UNDP. The role of the State from a policy perspective will be explored in every project as well as efforts to strengthen state-society relationships and the social contract at both national and local levels. Alignment with Government's national development plan (NDP 11/12) and with its national SDG roadmap are therefore critical.

* **Civil society and communities:** Civil society and communities are one of the three critical pillars (along with government and business) of UNDP's work and a vital part of any functioning democracy. Civil society and communities must therefore be strengthened and supported in the context of each project in the justice portfolio; efforts to strengthen internal dynamics within civil society, which is fractured, relationships between civil society, communities and government, and civil society, communities and the private sector are likely to be transformative. The priority issues with regards to civil society have been clearly

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[13] Pathfinders. (2019, July). The roadmap for peaceful, just and inclusive societies; a call to action to change our world', Centre on International Cooperation, New York.
[14] Ibid
[15] Global Alliance, 'Enabling the implementation of the 2030 Agenda through SDG 16+ - anchoring peace, justice and inclusion', July 2019.

outlined in the 'Big Governance Issues in Botswana' submission to the African Peer Review Mechanism ("APRM") in 2021 and the BOCONGO Strategic Plan 2021.

- **Business actors:** Business actors are a motor of development and can play a critical role in areas associated with political governance, as well as the governance of the economy. The engagement of business actors in all critical areas of governance is vital to ensure the workplace is a model of a vibrant and inclusive democracy, and that business actors are using all their efforts to contribute to inclusive and just forms of governance. It is also crucial that business actors understand and have the commitment and will to play a positive role in upholding the rule of law and respect and protection of human rights.

- **Media:** The media play a crucial watchdog role in democratic societies. With the rise of social media and real-time reporting, along with the advent of fake news," access to accurate information and appropriate reporting on all matters pertaining to justice, governance, the environment and the economy is important and should be a priority across the programme.

- **Leaders:** particularly traditional ones and faith-based leaders, play an important role in safeguarding the cultures of Botswana and in the pervading narrative of social and moral value, making engagement with them on justice matters pivotal for in changing the narrative on human rights issues including gender roles, gender equality and LGBITQ+ in society and on promoting and highlighting the importance of youth leadership within the cultural context.

- **International and regional partners:** In line with the policy coherence agenda, the portfolio will seek synergies within the UN system and international and regional development partners in Botswana more broadly, in order to avoid gaps and overlaps. The portfolio will ensure alignment and cooperation with the international community broadly speaking, including with the World Bank, IFIs and DFIs, regional and sub-regional organisations, multilateral institutions and bilateral partners, amongst others.

e) Working modalities

Since the portfolio work will be nationally executed and implemented through mutually agreed modalities based on the most efficient and cost-effective manner:

1. Each project will be responsible for the budget of planned activities under its project and, for accountability purposes, each project will be allocated resources and a unique identity number in line with the UNDP Enterprise Risk Management policy.
2. Technical support to all projects will be provided by staff under each portfolio according to thematic area (youth, gender, etc.), where these technical resources will be covered under the project management costs of their respective portfolios.

f) *Portfolio-level 'theory of change'*

If the Botswana populace—particularly women, youth, people with disabilities and other marginalised groups—plays a more active role in decision-making at all levels, as a result of increased opportunities, knowledge and skills with a strong and independent civil society and media supported and encouraged by the Government;

And if local authorities have enhanced ability to leverage sufficient human and financial resources to design and implement inclusive 'fit for purpose' social protective programmes that minimise bureaucracy and accelerate public service reform for inclusive, rights based and efficient local public service delivery;

And if SMEs have enhanced knowledge and capacity to grow, expand into new sectors and markets, access financing and improve their sustainability and the business sector has improved technical and operational capacities to organize and self-coordinate to advocate for a more enabling human rights based and inclusive business environment;

THEN there would be increased effectiveness, accountability, and transparency amongst institutions at all levels; the economy would be driven by a strong, inclusive and sustainable business sector with more exports and green jobs;

BECAUSE the population would be more civically and politically engaged, and women, youth, people with disabilities and other marginalized groups have the confidence to capitalise on their own skills and to claim their space in decision-making, where state authorities, including local, and communities will value them as constructive agents for a cohesive, resilient society and replicate best practices through apt social protection programmes; and the business sector through inclusive dialogue and coordination drives a knowledge-based economy towards high income status, where people create and are responsible for their own livelihoods and businesses play a positive role in upholding the rule of law and respect and protection of human rights; all in order to achieve transformational change for a just and prosperous Botswana.

The above are the initial strategies identified within the punctuated equilibrium observed in the Botswana context. The Theory of Change will therefore constantly be tested and adjusted throughout the period of implementation to adequately address the unpredictable and changing futures we face.

III.   RESULTS AND PARTNERSHIPS

Expected Results

Expected results from the portfolio will be aligned to the Country Programme Document (CPD) for the period 2022 – 2026. From the CPD, the portfolio will focus on delivering Outcomes 1 and 5, which work towards achieving *A Just Botswana*.

The outcomes arise from a recognition that the complexity of the interconnected society that has emerged, formal, procedural, and linear mechanisms and governance and justice institutions are not functioning well to support transparency, accountability, inclusion, and responsiveness.

Therefore, to deliver on UNCF Outcomes 1 and 5, the portfolio will engage across the complexity of governance and justice systems, supporting the actors and levers within those systems that can ultimately deliver on the future vision of Botswana in which tolerance, inclusion, equality, and accountability are at the core.

Expected Outcomes:

UNCF Outcome 1 - By 2026, gender inequality is reduced, and women and girls are empowered to access their human rights and participate and benefit from inclusive development.

An educated and informed public is able to participate civically and politically and hold those they voted for accountable. Therefore, the portfolio will expand its current initiatives and focus on advocacy and building capacity to increase the participation of women, young people, people with disabilities and members of rural communities in decision-making at all levels and ensure transparent and accountable leadership. Investment in digital platforms for target groups to ideate, design and scale local solutions, and access to finance for development, political and civic engagement will be prioritised.

Output 1.2 - More responsive, inclusive, participatory, and representative decision-making enabled at all levels

Specific Indicators:

- Increased proportion of seats held by women and youth in National Parliament and Local Government
- Increased number of incumbent and aspirant women, youth and PwD public office holders with the requisite knowledge and skills to effectively participate in political decision-making at national parliament and local government level
- Augmented number of Public Sector/Ministries with Gender Responsive Budgeting systems in place

UNCF Outcome 5 – By 2026, Botswana is a just society, where leaders are accountable, transparent, and responsive, corruption reduced, and where people are empowered to access information, services, and opportunities, and participate in decisions that affect their lives and livelihoods.

Access to information, a strong and independent civil society and media enable an educated and informed public as rights holders. The portfolio will provide the support required to reach this envisaged goal.

Output 5.1. Enhanced public access to information and increased protection of human rights and fundamental freedoms in line with national legislation, plans and strategies, and international agreements and SDGs.

Specific Indicators:

- % of Government Gazettes, policies, legislation, judgements of the High Court and Court of Appeal and regulations freely available to the public from 1990 to 2020.
- Established policies, laws and tools that guarantee public access to information and statistics.
- Number of magistrates and judges that effectively use virtual court for adjudication.

A particular focus will be on strengthening institutions to be more efficient and effective as duty bearers. Checks and balances of power are needed to reduce corruption and increase trust and confidence in public institutions. The portfolio will support the state to build capacity, transparency, accountability, and responsive leadership across integrity institutions, including the national human rights institution, and will support the decentralisation and public reform processes. The portfolio will also provide technical support to the constitutional review process based on participation and inclusion.

