



# PROJECT DOCUMENT

# CAPACITY DEVELOPMENT OF THE HUMAN RIGHTS COMMISSION OF THE MALDIVES

Country: Maldives

UNDAF Outcomes:

By 2010, the most vulnerable and marginalized sections of the society in the Maldives will enjoy better health status, improved access to quality education, enhanced social protection, income and employment opportunities.

By 2010, people enjoy greater rights and have increased capacity to fulfill their responsibilities, and to actively participate in national and local levels of governance.

**CPAP Outcomes:** 

4. Increased transparency and accountability of

public institutions

5.1 Ensure the judicial system strengthened in line with international standards and best practices 5. 2 A culture of respect for human rights is recognized, fulfilled, protected and fostered

Implementing partner:

Human Rights Commission of the Maldives

**Project Title**: Capacity Development of Human

Rights Commission of the

Maldives

Programme Period: 2010-2013 Programme Component: Democratic

Governance

Project ID:

to be assigned

Duration: 3 years Total estimated project budget: US\$ 774,600

1. Planned resources:

UNDP - TRAC UNFPA

US\$ 400,000

WHO

in kind

2. Unfunded budget:

US\$ 374,600

The Human Rights Commission of the Maldives is an essential partner of the GoM in the ongoing transition to democracy and hence an important focus for the UNCT given that human rights is a key area of assistance. The HRCM's effectiveness has recently been assessed by an international team and also during the evaluation of the recently-concluded HRCM capacity development project. Both support the need for a well-functioning human rights watchdog that is effectively managed, efficient, and which makes a significant contribution to the development of a country-wide human rights culture. This project therefore focuses on capacity development of the HRCM, while reflecting that capacity is most effectively built through activities. Hence, while there is an emphasis on staff development via a comprehensive training plan based on a professional needs assessment, project activities are also designed to support the HRCM's human rights programmes.

Agreed by Lead Agency: (Human Rights Commission of the Maldives)

Mr. Ahmed Saltem; President: Human Rights Commission

of the Maldives

Agreed by UNDP:

Mr. Andrew Cox; UNDP Resident Representative

Agreed by WHO:

Dr. Jorge Luna; WHO Representative

Date: 20th MAY 2010

### 1. Situation Analysis

The road to democracy in the Maldives turned another corner on the election, in October 2008, of a new President with a human rights agenda. This milestone was followed by, in May 2009, successful multi-party elections for the Majlis under a new Constitution that is more closely aligned to international human rights standards. It broadens basic rights – economic, social and cultural, as well as civil rights. Political freedoms have been considerably enhanced – freedom of expression, freedom of movement and assembly, free media and freedom from arbitrary arrest are now all guaranteed. However, much remains to be done to ensure that the human rights of everyone in the Maldives are realised.

The Human Rights Commission of the Maldives (HRCM) was the first of the democratic institutions to be established – initially, in December 2003 by Presidential Decree, and later through the passage of the Human Rights Commission Act 2006. Its status was further elevated when the revised Constitution came into force on 7 August 2008. However, it has been accorded only "B" status by the International Coordinating Committee on National Human Rights Institutions (ICC). "A" status was withheld due to the requirement in the HRCM's enabling law that all members of the Commission must be Muslim. The ICC's Sub-Committee on Accreditation expressed concern that this is contrary to the Paris Principles requirement for pluralism and diversity in the composition of an NHRI and recommended that this requirement be removed to ensure the Commission's compliance with the Paris Principles. These Principles, endorsed by the UN General Assembly, provide basic minimum standards for such bodies.

Whatever status the HRCM is accorded by the international human rights community, it faces a huge challenge in achieving a human rights culture throughout the country – in both the official sector and among the general public. As a recent Capacity Assessment of the HRCM undertaken by a joint UNDP/OHCHR/APF team notes:

The HRCM has an important role in supporting and cementing the transition to democracy in the Maldives by confronting [existing] threats to human rights and building greater public awareness of and support for human rights. During its first five years, from 2003 to 2008, it had to contribute a human rights dimension in ensuring that the transition actually occurred, that a democratic constitution was adopted and elections held. Now the challenge it faces is to find ways to operate in a more open and democratic system, to make human rights the foundation of the new society and to contribute to their entrenchment.

