

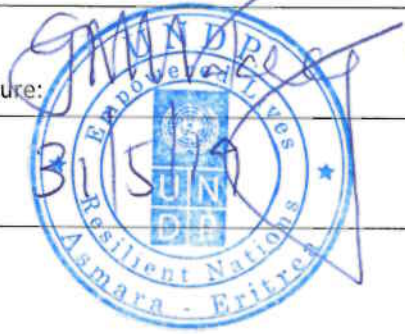


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## MINISTRY OF JUSTICE PROGRAM SUPPORTED BY UNDP IN ERITREA Biannual Work Plan: 2019-2020

Project name	Amount
Enhancing -Human and Institutional Capacity in the Justice Sector	USD466,667.00

Coordinating Authority	UN- Resident Coordinator	Implementing Partner	UNDP Eritrea
H.E. Dr.GiorgisTeklemikael Minister Ministry of National Development	Ms. Susan NamondoNgongi Resident Coordinator	H.E. FawziaHashim Minister Ministry of Justice	Mr. James Wakiaga Resident Representative,
Signature:  31/05/2019	Signature:  May 31, 2019	Signature:  Date: May 31, 2019	Signature:  Date: 



**Project Title:** **Enhancing -Human and Institutional Capacity in the Justice Sector**

**SPCF 2017-2021 Outcome (s):**  
**Pillar 3: Public Sector Capacity Development)**

**Outcome 5:** By 2021, the population, including vulnerable groups benefit from evidenced-based planning and policy; accountable public institutions and systems that ensure human rights equitable public delivery.

**CPD Outcome(s)** **CPD Outcome 3 (SPCF Outcome 5):** By 2021, the population, including vulnerable groups benefit from evidenced-based planning and policy; accountable public institutions and stem that ensure equality in public delivery.

**Project Expected Output(s):**  
**Output 1:** Strengthen the Human Capacity of the Justice Sector and ensure greater accessibility to justice related services

**Output 2:** Support to Eritrean institutions to increase efficiency

**Implementing Partner:** Ministry of Justice

**Responsible Parties:** Relevant Ministries of the Government of the State of Eritrea

### Brief description

This initiation plan intends to kick start support the Ministry of Justice in strengthening its capacity intended over a six-month period. This support will improve, enhance and strengthen the administration of justice and ensure greater accessibility to justice related services and forms of Pillar 3: Public Sector Capacity Development of the Strategic Partnership Co-operation Framework (SPCF) between the Government of Eritrea (GoE) and the United Nations and contribute to SDG implementation especially SDG Goal 16. Additionally, it will be noted that Gender equality is not the *main objective* of the expected output. However, the output promotes gender equality in a significant and consistent way in that legal administrative services for the entire country is the objective. Through a more efficient administration of justice, improved data collection, analysis will enable more effective data disaggregation.

**Prog/project Title: Initiation Plan- Enhancing - Human and Institutional Capacity in the Justice Sector**

Total estimated prog                      466,667.00  
Out of which:

1. Planned resources:
- Government    \_\_\_\_\_
  - Regular/Other Resources 466,667.00
  - NGO or private    \_\_\_\_\_
  - UN Org...    \_\_\_\_\_
  - Donor ...    \_\_\_\_\_

## I. EXECUTIVE SUMMARY

### Background

Following independence in 1991, there have been several developments with the State of Eritrea (SoE) that have tremendous implications for the country's administration of justice. Some of the developments can be considered to have a direct impact, while others may have an indirect impact on the country's justice services.

The administration of justice, as currently constituted, includes the Judiciary, the Office of the Attorney-General and the Legal Services Department, all of which falls within the umbrella of the Ministry of Justice (MoJ).

There has been a major development which directly impact on the country's administration of justice namely the Codification of Eritrean Laws. The codification process of the Eritrean laws was conducted under the direction of the Ministry of Justice. Civil and Criminal codes and their related procedures were successfully published in 2015. These various codes are intended to reflect Eritrean values, history, culture and socio-economic aspirations of its people. Those codes comprise a comprehensively codified system of laws for the country.