Output 5.2. Increased effectiveness, accountability, and transparency amongst institutions at all levels

Specific Indicators:

- Number of additional Anti-corruption measures for improved transparency and accountability implemented
- Number of new platforms/mechanisms, at national and sub-national level, created to enable the population to express their voice freely and confidently, and to hold government and duty bearers accountable
- The extent to which Botswana Human Rights Institution is able to implement its human rights mandate

Th portfolio will also work to strengthen equal access to justice for all, building on gains made during the COVID-19 response. This work will include building the institutional capacity of courts and the justice sector (including GBV case management) and human resource capacity of judicial officers. Leveraging digital solutions to enhance case management and enable virtual court hearings will be key. Legal outreach at the local level and increased legal representation will increase legal

awareness and encourage resolution of legal issues. Legal rights and protections, especially of the most vulnerable members of society and victims of GBV, will be strengthened through legal reforms, access to information and strengthened enforcement.

Output 5.3 Capacity of justice and rule of law institutions enabled at national and sub-national level, for improved access and redress, including for GBV cases.

Specific Indicators:
- Case management system developed and implemented
- The extent to which the use of digital courts improves case turnaround time
- Increased percentage of indigent people benefiting from legal aid services (disaggregated by sex, age, ethnicity, disability, etc (rural vs. urban) etc)
- Increased number of customary/informal courts capacitated to deliver fair and uniform sentences for GBV including conflict resolution

Resources Required to Achieve the Expected Results

Taking cognisance of Botswana's upper middle-income status and its challenge in attracting donor funding, the portfolio will seek to harness various resources to deliver the expected results towards the overall Country Office's contribution required to achieve a green, just and prosperous Botswana. Indicative financial resources required for the achievement of the expected results total USD 7,000,000; where the regular Country Office budget is USD255,000, and a further USD6,745,000 ought to be mobilised from other sources.

Delivering the results will also be done through the provision of technical assistance, which will be rendered through technical experts from the UNDP Country Office, the Regional Service Centre for Africa and Headquarters. Where necessary, additional expertise will be obtained from fellow UN agencies/entities and partner institutions, at the national, regional and international level to augment areas that may not be available within the UNDP's internal networks. The locally-based expertise will especially be used to broker partnerships across state and non-state partners to ensure the realization of the expected results. UNDP Botswana will develop a roster of local experts, with a particular call for experts from vulnerable and marginalised groups.

Partnerships

Diverse partnerships, beyond government institutions, with civil society, media, R&D institutions, UNWOMEN, UNFPA, UNICEF, OHCHR, and UNODC will be critical to the success of a rights-based portfolio approach to strengthening the state – society relations in delivering on the UNSDCF Outcomes 1 and 5 as well as the Botswana Vision 2036 of achieving prosperity for all based on a just, tolerant, inclusive society led by accountable and transparent governance and NDP. ("Partnerships at the core" on page 7 elaborates on partnerships).

Risks and Assumptions

The following risks and mitigation measures are identified:
1. *Corruption.* The portfolio will support public access to data and public education in the belief that empowered citizens can make informed decisions that strengthen their social contract.
2. *Inequalities.* The portfolio will apply an inequality lens to its analysis, design, and interventions to reduce the risk of investments in transformational change inadvertently widening these inequalities, including the digital divide.
3. *Mindset shift and cultural change sensitivities.* Given that transformative change requires sensitivity, the portfolio will ensure participation with stakeholders all through co-creation and implementation.

4. *Complexity of system transformation.* To stay relevant, the portfolio will invest in partnerships and platforms that can yield data and insights which enable actors to deliver collective solutions to their challenges.
5. *COVID-19 pandemic.* The portfolio has adopted a flexible and agile approach, leveraging digital solutions, ways of working and systems to deliver results.

- Refer to Annex 2 for the comprehensive Project Risk Register Template.

The following key assumptions were taken into account in development of the project documents:

- The implementing partners (IPs) and the responsible parties will remain committed to the successful implementation of the projects and will provide strong and consistent leadership and ownership of the projects' interventions at the executive level for the portfolio to have broader impact across other sectors;

- Adequate funding will be available to begin implementation and subsequent resource mobilisation efforts will be successful in consistently bringing sufficient resources to continue implementation throughout the life of the portfolio;

- Partnerships between relevant stakeholders exist, will be sustained, and will be increased;

- The skills base to implement the portfolio's projects exist, will be sustained, and will be increased;

- The projects will build the capacity of IPs, through knowledge transfer and skills from external experts leading to lasting results and sustainability; and

- That local communities have the skills, experience, local knowledge, and networks to undertake locally appropriate activities that increase resilience and reduce vulnerability to a range of factors, be they justice, governance, economic or environmental.

Stakeholder Engagement

The portfolio projects are intended ultimately to positively influence change among the local communities through creation of sustainable employment opportunities and improvement of their livelihoods. This is to be achieved through the active participation and inclusion of civil society and communities, which are to be enabled at an individual level by being equipped to be civically and politically engaged to have the confidence to capitalise on their own skills and to claim their space in local decision-making and at a national level by a conducive policy and institutional environment.

The need for an inclusive economy is to be achieved through the provision of public services, including social protection services in all parts of the country through decentralised local government institutional structures. The forms of stakeholder engagement that will be employed, therefore, will ensure reaching all the stakeholders with the intention to influence through them positive change among the ultimate beneficiaries.

The main forms of stakeholder engagement will include:

- Stakeholder platforms: Existing stakeholder platforms consisting of the key partners and major stakeholder groups will be used for continuous engagement on recurring or long-term issues. Such platforms include among others, NDP (National Development Plan), Thematic Working Groups and Civil Society Committees, which can be convened for discussions of specific issues, as well as the National Human Rights Coordinating Committee and National and District level Disability Coordinating Committees. These platforms and others will be used as the first option to avoid duplications.

- Projects-specific committees/working groups: As necessary, the projects will establish technical committees (TCs) and steering committees (PSCs) to promote inclusion and participation of the key stakeholders and infuse their contribution of expertise in decision making. Effort will be made to ensure representation of all key areas and groups, such as women, people with disabilities, youth, informal economy as well as building the capacity of

these stakeholders for full and active participation. Further, technical reference groups will be set up to guide and oversee the specific work.

- Consultation fora and events: In certain cases, stakeholder consultations will be undertaken through fora or events that are specific to an activity taking place e.g., getting inputs from communities on a strategy or policy being developed.
- Partner platforms and events: Key partners of projects being implemented have their own platforms and events that will be used to engage with stakeholders who participate in such fora. These fora will be leveraged to ensure that the project has a wider reach, uses innovative approaches to engage stakeholders and to minimize stakeholder fatigue.

The portfolio will also encourage hosting of commemoration of relevant international events such as the International Youth Day, given that they account for the largest cohort of the population at almost 70%. In all such events, every effort will be made to ensure participation of all stakeholders and stakeholder groups, including civil society, women, youth, people with disabilities and others.

South-South and Triangular Cooperation (SSC/TrC)

The portfolio will promote the south-south and triangular cooperation with a view to facilitate sharing of experiences in the areas covered by this project. As a two-way learning approach, the promotion of the south-south cooperation will seek to on one hand facilitate the transmission and reception of lessons from other countries that have done well in areas that Botswana is lacking. On the other hand, Botswana has lessons to share with other partner countries in the south. The portfolio will support and encourage south-south and triangular cooperation through various initiatives such as knowledge exchanges, technology transfers and peer support programmes to promote the two-way learning approach. Support will also be offered to the implementing partners to actively participate in relevant sectoral and intergovernmental networks.

Knowledge

The portfolio will seek to promote widely sharing of knowledge, lessons learnt and successes from the implementation of the project. Outputs from the implementation of the project will be packaged in accessible and reader-friendly publications for the benefit of the wider stakeholders, both locally and internationally. The media will be used extensively to promote wider coverage of the stakeholders and the public.

The portfolio will consciously but efficiently invest in generating knowledge and learning through workshops, peer-to-peer learning, and engagement with regional subject matter experts. Additionally, the portfolio will support development of various knowledge products including brochures, leaflets, fact sheets, opinion editions, policy briefs. The knowledge products will be in simple language (including translations and sign language where necessary) and presentation to ensure that they are understood by all intended audiences. These knowledge products will be availed to the stakeholders and the public through a wide range of mediums, including broadcast (television and radio), social media, print media, website. The wide choice of media will ensure that both local and international audiences are reached.