In its first six years, the HRCM has had strong support from the UN community in the Maldives and others, including the Asia Pacific Forum of National Human Rights Institutions (APF). It has established itself as the country's expert human rights watchdog, but there is much to done if it is to build long-term credibility with the official sector, civil society and the general public alike in order to fulfil its vision and mandate. A recent evaluation of UN assistance to the Commission noted the benefits the HRCM has received from such assistance and contemplates a new UN capacity development project to support the Commission, while noting that "capacity is most effectively built through activities". Human rights is a key area of assistance to the Maldives for UNDP and HRCM is ideally suited to be UNDP's key partner in delivering human rights awareness and monitoring in throughout the country.

There are a number of initiatives of the new President that represent particular challenges for the HRCM. For example, in pursuit of good governance, a key theme of the government's strategic action plan is a regionalisation and decentralisation programme to ensure increased local participation in decision making through social, political and economic empowerment at the local level. This will require an effective and accountable local administration, staffed by professional civil servants who understand the principles of good governance and take a human rights based

approach to their responsibilities. Without this, the government's initiative to bring in local governance will be flawed. The HRCM is clearly an essential partner for the government in this strategy.

Other plans of the Government of the Maldives (GoM) also revolve around human rights. The Government's Strategic Action Plan, which effectively replaces the 7<sup>th</sup> National Development Plan makes it clear that it is "committed to the provision and establishment of the rule of law and fair justice as a fundamental right for all Maldivians and is determined to foster a culture of democratic values". The role of the HRCM will be crucial here - in educating officials about their responsibilities and raising awareness among the public about their human rights. In support of this endeavour, UNDP has agreed to assist the Government with a projected entitled "Protecting Human Rights and Promoting Access to Justice in the Maldives" in which the HRCM also has a function as a "Responsible Party". Further, the reform process involves the passage of a large volume of new legislation, by a Majlis with many new members. Ensuring this legislation complies with international human rights standards represents a significant challenge for the Government (which does not have a majority in the Majlis). In all these initiatives, the HRCM has a vital role to play.

# 2. Strategies

A new initiative to enhance the capacity of the HRCM is especially timely, for a number of reasons:

• A Capacity Assessment (CA) of the HRCM undertaken by a team from United Nations Development Programme (UNDP), the Office of the High Commissioner for Human Rights (OHCHR) and the Asia Pacific Forum of National Human Rights Institutions (APF) has recently been concluded. The CA acknowledges that remarkable progress has been made in the past three years in transforming the HRCM into an active and effective institution. In 2006 when the current members took office, they inherited an organisation with four staff, inadequate premises and few resources. Since then the HRCM has been built essentially from the ground up. The organisation has been successfully transformed into one that is active and effective, with around 40 staff and suitable premises.

Despite this undoubted progress, the CA has identified a range of capacity challenges and gaps in core areas of the Commission's functioning and operations. It recommends short and long term strategies to upgrade the institutional capacity of the HRCM which are broadly in line with the strategies outlined in the Results and Resources Framework, although as noted below this Framework is especially focused on the HRCM's new Strategic Plan.

The findings and recommendations of the CA essentially mirror another recent review – a
final evaluation of the current UNCT project supporting the capacity development of the
HRCM. As is noted in the Evaluation Report (ER),

"The HRCM now has a motivated and capable staff, with a good basic grounding in human rights knowledge and an appetite to learn more. This human capital is the most valuable asset a human rights institution can develop and gives cause for considerable optimism about the future trajectory of the HRCM."

The ER has identified a number of issues that need to be addressed in any new project.

- The HRCM's planning cycle is finishing, and a new Strategic Plan has been drafted. Drafting a
  new project at this point enables coherence the alignment of the broad objectives of the
  project and the strategic objectives of the Strategic Plan as recommended by the ER;
- Assistance to the HRCM would complement other assistance being provided by the UN for the GoM's human rights initiatives, including Human Rights and A2J Project and Support to Decentralisation Project, both of which refer to the HRCM as an important partner.

In summary, therefore, further assistance to the HRCM by the UN Country Team is well-justified and particularly timely. The main purpose of such support should continue to be capacity development of the Commission, including assistance to the Commission's substantive human rights initiatives.