Developments that indirectly impact the administration of justice is the general policy pronouncements and promulgation of many proclamations covering various aspects of economic, social and political life.

The Ministry of Justice functions with the vision of attaining the values and standards of accessibility, efficiency, expediency, accountability and fairness of the justice system and its related services.

Development of a Court Management Information System (CMIS) was deemed by the MoJ to be of strategic importance to improving the efficiency, system accountability and transparency of the judicial system in Eritrea. Thus far, a pilot CMIS has been established in the High court and the Courts of Central (Asmara) Region and recently in the Community Courts of the central region.

The various communities of the Eritrean society are blessed with the age-long tradition of peaceful resolution of disputes by members of the community in accordance with their customary laws. The present community Court System was established 2003 by Proclamation No. 132/2003 as a logical step in advancing implementation of the traditional dispute resolution normative systems as the formal court system.

The Ministry has also been engaged in public awareness raising programme and promotional campaigns to ensure much wider understanding of the national laws among the public and get the best out of the utilisation of the national laws by the community.

## II. STRATEGIES

Improving the efficiency of the MoJ;

Court administration is the cornerstone of the administration of justice and central to this strategy is the need to the enhance the efficiency of the courts and build a court system that is responsive to

the needs of the people by being customer focused and adapting a modern management ethos and creating an e-justice system; for justice delayed is justice denied. This will include archiving and documentation as well. A re-engineered court process will ensure better and more efficient allocation of resources, enable a more responsive and accountable management system thereby improving front line services at the point of public interface;

Introducing a code of conduct and/or system of values generally termed a service charter that embodies the innate values of the Eritrean society, that justice officials including frontline officials rendering direct services to the public will aspire to and be held accountable for;

Naturally, inculcating these values require that the transformation of service delivery and empowerment for court officials; to this end the Ministry will intensify its plans for the e-justice system that will require automation of justice services and especially the case management flow and fully cognisant that bandwidth is central for automation;

#### Ensuring Accessibility

Simplification of legal codes and court processes & raising public awareness

Access to the legal codes, legal information and understanding of the case flow system to better interact with justice services is essential and, in this regard, simplification and demystification of these processes and information in the national languages of Eritrea is necessary to both improve service delivery and enhance accessibility to the justice system;

Strengthening the administration of justice;

Professionalising and strengthening the legal services department will position the MoJ to adequately address the emerging and anticipated new legal trends and anomalies;

This area of priority will ensure that the human capacity for the legal services department in increased and as significant that the capacities of this team in anticipation of unidentified areas of law such as transnational legal anomalies in the areas of maritime law, transnational crime, environmental law, investment and corporate law and a cybersecurity legal framework are strengthened to enable this team to respond as efficiently as possible;

Similarly strengthening of judges appointed to the almost 400 community courts countrywide will be augmented with the business efficiency of the justice processes and administration;

The Community courts will be reinforced through newly recruited law graduates to ensure complementarity and it is envisaged that they too will undergo training to assimilate into this court system and the justice administrative processes;

Law graduates that will be designated to complement the roles of community court judges, will further enhance both the efficiency and effectiveness of the justice services;

The MoJ training centre will serve as a training hub and centre of excellence providing revised curriculum, support for Public Services; This will include long distance learning and online training both locally, regionally and internationally.

Training and capacity strengthening may take various forms including in-house training at the centre, study and exploratory visits, developing of a curriculum, peer support exchange between countries with similar legal systems, country typologies.

### **III. PARTNERSHIP WITH THE UN AND OTHERS INCLUDING DONOR SUPPORT**

UNDP has the mandate to support the Government of Eritrea (GoE) to enhance the building of capacities and institutional strengthening as per the 2016 Strategic Partnership Co-operation Framework (SPCF 2017-2021). The Four strategic pillars of the SPCS are guided by the National Indicative Development Plan namely: Pillar 1: Basic Social Services; Pillar 2: Environmental Sustainability, resilience and disaster risk management; Pillar 3: Public Sector Capacity Development; and Pillar 4: Inclusive Growth, food security and sustainable livelihoods.