The rural communities' access to information which is somewhat compromised by their lack of access to modern media will be addressed through the use of rural-based platforms, including social media, national radio and participation in *kgotla meetings* and townhall dialogues or engagements. Effort will also be made to access the special and disadvantaged groups, such as women, youth who usually have preference for online information and virtual engagements as opposed to the conventional mediums. Translation into sign language, local languages and language mediums accessible to the local communities and people with disabilities will be undertaken to ensure that no one is left behind in communication.

Sustainability and Scaling Up

The portfolio approach to designing the portfolio is guided by the need to make its work sustainable and replicable beyond the life of the projects. Therefore, the projects outputs will build upon the successes of the past programmes and projects supported by UNDP as well as existing initiatives by government and other stakeholders in the private sector. The projects' outputs are intended to strengthen the capacities of the implementing partners and stakeholders to enable them to contribute to justice meaningfully and sustainably. Building productive and sustainable partnerships through the projects is emphasised because it is key to the achievement of the results. Sustained strong and resilient partnerships will be very instrumental to ensuring sustainability of the projects outputs and further uptake and scaling up beyond the life of the projects.

The projects will seek to roll out and promote innovative and inclusive digital approaches to doing business and providing information and services to the communities, which is expected to improve productivity and access to public information and services, especially among local communities in rural areas. With the accompanying support on institutional reforms and institutional and staff capacity development, the cumulative improvements are expected to be transformative, sustainable, and easily scalable to reach more businesses and public institutions. That these transformative improvements will be done within the context of policies and strategies that have in-built implementation plans and M&E frameworks. The continued support on these areas will ensure accountability, transparency, and ownership by the implementers at both institutional and leadership level.

IV. PORTFOLIO MANAGEMENT

Cost Efficiency and Effectiveness

The portfolio's key objective is to develop the capacities of the implementing partners and responsible parties to enable them to positively change the environment and impact on their constituents and wider stakeholders. In delivering the projects, the capacities that have been built among the implementing partners and responsible parties through the past programmes will be harnessed to enhance accrual of benefits. For instance, the effective management of project activities by implementing partners that has been achieved through the past programmes will be used to continue the achievement of the best outcomes for the activities that the projects will implement.

The portfolio acknowledges the current situation of overlapping mandates of some of the implementing partners and responsible parties. Support rendered the implementing partners and responsible parties will be systematically coordinated with and between them to avoid duplication of efforts. Continuous consultations with the implementing partners and responsible parties will therefore be pursued to ensure partnerships and collaborations.

The portfolio will also pursue partnerships with the other UN agencies and development partners with similar development interests to maximise the benefits to the stakeholders. This will also be done to reduce instances of duplication of efforts. The portfolio will also seek to support the efforts of the implementing partners and responsible parties to access other UN agencies and development partners to enhance their ability to mobilise resources to support their activities.

At Country Office level, the portfolio projects will be implemented through joint approaches with other UNDP portfolios and experts to achieve maximum and wider impact among the intended ultimate beneficiaries. These approaches will ensure sharing of contacts and networks, joint communications, resources, access to common external resources, such as technical expertise and help to avoid duplication of roles and reduce the necessity to employ more staff, which usually comes at a substantial cost. For instance, at operational level, missions will be planned such that they can accomplish multiple purposes thereby reducing costs. Missions and meetings of the projects will be planned and synchronized with those of other projects/programmes. Further, the missions, meetings, and events of implementing partners and responsible parties will be taken advantage of

and used as platforms to undertake part of the projects' activities such as consultations, information sharing and trainings. Moreover, meetings, workshops and other project related events will be held virtually whenever this will not challenge the effectiveness and quality of outcome.

VI. MULTI-PROJECT PORTFOLIO RESULTS FRAMEWORK[16]

Intended Outcome as stated in the UNDAF/country programme:

By 2026, gender inequality is reduced, and women and girls are empowered to access their human rights and participate and benefit from inclusive development.

By 2026, Botswana is a just society, where leaders are accountable, transparent and responsive, corruption reduced, and where people are empowered to access information, services and opportunities, and participate in decisions that affect their lives and livelihoods.

Outcome indicators as stated in the UNDAF/country programmes, including baseline and targets:

Indicator 1.1. Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex.

Baseline: No

Target: Yes

Indicator 1.2. Proportion of women in managerial positions (public sector).

Baseline (2016): 34%

Target: 50%

Indicator 5.3. Transparency index – corruption perception rankings.

Baseline: 3

Target: 20

Indicator 5.3. Level of confidence in delivery of basic public service.

Baseline: 1[17]

Target: 3

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[16] Multiple projects/IPs can contribute to the same output and can share the same indicators. 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.

[17] 1 – low, 3=high

Applicable Output(s) from the UNDP Strategic Plan: Outcome 2. Accelerate structural transformations for sustainable development

Portfolio Title and Atlas Portfolio Number: Justice

Project Titles and Atlas Project Numbers of Constituent Projects:
1. A More Civically and Politically Engaged Population and a Just and Corruption-Free Botswana

EXPECTED OUTPUTS	OUTPUT INDICATORS[18]	DATA SOURCE	BASELINE		TARGETS (by frequency of data collection)						DATA COLLECTION METHODS & RISKS
			Value	Year	Year 1	Year 2	Year 3	Year 4	Year	FINAL	
Output 1 More responsive, inclusive, participatory, and representative decision-making enabled at all levels (Goal 16.7)	**1.1** Proportion of seats held by women and youth in (a) national parliament	(a) Parliament, IEC	(a) 11% (women) 1.6% (youth)	2021			30%		2026	(a) 30% (women) 10% (youth)	(a) Data from National Assembly and IEC post-election publications Minimal risk as it is publicly available information. Risk is where comparative data is concerned for trends monitoring: IEC's current system shows sex disaggregated data for registered voted but not for actual votes on polling day. Mitigation: support upgrading of system to show data disaggregation for actual votes because that data could give insight into voter education issues.

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[18] 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.

Output 1	Indicator	Source	Baseline	Baseline Year	Milestone	Target Year	Target	Assumptions and Risks
More responsive, inclusive, participatory, and representative decision-making enabled at all levels (Goal 16.7)	**1.1** Proportion of seats held by women and youth in (b) local government	(b) MLGRD, IEC	(b) 19% (women) 9.5% (youth)	2021	20%	2026	(b) 30% (women) 20% (youth)	(b) Data from Department of Tribal Administration. Risk is that candidates may move from youth to adult age group (over 35) without records being updated as they are manually collected. Risk Mitigation is to digitalise the system.
	1.2 Number of incumbent and aspirant women, youth and persons-with-disabilities public office holders with the requisite knowledge and skills to effectively participate in political decision-making at national parliament and local government levels.	UNDP, MYGSC, IEC	0	2021	12,500 (women), 12,500 (youth) 750 (persons with disabilities)	2026	12,500 (women), 12,500 (youth) 750 (persons with disabilities)	Data to be collected from MYGSC for women and youth and State President for persons with disabilities. Risk is seeking data from 3 separate entities, where duplication may occur. Mitigation is to have a centralised data repository. Requisite knowledge data to be collected through surveys distributed by the 3 institutions to their stakeholders. Risk regarding "requisite knowledge" is that it is subjective and qualitative (rather than quantitative for data/M&E purposes). Mitigation is to create a minimum criterion (or syllabus) for civic and political education.

1.3 Number of public sector/ministries with gender-responsive budgeting systems in place.	Line ministries	0	2021	2	4	6	8	2026	10	Data to be collected through MYGSC. Risk Mitigation is to also obtain data directly from line ministries to ensure accuracy. Risk: budgeting system is determined by MOF, with line ministries simply implementing, therefore if MOF is not on board with such budgeting it will not happen. Another risk is that the current gender budget is a very small percentage of the national budget and increasing it during a period of economic recovery may be a challenge if not considered a priority. Mitigation: Train MOF on gender responsive budgeting and its importance, which should translate into a policy to be implemented across Government.

