

United Nations Development Programme

Programme of Assistance to the Palestinian People

برنامج الامم المتحدة الاتماني/ برنامج مساعدة الشعب الفلسطيني



24 August 2008

Subject:: Progress report on the establishment of the Planning and Project Management Unit in the High Judicial Council/Project # 58317

Dear Mr. Hans Makken

I am pleased to submit the first progress report on the establishment of the Planning and Project Management Unit (PPMU) within the Palestinian High Judicial Council (HJC), which is executed and implemented by UNDP/PAPP, and we appreciate your transfer of the next instalment of USD 41,284 as per the disbursement plan for the coming 6 months.

As you will see the practical establishment of the unit has been completed with three key staff, namely the Head of Unit, Donor Liaison Officer and an Administrative Assistant. The PPMU has, on behalf of the HJC, been engaged in and contributed to the development of an overall sector Justice strategy, the development of projects and programmes under the Palestinian Reform and Development Plan, preparations of the Berlin Conference, day-to-day coordination of the work taking place within the HJC, and the JSWG, including coordination with the Ministry of Justice and Attorney General's Office and the international community at large.

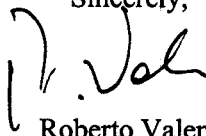
For personal reasons the Head of Unit decided to terminate his contract with UNDP-PAPP as of 31st July 2008. In mutual agreement with the Chief Justice a new Head of Unit, Judge Thuraya Joudeh, has been appointed Head of Unit. In terms of national ownership, transfer of knowledge and capacity development the appointment of an internal staff from the HJC to head the unit is optimal in terms of sustainability of the project in the long run.


Financially, this new arrangement implies that disbursements will decrease in the amount of USD 62,000 as the Head of Unit is no longer paid through the project thus resulting in savings. Given the immediate need of the HJC to develop capacities in the field of administration, management, strategic planning, proposal/project/report writing as well as negotiations, UNDP/PAPP would like to request your approval for the forecasted savings to be allocated to training and learning activities for the staff of the PPMU, so as to allow these to further train the units and staff of the HJC in above-mentioned subjects thus furthering capacity development of the Judiciary.



I take this opportunity to thank the Representative Office of the Kingdom of the Netherlands to the Palestinian Authority for its continued support to the Justice sector and the HJC in particular.

Sincerely,


Roberto Valent
Special Representative
UNDP/PAPP

A circular stamp with the United Nations emblem in the center. The text 'UNITED NATIONS' is written along the top inner edge, and 'DEVELOPMENT PROGRAMME' is written along the bottom inner edge.

Att. H.E. Frans Makken
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PROGRESS REPORT

PROJECT # 58317

**'ESTABLISHMENT OF THE PLANNING AND PROJECT
MANAGEMENT UNIT
WITHIN THE HIGH JUDICIAL COUNCIL'**



**Executed and Implemented by the
United Nations Development Programme (UNDP)
Programme of Assistance to the Palestinian People (PAPP)**

**Funded by the
Netherlands**

January 2008 – June 2008

1. GENERAL INFORMATION

- 1.01 Title of Project: Developing the capacities of the HJC – establishment of the Planning & Project Management Unit
- 1.02 Project Code/Number: 00053706
- 1.03 Project Manager: Yousef Nasrallah
- 1.04 Name of Donor: Netherlands
- 1.05 Name of Partner: the Palestinian High Judicial Council
- 1.06 Name of Executive: UNDP/PAPP
- 1.07 Project Location(s): West Bank
- 1.08 Total Allocated Budget: 225,034 USD
- 1.09 Project Start-up Date: January 1st, 2008
- 1.10 Project Duration: 24 Months
- 1.11 Period covered by the report: January 1st – June 30th 2008

1. Project Objectives and outcome

UNDP/PAPP has since January 2008 with funding from the Netherlands initiated the implementation of the project "Establishment of the Planning & Project Management Unit" within the High Judicial Council (HJC) through the provision of external technical assistance through the recruitment of a Head of Unit, a Donor Coordination Officer and an Administrative Assistant.

As laid out in the project document, the objective of this project is to support the Judiciary, more specifically the High Judicial Council (HJC), in developing institutional, sectoral and national capacities by partially staffing the newly established Planning and Project Management Unit within the HJC.