Within this context of the GoSE, support will be provided strengthen the justice services as well as strengthen the human capacities of Ministry of Justice (MoJ). This followed a series of discussions and with the Ministry of Justice and identification of a very light analysis of the current community court system. Against this backdrop and consistent with the priorities of the Ministry of Justice, namely; improving the efficiency of the MoJ; Ensuring accessibility of justice services and strengthening the administration of justice related services. This initiation plan will serve to kickstart a series of long-term projects to be followed up with a project document and more sustainable allocation of resources.

### **IV. UNODC**

GoSE has been engaging with the UNODC within the context of the implementation of the Regional Programme for Eastern Africa. This programme was endorsed by 13-member states in Eastern Africa including Eritrea in 2016. The programme aims at promoting the rule of law, and human security across the Eastern African region through supporting national efforts to strengthen crime prevention and the criminal justice system.

Transnational organized crimes in the Horn of Africa are endangering human well-being, perpetuating poverty, weakening state institutions and threatening regional stability, it is imperative as Eritrea emerges from isolation to strengthen the institutional and technical capacities. It is against this backdrop that the GoSE has requested support to accelerate implementation of its national priorities in the criminal justice system.

## V. RESULTS FRAMEWORK

National capacity and institutional challenges emerge as key concerns and are dire at the local levels especially within the community court structures. Consequently, the UN system has recognised capacity building and institutional strengthening must be supported urgently and prior to the formulation of a fully-fledged project for a longer-term response to justice services.

## VI. MANAGEMENT AND CO-ORDINATION ARRANGEMENTS

The Ministry of Justice is designated to manage the project's implementation. The UNDP rules and procedures for NIM modality will apply to the execution and implementation of this project. The MoJ will be responsible for achieving the results expected from the Project, and in particular for ensuring that the outputs are produced through effective use of the UNDP fund.

The MoJ will appoint a senior person as the national Project Co-ordinator (NPC) for this IP. This person will be responsible for reviewing the implementation and communicating with the UN team on the technical and operational matters. UNDP will assign a focal point to ensure implementation of this project. These persons will form part of an interim committee exercising oversight of the IP.

The IP will detail the activities to be carried out, including time-frames and planned inputs from the MoJ and UNDP. The basis for all resource transfers to the implementing partner will be detailed in this workplan and as agreed to between the implementing partner, UNDP.

By signing this IP, the signatory UN agency undertakes full responsibility to implement the component (s) and achieving the results identified in the workplan.

UNDP as the managing agent will prepare the narrative and financial reports in accordance with its policies and procedures as per the operational policy guidance. Reporting will focus on the results and UNDP formats will be used for reporting.

## VII. FUND MANAGEMENT ARRANGEMENTS

Cash transfers will be based on mutually agreed work plans and disbursements on quarterly basis. Moreover, reimbursement and direct payment modalities will be applied as appropriate. The provisions required under the Harmonized Approach to Cash Transfers (HACT) as detailed in HACT implementation program will apply.

The disposition of any balance of funds remaining at the end of programme implementation will be in accordance with the agreements between the UNDP and the implementing partners. UNDP will be responsible for auditing based on the assurance plan.

Procurement of goods and services for the project will be done using Government Procurement Procedures so long as these are consistent with UNDP procurement policies, which relate to competitiveness, transparency and multilateralism. Otherwise, UNDP will do the procurement on behalf of the MoJ.

#### **VIII. ACCOUNTABILITY, MONITORING, EVALUATION AND REPORTING**

To track the progress and performance of the project and ensure their sustained contributions to the overall development goals monitoring and evaluation will be an integral part of project. The project results matrix and monitoring and evaluation plan will be the basis for monitoring and evaluation activities. The key aim of monitoring will be to improve the effectiveness and efficiency of the programme management, coordination, and proper resource utilisation. Also, will help UNDP and MoJ to assess and determine how the project can contribute more effectively to MoJ's development efforts and capacity building. Beyond the identification of outstanding implementation issues, monitoring and evaluation will help to identify emerging development opportunities during the process of programme implementation.