Output	Indicator	Source	0%	2021	25%	50%	75%	100%	2026	Target	Assumptions/Risks
Output 2 Enhanced public access to information and increased protection of human rights and fundamental freedoms in line with national legislation, plans and strategies, and international agreements and SDGs.	*2.1* Percentage of Government Gazettes, policies, legislation, judgements of the High Court and Court of Appeal and regulations freely available to the public from 1990 to 2020.	BotsLII	0%	2021	25%	50%	75%	100%	2026	100%	
	2.2 Number of policies, laws and tools that guarantee public access to information and statistics.	BGIS, Statistics Botswana	2	2021		3	4		2026	4	
	2.3 Number of magistrates and judges that effectively use virtual court for adjudication (contributing to IRRF 2.4).	MOJ, MYGSC MCKT, BGBVC, WAR	0	2021	8	8	8	8	2026	32 (28 Magistrates Court, 4 High Courts)	Data to be obtained from MOJ, which should be timeous. Risk: adjustment to new way of holding court may result in technology (connectivity, savviness, etc) problems initially and it may seem less cumbersome to some to revert to the old physical court system. Mitigation: prior training of MOJ staff before roll-out.
Output 3 Increased effectiveness, accountability, and transparency amongst institutions at all levels.	*3.1* Number of additional anti-corruption measures for improved transparency and accountability implemented.	DCEC, parliamentary oversight committees	2	2021	3		4		2026	4	Data to be made public through Government Gazettes and DCEC following passing of Acts in Parliament. Risk: lack of political will to pass the Acts.

Indicator	Source	Baseline	Year					Target	Year	Rating	Assumptions/Risks
3.2 Number of new platforms/mechanisms at national and subnational levels created to enable the population to express their voice freely and confidently and to hold government and duty-bearers accountable.	BGIS	0	2021						2026	3	Data to be collected from BGIS. Risk: a box-checking exercise with no real impact. Another risk is multiple, duplicative platforms that do not yield the desired result. Mitigation: communities to assess whether platforms/ mechanisms meet requirement. Train media practitioners to ensure the platforms are fit-for-purpose.
3.3 Extent to which the Botswana Human Rights Institution is able to implement its human rights mandate.	Ombudsman, State President	1	2021	2		3			2026	3	
Output 4 Capacity of justice and rule of law institutions enabled at national and subnational levels for improved access and redress, including for gender-based violence cases. **4.1** Extent to which the use of digital courts improves case turnaround time (contributing to IRRF 2.4).	MOJ	0	2021	1	2	3			2026	3	Data to be collected from MOJ. Risk: "Extent" is subjective and may result in varied data based on magistrate location. Current turnaround time is already very low, therefore an increase, though significant may not move the needle in the grand scheme of justice delivery. Mitigation: alternate forms of court, e.g., Court Annex Mediation.

Indicator	Source / Partner								Means of verification / Risk
4.2 Percentage increase of indigent people benefiting from legal aid services (disaggregated by sex) (contributing to IRRF 2.4).	Legal Aid Botswana	0	2021	20%		40%	2026	50%	LAB data readily available on website supported by UNDP. Risk: data is currently not sex disaggregated.
4.3 Number of customary courts capacitated to deliver fair and uniform sentences for gender-based violence, including conflict resolution.	MOJ, MLGRD	0	2021	150	300	450	2026	520	Data will be readily on hand with each training supported. Risk whether the training translates into uniform sentencing where other circumstances (location, human judgement/error, etc) may affect uniformity. Mitigation: TOT method to ensure refresher trainings. Also train new customary court staff as they arrive as it is easier to teach than undo habitual ways of delivering sentences.

VII. MONITORING AND EVALUATION

In accordance with UNDP's programming policies and procedures, the project will be monitored through the following monitoring and evaluation plans: *[Note: monitoring and evaluation plans should be adapted to project context, as needed]*

Monitoring Plan

Monitoring Activity	Purpose	Frequency	Expected Action	Partners (if joint)	Cost (if any)
	Progress data against the results indicators in the RRF will be collected and analysed to assess the progress of the portfolio in achieving the agreed outputs.	The frequency required for each indicator.	Slower than expected progress will be addressed by portfolio management.	UNDP, State President, CSOs, MTI, MLGRD, BB, BCM.	None
Track results progress		Quarterly		Track IPs implementation progress using UNDP-developed progress reporting template	
Monitor and Manage Risk	Identify specific risks that may threaten achievement of intended results. Identify and monitor risk management actions using a risk register. This includes monitoring measures and plans that may have been required as per UNDP's Social and Environmental Standards. Audits will be conducted in accordance with UNDP's audit policy to manage financial risk.	Quarterly	Risks are identified by portfolio management and actions are taken to manage risk. The risk log is actively maintained to keep track of identified risks and actions taken.	UNDP, State President, CSOs, MTI, MLGRD, BB, BCM. Monthly DPS-level meetings with IPs matrices for each	None
Learn	Knowledge, good practices and lessons will be captured regularly, as well as	At least annually	Relevant lessons are captured by the portfolio team and used	UNDP, State President,	M&E DPC

Monitoring Activity	Description	Expected Action	Frequency	Partners	Cost
	actively sourced from other projects and partners and integrated back into the portfolio.	to inform management decisions.		CSOs, MTI, BB, MLGRD, BCM. UNDP M&E Analyst; Across portfolios; UN online courses regional peers	None
Annual Portfolio/Project Quality Assurance	The quality of the portfolio will be assessed against UNDP's quality standards to identify project strengths and weaknesses and to inform management decision making to improve the portfolio.	Areas of strength and weakness will be reviewed by portfolio management and used to inform decisions to improve portfolio performance.	Annually	UNDP Programme Specialist and Thematic Area Specialists Mid-year and annual reviews; 360 feedbacks from UNDP and IPs	
Review and Make Course Corrections	Internal review of data and evidence from all monitoring actions to inform decision making.	Performance data, risks, lessons and quality will be discussed by the portfolio board and used to make course corrections.	At least annually	UNDP Programme Specialist and Thematic Area Specialists UNDP M&E and Finance Associate dashboard creation for portfolio	DPC cost of M&E Analyst and Finance Associate
Portfolio Report	A progress report will be presented to the Portfolio Project Board and key stakeholders, consisting of progress data showing the results achieved against pre-defined annual targets at the output level,		Annually, and at the end of the project (final report)	UNDP, State President, CSOs, MTI, BB, MLGRD, BCM.	None

					Cost and Source of Funding
	the annual project quality rating summary, an updated risk register with MTIgation measures, and any evaluation or review reports prepared over the period.			Compilation of quarterly progress reports	
Portfolio Review (Project Board)	The portfolio's governance mechanism (i.e., project board) will hold regular portfolio reviews to assess the performance of the portfolio and review the Multi-Year Work Plan to ensure realistic budgeting over the life of the portfolio and its constituent projects. In the portfolio's final year, the Project Board shall hold an end-of portfolio review to capture lessons learned and discuss opportunities for scaling up and to socialize portfolio results and lessons learned with relevant audiences.	Any quality concerns or slower than expected progress should be discussed by the project board and management actions agreed to address the issues identified.	Specify frequency (i.e., at least annually)	PSC, UNDP, State President, CSOs, MTI, BB, MLGRD, BCM. Bi-annual PSC meetings	USD 1500 for convening biannual meetings

Evaluation Plan

Evaluation Title	Partners (if joint)	Related Strategic Plan Output	UNDAF/CPD Outcome	Planned Completion Date	Key Evaluation Stakeholders	Cost and Source of Funding
Mid-Term Evaluation	EDIG (for 4.2, 4.4)	1.2; 4.2; 4.4; 5.1; 5.2; 5.3	Outcome 1 (Prosperity) Outcome 2 (Justice)	Sept 2024	UNDP, State President, CSOs, MTI, MLGRD, BB, BCM	
Final Evaluation	EDIG (for 4.2, 4.4)	1.2; 4.2; 4.4; 5.1; 5.2; 5.3	Outcome 1 (Prosperity) Outcome 2 (Justice)	Dec 2026	UNDP, State President, CSOs, MTI, MLGRD, BB, BCM	