### Lessons Learned

The ER of the just completed UNCT Capacity Development Project identified a number of shortcomings in the project, despite its overall success, which need to be addressed in any new project:

- First, it should be focussed principally on capacity development, while recognising that capacity is most effectively built through activities. Training events, it has recommended, should be tied more closely to specific project activities that are consistent with the HRCM's strategic plan.
- Secondly, a large number of activities were not completed, due largely to the unanticipated slowness in appointing staff to the new Commission. Moreover, once they were appointed, many were diverted to activities that were not in the HRCM's Strategic Plan. The ER recommends close alignment between the strategic objectives in the Strategic Plan and project activities.
- Thirdly, the design of the previous project lacked indicators for evaluating the performance, quality and impact of the project activities taken individually or the project as a whole. This made evaluation "very difficult" and the ER recommends that adequate qualitative and quantitative indicators be included in the new project document.
- Fourthly, the ER noted that Secretary-General of the HRCM had played little active role in the management of the project, despite being identified as the person with responsibility for the day to day management of the project. In practice the Project Manager had reported directly to the commissioners, which, the ER recommends, is not an operating procedure that should be maintained in the long term.
- Finally the ER identified the "crucial role of [the Human Rights Advisor] in the success of the project, as well as the overall development of the HRCM...which should continue on the current itinerant basis, rather than being a resident advisor".

### Project Design

While, as noted, the project is timely given the availability of the CA, the ER and the new draft HRCM Strategic Plan, aligning these documents has not proved a simple matter, especially given the need to ensure the independence of the HRCM and the importance of its strategic objectives. A further complication is that as the project is being designed, only a first draft of the Strategic Plan is available. Accordingly, to the extent to which the Results Framework reflects the Strategic Plan, there may need to be adjustments once the HRCM finalises its strategy.

As recommended by the ER, the logical basis for the Results and Resources Framework which follows is the draft HRCM Strategic Plan and the six of its eleven focus areas which best fit a capacity development framework. These are:

- Focal area 2 Establishing a culture of respect for human rights
- Focal area 3 Conducting research on areas related to Human Rights
- Focal area 5 Monitoring and analysing the human rights situation
- Focal area 6 Collaborating with civil society
- Focal area 8 Strengthening the administrative functioning of the Commission
- Focal area 9 Local Governance

The CA has also had some influence on project activities through its five CA Key Strategies:

• Strategy 1 Upgrade programme implementation, especially in relation to policy development and human rights monitoring

•	Strategy 2	Upgrade leadership functions
•	Strategy 3	Upgrade human resources
•	Strategy 4	Upgrade internal processes and procedures, including communications, business processes and Standard Operating Procedures
•	Strategy 5	Upgrade community relations and engagement, including developing and implementing a communications strategy for advocacy and awareness

For each of these key strategies, a range of activities have been developed. However, in order that the overall project reflects the strategic priorities of the Commission, two further columns have been included, covering the HRCM's Strategic Objectives and the activities in the HRCM's Strategic Plan. These are intended to guide the implementation of project activities.

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# 3. PROJECT RESULTS AND RESOURCES FRAMEWORK

	CPAP Outcome 5. 2 A culture of respect for h	numan rights is recognised, fulfilled, protected and fostered				
HRCM Focus Area	HRCM Strategic Objective	Project Activities-	Indicators	Indicativ	Indicative Cost (\$)	
				2010	2011	2012
Focus Area 2 Establishing a culture of respect for human rights	Strategic Objective 2.1 Human rights become one of the main priorities in the education system	Activity 2.1.1 Develop HRCM capacity to assist EDC in incorporating general concepts of human rights into school curriculum, consistent with the recommendations of the international expert	General Concepts of human rights included in the school curriculum	10,000		
		Activity 2.1.2 Develop HRCM capacity and provide training for teacher educators in the delivery of human rights components of the curriculum	HRCM staff trained and training provided for Teacher Educators on human rights		10,000	
	Strategic Objective 2.2 A responsible society where everyone is aware of human rights	Activity 2.2.1 Develop HRCM capacity to conduct specialized human rights training for specific groups/areas (teachers, lawyers, police, judges, health care providers, parents, religious leaders, etc), on ESC rights	Training for HRCM staff undertaken on 6 areas of ESCR Training Evaluation done Follow up Evaluation after 6 months	20,000	20,000	
		Activity 2.2.2 undertake advocacy and training activities in relation to ESC rights, particularly where these have been the subject of monitoring or rapid assessment activities	Advocacy activities undertaken New human rights-friendly policies implemented by authorities		20,000	20,000
	Strategic Objective 2.3 Government policies formulated in line with international human rights standards	Activity 2.3.1 Build HRCM/NGO capacity to advice and advocate for the incorporation of international human rights instruments in government policy formulation.	Reports of Training Workshops Parallel reports prepared by NGOs and HRCM Comments re HRCM in Treaty Body and other international reports	15,000	15,000	15,000
		Activity 2.3.2 Undertake training of government human rights focal points, particularly those related to ESC rights	Human rights focal points trained More human rights friendly policies implemented by government authorities Training Evaluation Training Follow-up after 6 months	5,000	5,000	