The MoJ and UNDP will be responsible for ensuring continuous monitoring of the progress of the project results on monthly basis. Monitoring will take place at various levels. Project steering committees will be important mechanisms for project monitoring and review, together with annual reviews. In addition, field visits; progress and financial reports will be used as the main instruments for continuous monitoring. The periodic reports will be shared among the key stakeholders for mutual understanding and enhanced partnership. Outstanding issues will be discussed and encountered, and implementation problems resolved. The provision of periodic progress and financial reports is the prime responsibility of the MoJ. The MoJ will prepare progress reports quarterly. These periodic reports will highlight the progress, achievements and results of the projects including challenges encountered and state of resource utilisation vis-à-vis the annual planned targets.

Disbursements of funds will be made by UNDP to the implementing partner on a quarterly basis upon submission of financial reports and specific quarterly plans. The recipient (MoJ) of the funds will be accountable for the funds advanced to it according to the agreed work plan.

The recipient will be expected to professionally maintain books of accounts, in accordance with NEX/NGO accounting and reporting guidelines. The recipient, whenever required, will ensure that the books of accounts are readily available for monitoring by UNDP.

Reporting on the use of funds by the implementing partner will be in accordance with the financial and technical reporting guidelines and work plan formats. Financial reporting to UNDP by the implementing partner on quarterly advances will be done through quarterly financial reports received at UNDP by the 15th day of the first month of the following quarter.



## IX. KEY RESULTS:

### Result Area 1: Strengthening the Administration of Justice and Related Justice Services in Eritrea

**Activity Result: Capacity building strategy and training plan for GoSE institutions developed and implemented**

- Devise training curriculum in the following areas;
  - Orientation and Induction for new staff of 100 officials of community courts;
  - Refresher and online training on:
    - new and current legislation, identifying emerging trends and new developments in legal jurisprudence; transnational legal frameworks including money laundering, terrorist financing; cybercrime, financial intelligence legislation, trafficking, civil, contractual. International finance amongst others;
- Conduct training sessions for:
  - 400 judges of the community courts induction on orientation and basic legal trainings;
  - 300 Legal Aid officials on specialized training for the legal services department;
- Training 100 court officials in Arabic; International human rights and Transnational legal frameworks

#### **Activity Result: Exchange of Knowledge, Set up peer support,**

- Identify and facilitate study tours for 5-person delegation in 5 countries with similar typologies, legal systems in justice services to exchange information, share knowledge, develop synergies including peer to peer support;
- Identify and develop a roster of specialised skills-set of support to the Ministry of Justice on the diaspora as well as regional and international expertise;
- Identify and attend specialized on-line courses in areas of the law including legal drafting skills for 30 officials;
- Provide on-line training and advanced learning at the LLM level for 20 officials in different areas of the law;

- Identify on-line and advanced learning sessions and courses on Justice services including specialised areas of law, legal drafting services, understanding client care and service delivery for 30 officials;

### **Key Result Area 2: Enhancing the Efficiency of Justice Services**

**Activity Result: Support to implementation of the e-justice system recommendations related to administration of justice.**

- Setting up of a Central Archive Centre that will be accessible both manually and digitally;
- Strengthening and implementing of a digital case flow management system (adoption of open source software on Linux servers) and ensuring compatibility with the MoJ digital archive;
- Implementation of an intranet system within the court infrastructure enabling connectivity to the Central system (Ministry Offices) and selected branches in the Regional Administration;
- Staggered introduction and implementation of a paperless ministry and internal e-communication system;
- Training of all justice officials (200) to interact with the e-justice system;
- Strengthening of the MoJ digital library;

### **Result Area 3: Increasing Accessibility to Justice Related Processes and Services**

**Activity Result: Increased Accessibility and understanding of Justice Services;**

- To develop a communication strategy to inform and advise the public of the transformation of justice services and business efficiency, case flow efficiency;
- To develop an advocacy strategy on dialogues with the public through newsletters, social media, television, radio and event campaigns;

- Appoint a consulting company to ensure user friendly information on accessing of justice services and service standards and client services;

## **X. LEGAL CONTEXT**

This project document shall be the instrument referred to as such in Article 1 of the SBAA between the Government of Eritrea and UNDP, signed on 11 June 1994 and Strategic Partnership Cooperation Framework 2017-2021.