VIII. MULTI-YEAR WORK PLAN BY PROJECT[19, 20]

*A separate, subsidiary multi-year work plan must be prepared for each project with an Implementing Partner. **Only the contribution by one project/IP should be present in any one subsidiary work plan.** Joint results are included in the joint Results Framework. All workplans together will yield the joint results framework. The respective work plans may be annexed to the project document. All anticipated programmatic and operational costs to support the project, including development effectiveness and implementation support arrangements, need to be identified, estimated and fully costed in the project budget under the relevant output(s).*

EXPECTED OUTPUTS	PLANNED ACTIVITIES	Planned Budget by Year					RESPONSIBLE PARTY	PLANNED BUDGET		
		Y1	Y2	Y3	Y4	Y5		Funding Source	Budget Description	Amount
Output 1: More responsive, inclusive, participatory, and representative decision-making enabled at all levels (Goal 16.7) (CPD 1.2) *Gender marker: 3*	**Government Ministries supported to develop and effectively mainstream inclusive gender policies and programmes to deliver 'as one'**									
	1.1 Develop Inter-Ministerial Committee gender framework to be used across all Ministries to standardise inclusive (gender, youth, PWD, etc) policies and programmes mainstreaming; with framework containing M&E, risk management, and action plan	10,000	10,000	10,000	10,000	10,000	MYGSC, NDCO, MOJ, MOH, MOESD and MLGRD		Technical Assistance, Workshops	50,000
	1.2 Train focal persons in MDAs on gender programming and inclusion including mainstreaming gender into existing laws, strategies and programmes		45,000		45,000		All Government Ministries		Technical Assistance, Workshops	90,000
	1.3 Raise awareness with all Government ministries and stakeholders (Dikgosi, CSOs, etc) on inclusion (gender equality, PWD, youth) through convening dialogues		25,000	25,000	25,000	25,000	Government Ministries, DTA (Dikgosi), NDCO, BNYC, CSOs		Workshops, Multimedia	100,000

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[19] Cost definitions and classifications for programme and development effectiveness costs to be charged to the projects are defined in the Executive Board decision DP/2010/32

[20] Changes to a project budget affecting the scope (outputs), completion date, or total estimated project costs require a formal budget revision that must be signed by the project board. In other cases, the UNDP programme manager alone may sign the revision provided the other signatories have no objection. This procedure may be applied for example when the purpose of the revision is only to re-phase activities among years.

Activity				Partners	Modality	Total
Political Cadre are capacitated to develop leadership, policy making, analytical and public management skills	75,000					
1.4 Support development and implementation of the 5-year programme to encourage women and youth into politics	75,000	30,000	25,000	Political Parties, MYGSC, NDCO, BNYC, IEC, CSOs	Technical Assistance	280,000
1.5 Develop nationwide public education tools on election and democracy with a focus on women and youth and conduct nationwide TOT training	75,000	75,000	50,000	Political Parties, IEC, MYGSC, NDCO, BNYC, CSOs	Technical Assistance, Workshops	275,000
1.6 Train Women, Youth, PWD Political Aspirants on policy making implementation, management and decision making, oratory, analytical and leadership skills in line with international best practices	100,000	75,000	75,000	Political Parties, MYGSC, BNYC, NDCO, IEC, CSOs	Technical Assistance, Workshops	350,000
1.7 Establish mentorship initiatives and networks for women, youth, PWD political aspirants and leaders in public and private sectors, and regionally	25,000	25,000	25,000	Political Parties, MYGSC, NDCO, BNYC, IEC, CSOs, Business Botswana	Workshops	100,000
Government Ministries enabled to implement inclusive law, strategies, and programmes that are transparent and hold them accountable						
1.8 Support relevant ministries to ratify and implement relevant international and regional conventions and legal instruments	20,000	20,000	10,000	All Government Ministries, CSOs	Technical Assistance	50,000
1.9 Support MYGSC to develop a gender equality bill and IEC to implement quotas based on constitutional review outcomes	30,000	20,000	20,000	MYGSC, IEC, CSOs	Technical Assistance	50,000

Activity				Responsible	Means	Total
1.10 Support MYGSC and MOF to develop gender-responsive budgeting and planning for implementation across Government Ministries to ensure inclusive results-based budgeting for gender, inclusion and diversity	25,000		25,000	MYGSC, MOF, OP, CSOs	Technical Assistance	50,000
Civil society actors, media and communities have increased / strengthened capacities to advocate for inclusive practices and promote participation in inclusive decision making						
1.11 Support CSOs to facilitate public and civic education on gender equality and women empowerment, inclusion and diversity, including embedding these thematic areas as an integral part of national pride	50,000	50,000	35,800	CSOs	Workshops, Multimedia	135,800
1.12 Enhance technical capacity of CSOs, communities and media on gender equality, women empowerment, inclusion, participation and representation to renegotiate their social contract and elect leadership on policy merit and not clientelism	75,000	75,000	35,800	CSCs, Communities, Media	Technical Assistance	135,800
1.13 Strengthen capacity of CSOs, media and community actors in the monitoring and evaluation of gender equality, women empowerment, and inclusive policy and programme implementation through hybrid digital platforms to ensure it is sustainable	50,000	50,000	10,000	CSOs, Media, Communities, #SmartBots, BDIH, MCKT	Technical Assistance	110,000

Research community, national statistics offices, and Govt Ministries' Policy Research Information Departments have increased opportunities to influence inclusive policymaking and implementation, and to monitor and evaluate its implementation

Activity	Y1	Y2	Y3	Y4	Partners	Source	Total
1.14 Train Traditional Leaders successful carry out their mandates in a progressive and evolving environment by including these additions to current Dikgosi GBV training	88,400				DTA (Dikgosi)	Workshops	88,400
1.15 Support Government and Statistics Institutions to collect comparable high-quality sex-disaggregated data according to SDGs	50,000	15,000	15,000	10,000	Statistics Botswana, GAD, #SmartBots, BDIH, MCKT	Technical Assistance	90,000
1.16 Train Civil Society to collect high quality sex-disaggregated data and to in turn train communities to do the same	50,000	25,000	25,000		CSOs, Communities, Statistics Botswana, GAD, #SmartBots, BDIH, MCKT	Technical Assistance, Workshops	100,000
MONITORING	1,000	1,000	1,000	1,000	Monitoring	Monitoring	5,000
Sub-Total for Output 1							**2,110,000**

Output 2: Enhanced public access to information and increased protection of human rights and fundamental freedoms in line with national legislation, plans and strategies, and international agreements and SDGs.

(CPD Output 5.1)

Gender marker: 2

Activity	Y1	Y2	Y3	Y4	Partners	Source	Total
Government and State have enhanced technical capacities to develop and implement integrated policies that foster access to information, good governance and protection of human rights and fundamental freedoms and good governance in general							
2.1 Support Government Ministries and Departments to review, revise and develop policies, strategies and regulations on public access to information, participation of public in policy- and decision-making and good governance in general	20,000	20,000	15,000	10,000	State President, BGCIS, AGC, CSOs	Technical Assistance	65,000

Activity					Responsible	Type	Total
2.2 Support AGC and DIT to develop and implement (including promotion) BotswanaLII platform (website and app that publishes Government Gazettes, policies, legislation, regulations, judgments, court Parliamentary documents etc online free of charge to the public), and support expansion of BotswanaLII to include additional information sources.	5,000	5,000	5,000		AGC, DIT, MCKT, BDIH, BGCIS	Technical Assistance	15,000
2.3 Support BGCIS and BDIH to review, develop and implement concepts, mechanisms and digital platforms to provide public access to information, facilitate public engagement and participation in policy- and decision-making, including law and constitution review/reform and implementation of good governance principles.	15,000	10,000	10,000	5,000	State President, BGCIS, BDIH, AGC, DIT, MCKT, #SmartBots	Technical Assistance	40,000
2.4 Support MOF, DCEC and DIT to develop and launch a National Budget transparency portal to facilitate citizen engagement in monitoring budget allocation and expenditure, including inclusive budgeting.	10,000	10,000	10,000	5,000	MCF. DCEC, DIT, MCKT, #SmartBots	Technical Assistance	35,000
Government, CSOs and media have increased capacity to educate communities and raise awareness on access to information and human rights and fundamental freedoms							