2. Establishment of the Unit

Recruitment was somewhat delayed for the Planning and Project Management Unit (PPMU), especially with the donor liaison officer post, and this implied that the Head of Unit and Administrative Assistant, Hani Hindiyeh, were on their own for a few months until the Donor Liaison Officer, Sanabel Halawani, came on board by April 1st 2008. Accordingly, the PPMU was fully staffed as of April 1st 2008. The Unit is, as originally planned, hosted by the High Judicial Council and is well on its way to the establish itself as the liaison between the Council, as the main beneficiary, international donors and other sector stakeholders as well.

Unfortunately, the Head of Unit, Yousef Nasrallah, decided to resign as per July 31st 2008 as he and his family immigrated to the US. In this context the issue of finding his replacement was discussed with himself as well as the Chief Justice. It was decided that the best option would be to avoid external recruitment and instead have the Chief Justice identify a qualified staff member from within the HJC to ensure institutional ownership and transfer of knowledge of the work being performed from the PPMU. A new Head of Unit, and currently a judge, Mrs. Thurya Hazem Mohammed Joudeh, has accordingly been identified and will for the first few months split her work-tasks between the PPMU and her judicial responsibilities as a judge, and by October 1st 2008 dedicate herself fully to the work of the PPMU. The Donor Liaison Officer and Administrative Officer will continue to report to the new Head of Unit on a day-to-day basis.

3. Coordination and cooperation

From the time that the project was developed and initiated notable changes had taken place in the political sphere of the oPt as well as the Justice sector. Most noteworthy is the development of a national plan, namely the Palestinian Reform and Development Plan (PRDP), which was presented to the international community in December 2007. Under the PRDP the development of the Justice sector has been noted as a sector of priority, and with this, pledges of funding were received from the international community. The emergence of a national plan and the pledges made have also had consequences for the planning within the justice sector, and in this regard, increased tension among the Justice Sector institutions namely the Ministry of Justice (MoJ), HJC and the Attorney General's Office (AGO). Tensions evolve around mandates, as especially the MoJ and HJC have differing views on which institution is to take the lead on overall sector planning and coordination. The MoJ in this regard obtained cabinet approval to be the focal point for strategic planning, and this raised much protest from the HJC and the AGO. In effect a compromise was reached, whereby the three institutions formed a technical committee with representatives from each institution, and these cooperate and coordinate at a purely technical level on all matters pertaining to the overall sector work.

3.1. Coordination and cooperation within the Justice Sector

For the PPMU this has in practice implied a few changes to the work originally envisioned for the unit. As an example, the PRDP calls for one common strategy framework for all justice institutions, rather than three individual ones. After some initial resistance, the MoJ, HJC and the AGO did eventually come together and merge their three strategies into one common strategic framework, which was presented at a new initiative, Justice Day, in the West Bank. From the HJC side, the PPMU played a significant role in contributing to the advancement of this common strategy as well as the holding of the actual event, Justice Day, launching this. Additional activities have included preparations for the Berlin Conference, and preparations for the Justice Sector Working Group meetings which are now held on a regular basis, and chaired on a rotational basis by the MoJ, HJC and the AGO.

In this context, the work of the PPMU has so far been crucial in contributing to increased coordination and cooperation between the various departments of the High Judicial Council, and especially the Palestinian Justice sector institutions through e.g. the technical committee established and the JSWG. The latter, in particular, has been a challenge due to lack of clarity and an overlap of mandates of the Justice sector institution, but recent events and activities within the sector have shown that although still at a minimum cooperation and coordination is taking place.

3.2. Coordination and cooperation within the HJC

In addition to the coordination and cooperation work required with external parties, the PPMU has also initiated the significant task of coordinating the work of the HJC internally. As such, historically little coordination has taken place between the departments and units of the HJC, and the task is a challenging one. The staff of the PPMU have however, with the green light and support of the Chief Justice initiated this process and are in the process of ensuring that (I) the PPMU holds all relevant documents (project and programme documents of ongoing and planned projects and programmes) (II) participate in all meetings held between the Chief Justice and development partners and as such (III) is the focal point between the HJC and Justice sector institutions as well as donors. The challenge herein lies in directing and including the international community to the PPMU as a first instance and not the Chief Justice himself or other units of the HJC, which is common practice now.

Below, a summary of the achievements against outcome and outputs, are noted.

4. Summary of Achievements

A functioning Planning and Project Management Unit within the High Judicial Council is established.

- *Recruiting and contracting unit's staff*
- *Procuring and equipping the office.*
- *Knowledge and expertise transfer in progress with the new Head of Unit in place*
- *Achieving the units' set activities*

4.1 Recruiting and contracting unit's staff

UNDP recruited a head of unit, donor liaison officer and an administrative assistant according to in line with UNDP's recruitment procedures and with participation from the beneficiary, the HJC in order to initiate the establishment of the unit.