Results, Activities and Indicative Budget  
Rolling 2019/2020

Period:

Key Results	Activities	TIME FRAME				RESPON-SIBLE			PLANNED BUDGET		
		Q 1	Q 2	Q 3	Q 4	PARTY			Source of Funds	Amount (USD)	
Strengthening the Administration of Justice and Related Justice Services in Eritrea	<p><b>Activity Result: Capacity building strategy and training plan for GoSE institutions developed and implemented</b></p> <ul style="list-style-type: none"> <li>➤ Devise training curriculum in the following areas; <ul style="list-style-type: none"> <li>○ Orientation and Induction for new staff of 100 officials of community courts;</li> <li>○ Refresher and online training on: <ul style="list-style-type: none"> <li>○ new and current legislation, identifying emerging trends and new developments in legal jurisprudence; transnational legal frameworks including money laundering, terrorist financing; cybercrime, financial intelligence legislation, trafficking, civil, contractual. International finance amongst others;</li> </ul> </li> </ul> </li> <li>➤ Conduct training sessions for: <ul style="list-style-type: none"> <li>○ 400 judges of the community courts</li> </ul> </li> </ul>					*	*	*	Ministry of Justice	04000	356,667.00

	<p>induction on orientation and basic legal training;</p> <ul style="list-style-type: none"> <li>○ 300 Legal Aid officials on specialized training for the legal services department;</li> </ul> <p>➤ Training 100 court officials in Arabic; International human rights and Transnational legal frameworks</p> <p><b>Activity Result: Exchange of Knowledge, Set up peer support,</b></p> <p>➤ Identify and facilitate study tours for 5-person delegation in 5 countries with similar typologies, legal systems in justice services to exchange information, share knowledge, develop synergies including peer to peer support;</p> <p>➤ Identify and develop a roster of specialised skills-set of support to the Ministry of Justice on the diaspora as well as regional and international expertise;</p> <p>➤ Identify and attend specialized on-line courses in areas of the law including legal drafting skills for 30 officials;</p> <p>➤ Provide on-line training and advanced learning at the LLM level for 20 officials in different areas of</p>												
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	<p>the law;</p> <p>➤ Identify on-line and advanced learning sessions and courses on Justice services including specialized areas of law, legal drafting services, understanding client care and service delivery for 30 officials;</p>							
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<b>Enhancing the Efficiency of Justice Services</b>	<p><b>Activity Result: Support to implementation of the e-justice system recommendations related to administration of justice.</b></p> <ul style="list-style-type: none"> <li>➤ Setting up of a Central Archive Centre that will be accessible both manually and digitally;</li> <li>➤ Strengthening and implementing of a digital case flow management system (adoption of open source software on Linux servers) and ensuring compatibility with the MoJ digital archive;</li> <li>➤ Implementation of an intranet system within the court infrastructure enabling connectivity to the Central system (Ministry Offices) and selected branches in the Regional Administration;</li> <li>➤ Staggered introduction and implementation of a paperless ministry and internal e-communication system;</li> <li>➤ Training of all justice officials (200) to interact with the e-justice system;</li> <li>➤ Strengthening of the MoJ digital library;</li> </ul>		*	*	*	Ministry of Justice	04000-	70,000.00
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<b>Increasing Accessibility to Justice Related Processes and Services</b>	<b>Activity Result: Increased Accessibility and understanding of Justice Services;</b> ➤ Appoint a media company to develop a communication strategy to inform and advise the public of the transformation of justice services and business efficiency, case flow efficiency;  ➤ Develop an advocacy strategy on dialogues with the public through newsletters, social media, television, radio and event campaigns;  ➤ Appoint a consulting company to ensure user friendly information on accessing of justice services and service standards and client services;	*	*		Ministry of Justice	04000-UNDP	40,000.00
	<b>TOTAL</b>						466,667.00



