



**Project Document Format for projects within a CPAP**

**United Nations Development Programme  
Country: Sudan  
Project Document**

**Project Title:** Capacity Building of the Sudan Judiciary Phase 2

**UNDAF Outcome(s):**

Individuals and communities, especially groups with specific needs, have increased access to equitable and efficient justice and democratic governance processes.

**Expected CP Outcome(s):**

Rights upheld and protected through accountable, accessible and equitable rule of law institutions.

**Expected Output(s):**

Capacities of rule of law institutions strengthened.

**Implementing Partner: Sudan Judiciary and UNDP**

**Responsible Parties: UNDP**



## I. PROJECT BACKGROUND

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With the current implementation of the Comprehensive Peace Agreement (CPA), and the adoption of the Interim National Constitution (INC), Sudan has entered an important transitional phase in which legal and judicial reform will play a critical role in promoting sustainable peace. The Judiciary will be instrumental in translating the principles and promises of the CPA and the INC into tangible realities in post-conflict Sudan. In order to implement the CPA, and the mandate of the INC, including the establishment of the National Judicial Service Commission (NJSC), significant work must be done to assist the Judiciary to enhance its legal, technical, and operational competencies.

Against this background, UNDP supported a three-year project “The Capacity Building of the Sudan Judiciary”, which was aimed at was to strengthen the capacity of the Judiciary through:

- Providing support to the NJSC so as to enhance the management of an independent Judiciary;
- Developing the knowledgebase of the judges to effectively and fairly apply the law and deliver justice; and
- Improving the delivery of judicial services through rehabilitation and construction of selected judicial facilities.
- Support was provided to various sectors of the judiciary, the Training Administration of the Judiciary, the Technical and Scientific Section of the Judiciary.

During the implementation of the project, a number of challenges were faced, including limited interaction with the Honorable Sudan Chief Justice and limited capacity of the Training Department of the Judiciary, which impacted negatively on the implementation of the training activities. The high turnover of the project support staff also affected the implementation of the project activities. However, the engagement of the Honorable Sudan Chief Justice in the latter stages of the project was instrumental in ensuring the satisfactory completion of the project activities.

Also, a marked improvement occurred in the later stages of the implementation of the project with internal re-assignment within the Judiciary, with an alternate judge assigned to oversee the responsibilities of the Training Department and the training activities. As a result, a series of training activities were designed and implemented by the Training Administration of the Judiciary in conjunction with senior judges and law professors and with the support of the UNDP. The Technical and Scientific Bureau of the Judiciary also played a crucial role in the implementation of the project activities. The project is therefore ending on a positive note with all the elements of a successful project now in place. And the main achievements of the project include:

- Support was provided for the National Judicial Service Commission to develop its capacity to deliver judicial services, including rehabilitation of 13 judicial offices and the NJSC’s conference hall. In addition, furniture, installation of simultaneous translation equipment and video conference equipment were provided to NJSC;
- Judicial trainings were provided at the national and the State levels to develop the capacity of the judiciary (at the national and the state levels) to implement and integrate commitments to the rule of law under the Comprehensive Peace Agreement. The trainings have been a blend of in-country training and overseas courses for judges and court staff. Study tours were also conducted to Germany, South Africa, India, Malaysia and lessons were drawn as to the operation of court systems in those jurisdictions.

- Rehabilitation of court facilities in selected States (South Kordofan State, Blue Nile State, Kassala State, River Nile State) to improve the delivery of judicial services.

In June 2009, the Honorable Chief Justice has requested UNDP to provide technical support to the Sudan Judiciary. Given the desire of the Sudan Judiciary for a continued assistance from the UNDP and the ability of the existing management support of the judiciary project to deliver a project, UNDP is planning a Judiciary Project Phase (2) with a view to building upon the achievements of Phase(1) of the Project. Phase (2) of the project aims to provide continuous support to enhance the capacity of the Sudan judiciary, with a special focus on improving the capacity of the Training Department, the NJSC and the Technical Department.

In addition, a comprehensive “Needs Assessment of the Sudan Court System” will also be undertaken to identify the existing needs of Sudan Court System, including an assessment of the juvenile justice system as well as the needs of women who find themselves within the justice system in Sudan. Also Court Case Management will be a focus of this project to ensure that access to justice issues is addressed. The Phase (2) will be implemented by the Sudan Judiciary through the modality of Letters of Agreement between Sudan Judiciary and UNDP through which the Judiciary will implement directly the activities of the project with UNDP support. There have been ongoing consultations with the Sudan Judiciary as well as relevant counterparts throughout the design phase of the project with a view to gleaning the existing needs of the Sudan Judiciary.