4.2 Procuring and equipping the office.

As agreed with the HJC, the unit's office is located within the HJC building. The administrative assistant submitted the needed list of hardware and furniture of the office to the procurement department of UNDP. Afterwards all needed items were delivered to the unit, and the unit is fully established and functional.

4.3 Knowledge and expertise transfer

Due to personal reasons, the Head of the planning and project management unit Mr. Yousef Nassrallah submitted his resignation after six months of starting the project. As it is originally intended to transfer the knowledge of the unit's staff to staff within the HJC in order to assure the sustainability of the PPMU, a Judge was seconded by the Chief Justice to take over the Head of Unit post.

4.4 Achieving the units' set activities

- The Head of unit monitored the finalization of the HJC strategic plan
- The unit is now acting as the focal point for the HJC; the unit team is working closely with the chief justice, in attending meetings with donors, partners and other organizations.
- The unit is taking the lead to contact donors and meet with them in order to introduce them to the needs of the HJC, and is submitting new proposals for funding commitments.
- The unit represented the HJC in the preparatory meetings of the recent "Berlin Conference" in which the unit made a noticed input on focusing on the HJC priorities and plans.
- Since its establishment the unit has been attending regular meetings with the MoP and meeting their requests from the HJC in order to achieve the new PRDP plan
- The unit is now part of the (new Implementation Committee as the Co. chair with the Netherlands Rep office.) (Technical Committee) (JSWG), it should be mentioned that such committees are considered the new umbrella for creating the holistic vision of the Justice sector
- As the unit believes in the importance of team work, it is creating new connections with the departments within the HJC in order to maintain close coordination and have the ability to monitor the implementation of all the activities and projects related to the HJC

5. Financial Reporting

As per 30th June 2008 a total of USD 44,176.02 have been disbursed under the project. During January disbursement was limited, as the HoU only started late January, and in February and March the HoU took leave without pay, which also reduced expenditures for the first month. Expenditures for salaries have however been slightly higher than originally planned in the project budget due to the depreciation of the USD versus the NIS, and as the PPMU staff are paid in NIS.

As the HoU post will no longer be covered by the project this implies savings to the project in the amount of USD 61,535. In discussions with the PPMU and Chief Justice a request has been put forward to allocate some or all of this funding to training and learning within the PPMU as well as the HJC at large on topics such as strategic planning, management, administration, development of proposals/projects and reporting etc. The suggested approach is to allow the staff of the PPMU to develop a learning plan for the unit and the HJC, and according to this have PPMU staff participate in workshops (Training of Trainers), which in turn would allow them to train HJC staff at large.

Contracts	35,095	28,200	28,200	28,200
Procurement	5,300	5,000	4,700	0,00
Communication		1036	1036	1036
Miscellaneous	891.06	4,347	5,000	5,000
Total	41,286	38,583	38,936	34,236
UNDP GMS @ 7%	2890.02	2700.81	2725.52	2396.52
TOTAL	44,176.02	41,284	41,662	36,633

6. Challenges and Recommendations

- (I) During the reporting period the PPMU has focused on bringing the HJC needs and priority projects to the attention of the international community. The major challenge encountered is the high number of commitments to the HJC in terms of programmes and projects, but little follow-up to these commitments. This is causing the delay of achieving the HJC 2008 strategy, and accordingly the annual work plan for 2008 will in large be rolled over to 2009.
- (II) Internally, there has been some hesitation on the part of the HJC to engage with civil society. This was addressed in a meeting with UNDP, and the PPMU will initiate contacts with civil society organizations in order to provide a channel of communication between CSO's and the Judiciary. A mapping process of access to justice activities offered by non-state actors is being undertaken by UNDP-PAPP separately, and it is expected to provide a foundation for targeted and effective engagement.
- (III) A significant challenge facing the PPMU is caused by the Palestinian Judicial system's uniqueness, which assumes the HJC as the highest and most powerful judicial body of the three institutions (e.g. High Judicial Council, Ministry of Justice, Attorney General). This, as mentioned elsewhere creates tension at a political level, which trickles down to the technical level, and disrupts day-to-day work through e.g. lack of coordination between the three bodies. Nevertheless, it should be mentioned that since the establishment of the PPMU these challenges are being actively addressed and cooperation and coordination is taking place. Increased cooperation and coordination will continue to be on the agenda of the PPMU.