	CPAP Outcome 5. 2 A culture of respect for h	CPAP Outcome 5. 2 A culture of respect for human rights is recognised, fulfilled, protected and fostered					
HRCM Focus Area	HRCM Strategic Objective	Project Activities-	Indicators	Indicativ	Indicative Cost (\$)		
		Activity 2.3.3 Work with the Civil Service Commission to provide training on human rights law to civil servants, specific to respective Ministries.	Improved Civil Servants knowledge of human rights	<b>2010</b> 10,000	5,000	5,000	
Focus Area 3 Conducting research on matters relating to human rights	Strategic Objective 3.1 Human rights violations in society analysed with a view to building a culture that is free from such issues	Activity 3.1.1 Repeat the human rights baseline study undertaken in 2006 (The Rights Side of Life 2010)	Study published Media reports of study Ongoing use of study data by HRCM and others	50,000			
		Activity 3.1.2 Develop HRCM capacity to undertake human rights research, including the collection and analysis of research undertaken by others	Training conducted Staff trained	5,200	5,200		
		Activity 3.1.3 Undertake a major national inquiry into a significant economic or social right, such as the right to education, with public hearings and a comprehensive final report	News reports of national inquiry Report of national inquiry Recommendations of national inquiry		15,000	15,000	
		Activity 3.1.4 Develop strategies to address major human rights issues identified in <i>The Rights Side of Life 2010</i> , including the people most at risk of violation and develop strategies to address these issues	implemented Media reports Strategies and Policies	15,000	5,000	5,000	
Focus Area 5 Monitoring and analysing the human rights situation	Strategic Objective 5.1 Monitoring the rights provided in the Constitution, international human rights treaties which Maldives is party to and other such obligations to the state in relation to human	Activity 5.1.1 Provide technical assistance on documentation to be used in the HRCM's monitoring mechanisms and training for HRCM staff on budget monitoring for allocation in the provision of human rights.	Team reports Training conducted	5,200	5,200	5,200	
	rights, in order to analyse the extent to which the state provide these rights and if not demand the state to provide these rights	Activity 5.1.2 Develop a Human Rights Monitoring Manual and documentation mechanism	Documentation developed, trialed and used consistently	10,000			
		Activity 5.1.3 Conduct a Human Rights analysis of the National Budget allocation	Analysis conducted Report published	5,000	20,000		
	Strategic Objective 5.2 Effective utilisation of the opportunities the HRCM receives, with the aim of securing for all persons living in the Maldives, the rights set out in the	Activity 5.2.1 Build collaborative relationships with local people and groups, through island and atoll visits	Visits conducted to islands/atolls	10,000	20,000	10,000	