## **II. MAIN OBJECTIVES OF THE PROJECT**

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The Phase (2) of the project aims to develop the operational and institutional capacities of the Sudan Judiciary with a view to ensuring that individual citizens have access to an informed and impartial judiciary. In particular, support will be provided to the national judiciary to enable it to properly administer and support the judiciary at the state level. The main objectives of the project are as follows:

- support the Training Administration of the Sudan Judiciary to provide training for the judiciary across northern Sudan States;
- support the publishing capacity of the Technical Scientific Bureau to produce law texts, law journals and encyclopedias;
- undertake a needs assessment of the court system in north Sudan, including the assessment of the juvenile justice system as well as the needs of women within the justice system in Sudan

The objectives of the project correspond with:

- UNDP Country Programme Action Plan (CPAP) Outcome 5: Rights upheld and protected through accountable, accessible and equitable Rule of Law institutions; and
- CPAP Outputs :
  - 5.1: Capacities strengthened of Rule of Law institutions; and
  - 5.2: Access to justice, particularly for vulnerable groups, improved

### **III. MAIN OUTPUTS OF THE PROJECT**

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#### **Output (1): Increase the capacity of the Technical and Scientific Bureau to provide technical support to its members:**

The Technical and Scientific Bureau plays a significant role in supporting the work of the judiciary, including the publication of law reports and other legal journals. It is of paramount importance to provide support to the Technical and Scientific Bureau to ensure that the judiciary has the necessary tools to deliver informed judgments. Within the framework of Phase (1) of the project, the Technical and Scientific Bureau of the Judiciary was supported to print of law reports which were distributed to all courts and judges in northern Sudan States. UNDP will continue to provide support to the Technical and Scientific Bureau, in particular:

- Supporting the printing of law texts, law journals and encyclopedias to enable the judiciary access to all fields of law and legal decisions from different jurisdictions with a view to enhancing the capacity of the judiciary to deliver informed judgments;
- Providing of equipment, especially translation equipment, with a view to enhancing the efficiency of the Technical Scientific Bureau;
- Providing the judiciary's library with legal texts, legal dictionaries and law reports from different jurisdictions.

#### **Output (2): Improved knowledge of judges and court administrators:**

The needs of the Training Administration of the judiciary are considerable such as administrative support-base that hinders the Training Administration for conducting training for the Sudan Judiciary and the court support staff. At present, there are over 900 judges in Sudan and an estimated 14,000 support staff that require ongoing training. Within the framework of Phase (1) of this project, UNDP supported the Training Administration to train the judges on topics designed and delivered directly by the judiciary. This represented a significant step, with the judiciary taking responsibility for its training needs. However, considerable support and guidance is still required.

As such, UNDP will continue to support and develop the capacity of the Training Administration so as to organize and deliver training activities to the judiciary. At present, the training activities, which are provided by the Training Administration, tend to be centralized and mainly conducted at Khartoum level with very limited participants of judges from the State level. As such, there is a need to develop strategies to ensure that the benefits of training are reached out to other courts at the State level. Currently, the Training Administration of the Judiciary is rolling out trainings at the State level and UNDP will support this initiative through:

- Support the training needs of the courts at the State level, as identified by the Training Administration of the Judiciary.
- Develop and support a system to ensure that training materials are circulated to other courts at the State level through the provision of written materials as well as electronic recording of training sessions.
- Undertake a Needs Assessment of the court system in north Sudan, including an assessment of the juvenile justice system. Similarly gender issues will be mainstreamed throughout the project activities by ensuring the participation of female judges, for example. Also, the project will ensure that training programmes address issues that affect the accessibility of

women to the justice system and their matters are dealt with in a fair and equitable manner.

***Output (3): Increase the administrative capacity of the Judiciary through National Judicial Services Commission (NJSC)***

Following the adoption of the INC, the NJSC – headed by the Chief Justice – is mandated to undertake an overall management of the national judicial system. This includes coordinating the relationship of judiciaries at the national, Southern Sudan and the State level, as well as the approval, appointment, and dismissal of judges. Phase (1) of the project supported the NJSC through the organization of a series of study tours to enable the NJSC to study various models of judicial management from around the world and to draw lessons learned from other relevant decentralized judicial systems. As a result, the NJSC has forged excellent linkages between these jurisdictions, such as Hashim Law Centre, in Kuala Lumpur. UNDP will continue to provide technical support to the NJSC, including:

- Organization of study tours to examine model of judicial administration in other judicial jurisdictions with a focus on: judicial administration, including the work of Training Administration, the Technical and Scientific Bureau, international law, gender and juvenile justice.
- Provision of video conferencing equipment to facilitate the transmission of training sessions to the courts at the State level as well as to assist the Sudan Chief Justice and senior members of the national judiciary to make contact in a more direct manner with the judiciary in the States of northern Sudan.