Activity					Responsible Parties	Budget Category	Total
2.5 Convene stakeholder dialogues to raise awareness and build capacity on the role and importance of public access to information, data privacy protection and public engagement in policy- and decision-making for human rights, fundamental freedoms, and good governance.		10,000	10,000	10,000	BGCIS, Office of the Ombudsman, Human Rights Unit, Human Rights National Stakeholder Committee, MFA, CSOs, Media	Conferencing	30,000
2.6 Support the Ombudsman Office to research and publish an Annual Human Rights Report to table in the National Assembly and support the operationalisation of the Ombudsman Act.	20,000	10,000	5,000	5,000	Office of the Ombudsman, Human Rights Unit, Human Rights National Stakeholder Committee, National Assembly, MFA	Technical Assistance	45,000
2.7 Support the NDCO to establish an Independent Monitoring Mechanism for the CRPD and enhance technical capacity to perform mandate.	20,000	50,000	50,000	50,000	NDCO, Office of the Ombudsman, MFA	Technical Assistance	190,000
Government Ministries, CSOs and business actors have strengthened administrative and coordination capacities to effectively promote access to information and the protection of human rights and fundamental freedoms							
2.8 Support the Office of the Ombudsman to implement the Ombudsman Act and advocate for an NHRI in line with Paris Principles.	10,000	60,000	60,000	60,000	Office of the Ombudsman, Human Rights National Stakeholder Committee, MFA	Technical Assistance	250,000

Activity						Responsible Party	Source	Budget
2.9 Support NDCO to strengthen human rights and disability co-ordination structures at national and district levels through training and SOPs and monitoring.	15,000	15,000	15,000	15,000	15,000	NDCO, CSOs, Office of the Ombudsman, Human Rights National Stakeholder Committee, MFA,	Technical Assistance Workshops	75,000
Support NDCO to train service delivery staff to implement the National Disability Framework (Policy, Strategy and Law)								
Train NDCO and Organisations for People living with Disabilities in the CRPD.								
2.10 Support Office of the Ombudsman to establish a human rights case management and complaint system that promotes and protects human rights in line with the Paris Principles.	15,000		5,000	5,000		Office of the Ombudsman, Human Rights National Stakeholder Committee, MFA, MOJ, LAB	Technical Assistance	20,000
MONITORING	1,000	1,000	1,000	1,000	1,000	Monitoring	Monitoring	5,000
Sub-Total for Output 2								770,000
Output 3: Increased effectiveness, accountability, and transparency amongst institutions at all levels. *(CPD 5.2)*								
Government institutions and traditional leadership (Bogosi) have technical capacity to transform into high performing institutions								
Gender marker: 1								
3.1 Support MLGRD and DTA to conduct a Bogosi institutional assessment to capacitate dikgosi and harmonise public and tribal institutional structures	75,000	15,000	10,000	10,000		MLGRD, DTA (Dikgosi)	Technical Assistance	100,000
3.2 Build capacity of officers of Government and CSO implementing partners in the Justice Project on effectiveness and driving high performance	10,000	10,000	10,000	10,000	10,000	Justice Project TWG	Technical Assistance	50,000
CSOs and communities and media are capacitated to become effective leaders and civically engage to hold duty bearers accountable								

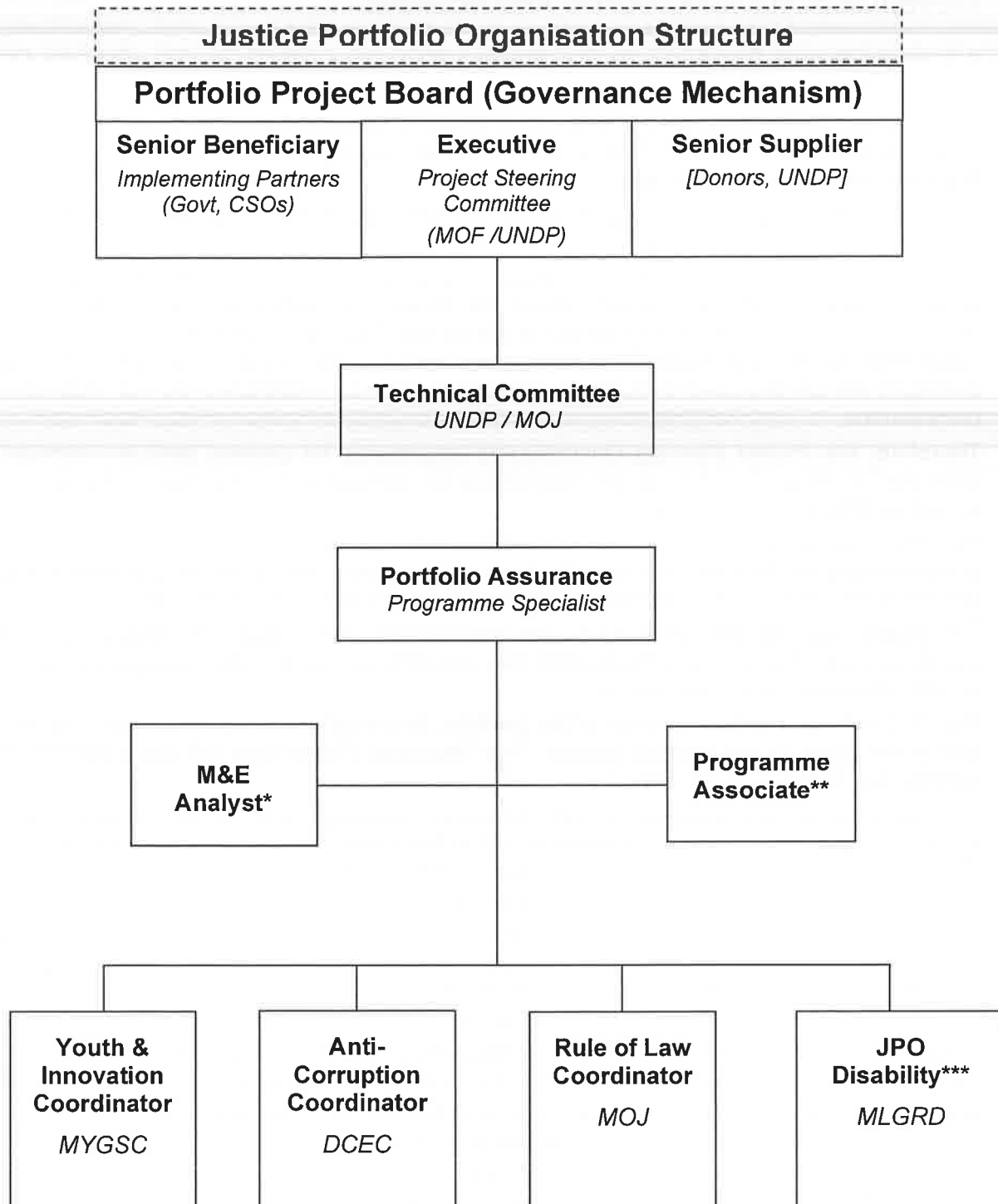| No.	Activity						Responsible	Means	Total
3.3	Support CSOs to establish and build capacity for a national CSO-led Transparency and Accountability Committee to hold duty bearers accountable	25,000	75,000	25,000	25,000	25,000	CSOs, Communities, Media	Technical Assistance, Workshops	175,000
3.4	Support CSOs to raise public awareness through media platforms on effective leadership and civic engagement	10,000	60,000	60,000	60,000	60,000	CSOs, Communities, Media	Technical Assistance, Multimedia	250,000
3.5	Support CSOs to host a biennial Transparency and Accountability conference		75,000		75,000		CSOs, Media	Conferencing	150,000
	Oversight institutions have strengthened legal framework and technical capacities to autonomously execute their mandate to hold the executive accountable and uphold the rule of law								
3.6	Support DCEC to review Corruption and Economic Crime Act 1994		100,000				DCEC, UNODC, CSOs	Technical Assistance, Workshops	100,000
3.7	Support DCEC to revise Whistleblowing Act 2016 and develop regulations and training manual to operationalise revised Act		40,000	30,000	20,000	10,000	DCEC, UNODC, Oversight Institutions, CSOs	Technical Assistance	100,000
3.8	Build capacity of Whistleblowing Act stakeholder institutions to operationalise the Act.		20,000	20,000	20,000	10,000	DCEC, UNODC, Oversight Institutions, CSOs	Technical Assistance, Workshops	70,000
3.9	Support DCEC to develop an Investigations Manual	60,000					DCEC, UNODC, Oversight Institutions, CSOs	Technical Assistance, Workshops	60,000
	Government Ministries, CSOs, communities, statistics institutions have increased capacities to collect and analyse high-quality data that promotes accountability and transparency								