	CPAP Outcome 5. 2 A culture of respect for human	numan rights is recognised, fulfilled, protected and fostered				
HRCM Focus Area	HRCM Strategic Objective	Project Activities-	Indicators	Indicativ	Indicative Cost (\$)	
	international human rights treaties to which Maldives is a party	Activity 5.2.2 Assist the HRCM to strengthen cooperation with and participation in the work of international human	HRCM personnel trained	5,200	5,200	2012
		rights mechanisms, particularly the treaty monitoring bodies, the Universal Periodic Review and the Special Procedures of the Human Rights Council.	More timely reporting by GoM Parallel reports to treaty body reports produced by HRCM and civil society actors			
Focus Area 6 Collaborating with civil society	Strategic Objective 6.1 Working with the members of NGO network to promote human rights sustainably by familiarising on human rights and assist and encourage NGOs working for human rights.	Activity 6.1.1 Develop HRCM capacity to train NGOs and other civil society actors and establishing a system for NGOs working with the HRCM as a means to initially decentralise the monitoring functions of HRCM, prior to the actual regionalization of HRCM offices.	NGO monitoring mechanism established NGO mechanism reports NGO reports Local media reports	15,000	15,000	15,000
		Activity 6.1.2 Provide orientation for the NGOs on Human Rights Commission Act and human rights based approach.	Training provided for NGOs		15,000	15,000
		Activity 6.1.3 Assist the NGO Network to conduct programmes in the atolls	Community programmes conducted by NGOs		20,000	20,000
		Activity 6.1.4 Develop and adopt a community relations and engagement strategy to provide a comprehensive framework for its education, awareness raising and advocacy work in and with the community and groups within the community	Community Relations Strategy formulated EMD Team Reports Increased cooperation with NGOs NGO reports and evaluation of cooperation	10,000		
Focus Area 8 - Strengthening the administrative functioning of the Commission	Strategic Objective 8.1 A modern management system at the HRCM that is effective and develop capable and result-oriented employees	Activity 8.1.1 Provide HRCM with leadership development, through specialized consultants and through training courses, learning events, study tours and other activities. (in the areas of strategic planning, leadership modeling, results based management, change management, competency based recruitment and management of staff, negotiation and consensus building, team building, communications, NHRI best practices, ethics and integrity)	Reports of trainers Evaluations Reports of other initiatives	15,000	15,000	15,000
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	CPAP Outcome 5. 2 A culture of respect for I	human rights is recognised, fulfilled, protected and fostered				
HRCM Focus Area	HRCM Strategic Objective	Project Activities-	Indicators	Indicati	Indicative Cost (\$)	
				2010	2041	2043
		Activity 8.1.2 Review the Human Rights Commission Act to ensure conformity with the Paris Principles and the adequacy of powers it confers on the HRCM and propose any necessary amendments, including its role as NPM, its role and status under the Maldives Constitution	Review Report Legislation amended Appointment Guidelines developed	2,000		
		Activity 8.1.3 Develop and publish a clear statement of its role in relation to areas now covered by other independent commissions and authorities, including the Civil Service Commission, the Elections Commission, the Judicial Service Commission and the Labour Tribunal, etc.	Statement of roles developed	10,000		
		Activity 8.1.4 Assist incoming Commissioners with facilitated "orientation" programme of information about international and national human rights structures and issues	Orientation report		5,200	
		Activity 8.1.5 Conduct a training needs analysis of all personnel at the HRCM and develop a three year training plan.	Training needs assessment report Training Plan	14,000		
		Activity 8.1.6 Undertake a three year programme of staff exchanges, work placements, attendance at training courses and educational establishments to address the training needs identified for individual staff members in Activity 8.1.8	Staff reports following training. Training evaluation reports		15,000	15,000
		Activity 8.1.7 Establish an effective CMS with Technical Assistance from International organizations such as HURIDOCs. Augment HRCM IT capacity to enable HRCM to manage the Complaints Management System	CMS enhanced Complaints Team Reports	20,000		
Focus Area 9 Local governance	Strategic Objective 9.1 Enabling the establishment of good governance and human rights culture in the in the decentralization process	Activity 9.1.1 Create awareness among the general public on the rights provided for citizens under the local governance bill	Leaflets produced and distributed TV and radio initiatives aired	20,000		
		Activity 9.1.2 Train new officials at local government units on decentralized governance from human rights based	Officials trained Report prepared		20,000	10,000

	CPAP Outcome 5. 2 A culture of respe	CPAP Outcome 5. 2 A culture of respect for human rights is recognised, fulfilled, protected and fostered				
HRCM Focus Area	HRCM Strategic Objective	Project Activities-	Indicators	Indicativ	Indicative Cost (\$)	
				2010	2011	2012
		approach and develop a strong rapport/collaboration with the administrative system at local government level.				
		Activity 9.1.3 Encourage increased participation of women in the councils developed under the local governance system through support from the NGO network	Advocacy activities conducted to encourage participation	15,000		
		Project Manager	Awareness campaigns	11,000	19,000	19,000
		Monitoring and Evaluation			_	15,000
				300,600	274,800	199,200
				274,800	2011	
				199,200	2112	
,				774,600		

# 3. Management and coordination arrangements

The project will be implemented via National Execution (NEX). Close coordination will be required with two other UN projects supporting the transition to democracy – the Human Rights and Access to Justice Project and the Support to Centralisation Project, and between the Project Manager, the UNCT, the HRCM and the Ministry of Finance and National Development.