**Output (4): UNDP rule of law projects coordinated and able to deliver timely and relevant assistance to the Sudan justice system.**

The UNDP also has a significant rule of law programme in other parts of northern Sudan which can be linked to this project to ensure that issues identified, at the state level, are communicated to the Judiciary at the national level. As such, UNDP is planning to organize quarterly meetings for the staff of UNDP Rule of Law Projects to ensure that information and lessons learned are shared between all staff and that relevant and achievable activities are undertaken by UNDP Rule of Law projects. The Judiciary Project will also, in collaboration with the UNDP Rule of Law projects, take responsibility for all the judiciary related issues within these projects to ensure that activities such as training are delivered at the State level.

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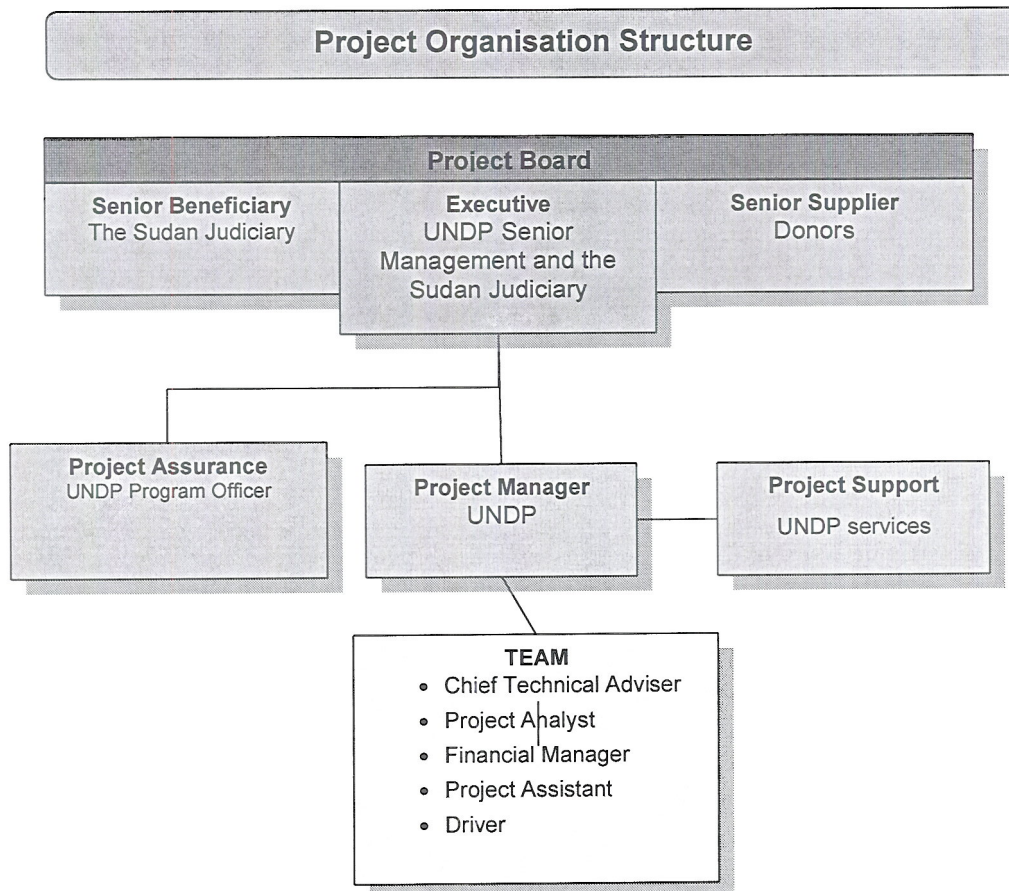
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## IV. MANAGEMENT ARRANGEMENTS



- **Project Executive Board:** will guarantee the national ownership of the project and will bear ultimate responsibility for making executive management decisions, including approving project revisions. The Project Executive Board will supervise and guide the Chief Technical Adviser and the Project Manager of the project through any obstacles or problems that may arise. The Project Executive Board will be comprised of:
  - One representative of the Sudan Judiciary, appointed by the Sudan Chief Justice, who will chair the Board to ensure that the beneficiaries of the project are represented; and
  - One representative of UNDP (Senior Advisor for Rule of Law).
- **UNDP Program Officer:** will oversee and ensure the quality of the project. The Program Officer will also provide support for the project team where necessary to ensure the timely support for the implementation of the project activities.
- **Project Analyst:** will be employed by the UNDP to ensure that the implementation of the project is conducted on a timely manner and to supervise the work of the project team in collaboration with the Chief Technical Adviser. The Analyst will be assisted by a Project Assistant and a Driver.