Activity						Partners	Cost Category	Total
3.10 Support T&A Committee, Government, CSOs, statistics institutions and private sector stakeholders to develop a standardized national framework for transparency and accountability	30,000	10,000	10,000	10,000		T&A Committee, Government, CSOs, Statistics Botswana, Business Botswana	Technical Assistance, Workshops	60,000
3.11 Facilitate CSOs to train communities on corruption and AML/CFT data collection and reporting in their respective communities in line with the developed national framework.		50,000	50,030	50,000	50,000	CSOs, Communities	Workshops	200,000
3.12 Build capacity of CSO Transparency and Accountability Committee stakeholders on effective monitoring and evaluation of transparency and accountability policies and programmes implementation (M&E included in framework above)	15,000	15,000	15,000	10,000	5,000	CSOs	Technical Assistance	60,000
MONITORING	1,000	1,000	1,000	1,000	1,000	Monitoring	Monitoring	5,000
Sub-Total for Output 3								1,380,000
Output 4: Capacity of justice and rule of law institutions enabled at national and subnational levels for improved access and redress, including for gender-based violence cases. (CPD 5.3) *Gender marker: 2* — **Justice Institutions have technical institutional and digital capacity to effectively adjudicate and efficiently adjudicate cases, including GBV cases**								
A. All								
4.1 Support MOJ to conduct a comprehensive Criminal Justice Sector Institutional Review (scoping exercise, stakeholder consultations, review and roadmap).	200,000					MOJ, Justice Institutions, CSOs	Technical Assistance	200,000
4.2 Support Justice Institutions (including MOJ, AGC, DPP, MOJ, LAB and DTA) to implement the Criminal Justice Sector Reform Roadmap.	150,000	150,000	150,000	150,000	130,000	MOJ, AGC, DPP, AOJ LAB and DTA, CSOs	Technical Assistance	480,000

No. / Activity						Responsible Institutions	Type	Total
4.3 Support Justice Institutions with the development and implementation of an Integrated Case Management and Virtual Courts System		150,000	150,000	150.000		MOJ, AGC, DPP, MOJ, LAB and DTA, CSOs	Technical Assistance	450,000
B. Judiciary/ Courts								
4.4 Support implementation of the integrated Case Management System, courts including e-filling functionality, in MOJ		50,000				MOJ	Technical Assistance	50,000
4.5 Support MOJ to establish court annexed mediation at the 4 court centres nationally		30,000	30,000	30,000	30,000	MOJ	Technical Assistance	120,000
C. Ministry of Justice								
4.6 Support MOJ to integrate a human rights-based approach and international standards best practices in the implementation of Sexual Offenders Registry Act	50,000					MOJ, Office of the Ombudsman, Human Rights National Stakeholder Committee	Technical Assistance	50,000
4.7 Support MOJ to establish M&E system and capacities (including SDGs)	50,000	15,000				MOJ	Technical Assistance	65,000
D. Legal Aid Botswana								
4.8 Support LAB to raise public awareness (animated videos, easy to read legal education booklets, radio drama shows in local languages) and support a social campaign about access legal aid	25 000	35,000	20 000	10 000	10 000	LAB	Multimedia	100,000
4.9 Digitalise and enhance access to legal aid services at the local level	50,000	40,000	40,000	40,000	30 000	LAB, Communities	Technical Assistance - Digital	200,000
4.10 Integrate Case Management System of the LAB with the national Integrated Case Management System	50,000					LAB, Justice Institutions	Technical Assistance - Digital	50,000

Activity	Y1	Y2	Y3	Y4	Responsible Party	Category	Total
E. Department of Tribal Administration							
4.11 Capacitate Customary courts to deliver fair and uniform sentences for gender-based violence, including conflict resolution	50,000	30,000	30,000		DTA, BGBVC, WAR	Technical Assistance	60,000
4.12 Expand national Integrated Case Management System to the Customary Courts.	50,000			50,000	DTA, Justice Institutions	Technical Assistance - Digital	50,000
Inter-Ministerial Committee on GBV and National GBV Committee have increased technical capacities to run an effective and fully functional GBV referral pathway and collect and analyse data that promotes accountability and transparency towards addressing GBV							
4.13 Build technical and digital capacity of partners within the GBV referral pathway and establish digitized Gender-based Violence Referral System	50,000	50,000	50,000	50,000	State President, MYGSC, MOJ, MOH, MOESD and MLGRD.	Technical and Digital Assistance	250,000
MONITORING	1,000	1,000	1,000	1,000	Monitoring	Monitoring	5,000
Sub-Total for Output 4							2,130,000
EVALUATION		25,000		25,000	Evaluation	Evaluation	50,000
Evaluation (as relevant)	8%						
General Management Support							560,000
TOTAL							7,000,000

IX. GOVERNANCE AND MANAGEMENT ARRANGEMENTS

1. A Portfolio Project Board, the Project Steering Committee (PSC), will be established to ensure overall management and supervision of all three projects under the Justice portfolio.

2. The PSC will be jointly chaired by the Government of Botswana and the UNDP, where the Permanent Secretary in the Ministry of Finance will represent the former and the UNDP Resident Representative the latter.

3. Select implementing partners, represented by their respective Accounting Officers, will comprise members of the PSC.

4. The Permanent Secretaries of the signatory implementing partners will be tasked with technical oversight of each project; where the Ministry of Justice will be mandated with Justice project, the Botswana Chamber of Mines the Flagship project, and the Ministry of Local Government and Rural Development the joint Prosperity-Justice project. Technical oversight will be executed through Technical Committees established by the respective programmes.

5. Therefore, the Project Steering Committee is responsible for general portfolio oversight, while the Technical Committees are responsible for consistent implementation of approved project activities.

6. The PSC may authorise variation to, or deviation from, agreed activities to reflect changing circumstances on the ground or to mitigate emerging risks. The Technical Committee may provide to the Board motivation for and technical support to act on the decisions.

7. The Board may approve changes to the membership of the Board to reflect changing circumstances. The Technical Committee may recommend membership changes according to daily implementation experiences.

8. The PSC will meet at the inception of the portfolio, bi-annually to review reported progress, and at the close of the portfolio project. The Technical Committees will meet monthly to address any bottlenecks to progress.

9. The governance structure does not, however, envisage that other ministries and implementing partners will be accountable to the lead Ministry for their results. Accounting Officers of all implementing partners will report to the Portfolio Project Board.

10. The UNDP Portfolio Team will consist of a Programme Specialist, a Youth and Innovation Coordinator, an Anti-Corruption Coordinator, a Rule of Law Coordinator, a Programme Associate (Finance) and tentatively a Disability Junior Professional Officer. A Monitoring and Evaluation Analyst will support portfolio assurance.

11. The Programme Specialist will coordinate, on behalf of the Portfolio Project Board, the day-to-day collaborative efforts at the overall portfolio level. The Programme Specialist will play a key role in implementing and coordinating the delivery of the portfolio.