The project will be implemented by the HRCM itself, in line with UNDP country office prevailing rules and regulations. The Commission will be responsible for the overall accountability, management and administration of the project. In line with the recommendations of the ER, the Secretary General of the HRCM will manage the day to day implementation of the project.

A Project Management Team (PMT) which meets monthly will comprise the HRCM Secretary General and representatives of the UN agencies involved in the project. In order to respect the independence of the HRCM, the GoM will not be represented on the PMT but will join the meeting on an annual basis when annual reports are under consideration.

The PMT will monitor the performance of the project to ensure timely implementation of activities, review and approve progress reports and an end of project report, provide policy guidance, manage risks and ensure that project milestones are completed. It will approve project revisions, ensure the availability of resources and address issues as raised by the Project Manager. The PMT, operating by consensus, approves the appointment and responsibilities of the Project Manager. At its first meeting, the PMT will set its rules of procedure.

In turn, the Project Manager will be accountable to the PMT for day-to-day implementation and management of the project, prepare work plans for approval and draw up annual work plans and budgets. The Project Manager will essentially be responsible for the successful running of the project, and for the delivery of outputs under this project document. The Project Manager will coordinate with other projects that contribute to the same outcome in the country programme and be responsible for producing regular progress and annual reports and the end of project report. Outside meetings of the PMT, the PM will meet on a regular basis with the responsible Programme Officer of UNDP as the coordinating UN partner.

UNDP will coordinate the UN agencies involved in the project. Any financial contributions from UN Agencies other than UNDP will be paid to UNDP and pooled for use in the project. UNDP will advance the funds to the HRCM for the project, according to UNDP rules, regulations and guidelines.

# 5. Monitoring and Evaluation

The project will be monitored, in accordance with the programming policies and procedures outlined in the UNDP User Guide, through the following:

# Within the annual cycle

- On a quarterly basis, a quality assessment shall record progress towards the completion of key results, based on quality criteria
- > An Issue Log shall be activated in Atlas and updated by the Project Manager to facilitate tracking and resolution of potential problems or requests for change.
- > Based on the initial risk analysis submitted (see annex 1), a risk log shall be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.
- Based on the above information recorded in Atlas, a Quarterly Progress Reports (QPR) shall be submitted by the Project Manager to the PMT through UNDP, using the standard report format.

- A project Lesson-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the project, and to facilitate the preparation of the Lessonslearned Report at the end of the project
- a Monitoring Schedule Plan shall be activated in Atlas and updated to track key management actions/events

### <u>Annually</u>

- Annual Review Report. The Project Manager will prepare for the PMT an Annual Review Report. As minimum requirement, the Annual Review Report shall consist of the Atlas standard format for the QPR covering the whole year with updated information for each above element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level.
- Annual Project Review. Based on the above report, an annual project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. This review is driven by the Project Management Team and may involve other stakeholders as required. It shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes.
- **Baseline Reviews**. Following the completion of Activity 1.1 (Baseline Human Rights Study) qualitative and quantitative indicators will be developed by the Project Manager and approved by the PMT to identify advances in knowledge and awareness of both the HRCM and attitudes towards human rights over the life of the project. The Baseline Survey will be updated by spot polls/surveys annually to assess progress.

### 6. Legal Context

This document together with the CPAP signed by the Government and UNDP which is incorporated by reference constitute together a Project Document as referred to in the SBAA and all CPAP provisions apply to this document. Consistent with the Article III of the Standard Basic Assistance Agreement, the responsibility for the safety and security of the HRCM as implementing partner and its personnel and property, and of UNDP's property in the implementing partner's custody, rests with the implementing partner.

### The HRCM 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.

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 this agreement.

The implementing partner agrees to undertake all reasonable efforts to ensure that none of the 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 <a href="http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm">http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm</a>.

# APPENDIX I

# **Initial Risk Analysis**

Description of risk	Potential impact on the project	Mitigation measures
Management reforms at the HRCM not implemented in accordance with recommendations of the Capacity Assessment and the Evaluation Report	Direction of the Project diverted from priorities identified in the HRCM Strategic Plan. Management training of Secretary General and Directors affected as they will not get an opportunity to put learned skills into practice.	Monitoring of the reform process by the PMT and dialogue with Commission
Delays in introduction or passage of legislation required by new Constitution	Delays in project implementation	Awareness raising and advocacy initiatives on the human rights and access to justice with the Majlis