12. The Portfolio will be supported by a Youth and Innovation Coordinator, who will provide technical support to the youth empowerment and innovation thematic areas; an Anti-Corruption Coordinator, who will provide technical support to the transparency and accountability thematic areas; a Rule of Law Coordinator who will provide technical support on access to justice, human rights protection, legal empowerment and justice service delivery; and a Finance Associate who will provide financial management and resource mobilisation support to the Portfolio Project. A JPO for Disability has also been requested from the UN System.

13. The Portfolio will have additional support from UNDP, including M&E, Communications, office space, and office consumables, all of which (are/will be detailed in the budget).

Justice Portfolio Organisation Structure

Portfolio Project Board (Governance Mechanism)

Senior Beneficiary	Executive	Senior Supplier
Implementing Partners (Govt, CSOs)	*Project Steering Committee (MOF /UNDP)*	*[Donors, UNDP]*

Technical Committee
UNDP / MOJ

Portfolio Assurance
Programme Specialist

M&E Analyst*

Programme Associate**

Youth & Innovation Coordinator	Anti-Corruption Coordinator	Rule of Law Coordinator	JPO Disability***
MYGSC	*DCEC*	*MOJ*	*MLGRD*

*The M&E Analyst will offer M&E support to all 3 portfolios, including the Justice Portfolio, as a shared resource. both technically and budget-wise.

**The Programme Associate role entails providing financial services to the Portfolio as a full resource.

***Tentative, pending outcome of JPO request to UN system.

X. LEGAL CONTEXT

Option a. Where the country has signed the <u>Standard Basic Assistance Agreement (SBAA)</u>

This project document shall be the instrument referred to as such in Article 1 of the Standard Basic Assistance Agreement between the Government of Botswana and UNDP, signed on (date). All references in the SBAA to "Executing Agency" shall be deemed to refer to "Implementing Partner."

This project will be implemented by the "Implementing Partners"—Ministry of Justice (MOJ), Ministry of Trade and Industry (MTI), Botswana Chamber of Mines (BCM), and the Ministry of Local Government and Rural Development (MLGRD)-- stated on page 1 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.

XI. RISK MANAGEMENT

Option a. Government Entity (NIM)

1. Consistent with the Article III of the SBAA *[or the Supplemental Provisions to the Project Document]*, the responsibility for the safety and security of the Implementing Partner and its personnel and property, and of UNDP's property in the Implementing Partner's custody, rests with the Implementing Partner. To this end, the Implementing Partner shall:
   a) 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;
   b) assume all risks and liabilities related to the Implementing Partner's security, and the full implementation of the security plan.

2. 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 Implementing Partner's obligations under this Project Document.

3. The Implementing Partner agrees to undertake all reasonable efforts to ensure that no UNDP funds received pursuant to the Project Document 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.

4. 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).

5. The Implementing Partner shall: (a) conduct project and programme-related activities in a manner consistent with the UNDP Social and Environmental Standards, (b) implement any management or mitigation plan prepared for the project or programme to comply with such standards, and (c) engage in a constructive and timely manner to address any concerns and complaints raised through the Accountability Mechanism. UNDP will seek to ensure that communities and other project stakeholders are informed of and have access to the Accountability Mechanism.

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. The Implementing Partner will take appropriate steps to prevent misuse of funds, fraud or corruption, by its officials, consultants, responsible parties, subcontractors and sub-recipients in implementing the project or using UNDP funds. The Implementing Partner will ensure that its financial management, anti-corruption and anti-fraud policies are in place and enforced for all funding received from or through UNDP.

8. The requirements of the following documents, then in force at the time of signature of the Project Document, apply to the Implementing Partner: (a) UNDP Policy on Fraud and other Corrupt Practices and (b) UNDP Office of Audit and Investigations Investigation Guidelines. The Implementing Partner 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.

9. In the event that an investigation is required, UNDP has the obligation to conduct investigations relating to any aspect of UNDP projects and programmes. The Implementing Partner shall provide its full cooperation, including making available personnel, relevant documentation, and granting access to the Implementing Partner's (and its consultants', responsible parties', 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 the Implementing Partner to find a solution.

10. The signatories to this Project Document will promptly inform one another in case of any incidence of inappropriate use of funds, or credible allegation of fraud or corruption with due confidentiality.

    Where the Implementing Partner becomes aware that a UNDP project or activity, in whole or in part, is the focus of investigation for alleged fraud/corruption, the Implementing Partner will inform the UNDP Resident Representative/Head of Office, who will promptly inform UNDP's Office of Audit and Investigations (OAI). The Implementing Partner shall provide regular updates to the head of UNDP in the country and OAI of the status of, and actions relating to, such investigation.

11. *Choose one of the three following options:*

    Option 3: UNDP shall be entitled to a refund from the Implementing Partner 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 the Project Document. Such amount may be deducted by UNDP from any payment due to the Implementing Partner under this or any other agreement.

    Where such funds have not been refunded to UNDP, the Implementing Partner 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 the Implementing Partner 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.

    <u>Note</u>: 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.

12. Each contract issued by the Implementing Partner 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 the Implementing Partner shall cooperate with any and all investigations and post-payment audits.

13. Should UNDP refer to the relevant national authorities for appropriate legal action any alleged wrongdoing relating to the project, 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.

14. The Implementing Partner shall ensure that all of its obligations set forth under this section entitled "Risk Management" are passed on to each responsible party, subcontractor and sub-recipient and that all the clauses under this section entitled "Risk Management Standard Clauses" are included, *mutatis mutandis*, in all sub-contracts or sub-agreements entered into further to this Project Document.

Special Clauses. In case of government cost-sharing/financing through the project, the following clauses should be included:

1.   The schedule of payments and UNDP bank account details.

2.   The value of the payment, if made in a currency other than United States dollars, shall be determined by applying the United Nations operational rate of exchange in effect on the date of payment. Should there be a change in the United Nations operational rate of exchange prior to the full utilization by the UNDP of the payment, the value of the balance of funds still held at that time will be adjusted accordingly. If, in such a case, a loss in the value of the balance of funds is recorded, UNDP shall inform the Government with a view to determining whether any further financing could be provided by the Government. Should such further financing not be available, the assistance to be provided to the project may be reduced, suspended or terminated by UNDP.

3.   The above schedule of payments takes into account the requirement that the payments shall be made in advance of the implementation of planned activities. It may be amended to be consistent with the progress of project delivery.

4.   UNDP shall receive and administer the payment in accordance with the regulations, rules and directives of UNDP.

5.   All financial accounts and statements shall be expressed in United States dollars.

6.   If unforeseen increases in expenditures or commitments are expected or realized (whether owing to inflationary factors, fluctuation in exchange rates or unforeseen contingencies), UNDP shall submit to the government on a timely basis a supplementary estimate showing the further financing that will be necessary. The Government shall use its best endeavours to obtain the additional funds required.

7.   If the payments referred above are not received in accordance with the payment schedule, or if the additional financing required in accordance with paragraph [] above is not forthcoming from the Government or other sources, the assistance to be provided to the project under this Agreement may be reduced, suspended or terminated by UNDP.

8.   Any interest income attributable to the contribution shall be credited to UNDP Account and shall be utilized in accordance with established UNDP procedures.

In accordance with the decisions and directives of UNDP's Executive Board:

The contribution shall be charged:

(a) 8% cost recovery for the provision of general management support (GMS) by UNDP headquarters and country offices

(b) Direct cost for implementation support services (ISS) provided by UNDP and/or an executing entity/implementing partner.

9.   Ownership of equipment, supplies and other properties financed from the contribution shall vest in UNDP. Matters relating to the transfer of ownership by UNDP shall be determined in accordance with the relevant policies and procedures of UNDP.

10.   The contribution shall be subject exclusively to the internal and external auditing procedures provided for in the financial regulations, rules and directives of UNDP."

XII. ANNEXES

1. **Project Quality Assurance Report for the portfolio**

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:** Standard Risk Register

4. **Capacity Assessment:** Results of capacity assessments of Implementing Partner (including HACT Micro Assessment)

5. **Portfolio Project Board Terms of Reference and TORs of key management positions**

6. **Chapeau**