- **Chief Technical Adviser:** will be employed by the UNDP to ensure the technical quality of the project and to ensure the technical integrity of the project activities.
- **Financial Manager:** under the guidance of the Project Analyst, will be responsible for the financial arrangements of the project, including the audit process and assisting the beneficiary with financial aspects of the project.
- **Capacity Assessment of the Implementing Partner:** The project will assess the capacity of the implementing partner (the judiciary) to implement the activities of the project through the modality of a Letter of Agreement which was successfully utilized in Phase (1) of the project. The process will ensure direct national implementation and sustainability of the outcomes of the project. The UNDP will be responsible for the overall management of the project through administrative support as well as providing technical advice on the activities and expected outcomes for the project. The judiciary will be largely responsible for the implementation of the activities through direct assistance of the UNDP. In addition, The UNDP will be responsible for the auditing arrangement of the project
- **UNDP Support Services:** Where necessary, the procurement and other operational support services of the UNDP will be used to implement the activities of the project.
- **Collaborative Arrangements with related projects:** The project will work closely and in consultation with the other Rule of Law projects of the UNDP to ensure that activities implemented are relevant to the prevailing rule of law issues in Sudan. As well, quarterly meetings of UNDP Rule of Law projects will ensure the timely sharing of information and the coordination and integration of all project activities to ensure greater outcomes for the UNDP Rule of Law programme. Through pro-active engagement with the Government of National Unity (GoNU) at central and state levels, UNDP has developed a fruitful and collaborative working relationship with Government institutions as well as rule of law institutions, including the Judiciary. Through a transparent and collaborative approach, UNDP is intending to work closely with the judiciary to ensure national ownership of the Project.

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## V. MONITORING FRAMEWORK AND EVALUATION

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In accordance with the UNDP programming policies and procedures, the project will be monitored through the following:

(a) Within the annual cycle:

- On a quarterly basis, a quality assessment shall record progress towards the completion of key results, based on quality criteria and methods captured in the Quality Management table below.
- An Issue Log shall be activated in Atlas and updated by the Project Analyst to facilitate tracking and resolution of potential problems or requests for change.
- Based on the initial risk analysis (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.
- A Project Progress Reports shall be submitted by the Project Analyst to the Project Board through Project Assurance.
- A project Lesson-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project.
- a Monitoring Schedule Plan shall be activated in Atlas and updated to track key management actions/events.

(b) Annually:

- Annual Review Report shall be prepared by the Project Analyst and shared with the Project Board and the Outcome Board. As minimum requirement, the Annual Review Report shall cover the whole year with updated information as well as a summary of results achieved against pre-defined annual targets at the output level.
- 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. This review will be the final assessment of the project. This review is driven by the Project Board and may involve other stakeholders as required. It shall focus on the extent to which progress is being made towards achieving the outputs, and that these remain aligned to appropriate outcomes.

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/Docs/sc/committees/1267/1267ListEng.htm>. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document”.

## VIII. ANNEXES

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## United Nations Development Programme

### (a) RISK LOG:

#	Description	Date Identified	Type	Impact & Probability	Countermeasures/ Management response	Owner	Submitted/ updated by	Last Update	Status
1	Political instability might be created by elections and possible ICC indictment of Sudan's president	July 2009	Political/ Security	The outcome of these events may contribute to a deteriorating security and humanitarian situation, having an impact on UNDP's capacity and ability to implement the project	Continuous monitoring of situation by senior management and take measures as appropriate	PM	PM		
2	The continued engagement of the Chief Justice of Sudan.	July 2009	Institutional	The engagement of the Chief Justice is required to ensure that the project has the full support of the judiciary for the project to be implemented. The Chief Justice can also provide the final authority to deal with any disputes or lack of capacity or will of members of the judiciary to implement the project.	Personal engagement with the Chief Justice by the project staff and the UNDP.	PM	PM		
3	Movement of personnel and counterparts is restricted to ensure that the capacity of those developed continue to assist in the development of the judiciary	July 2009	Institutional	It is important that the capacity of those developed through training and general project support remain in their positions to ensure that they are able to use that increased capacity for the development of the Sudan judiciary.	Continued engagement with the Chief Justice who is responsible for the placement of judiciary.	PM	PM		

4	Lack of engagement of vital components of the justice sector such as the legal profession	July 2009	Other actors in justice system	The role of other actors in the justice sector should be recognized and support sought in the development of the judiciary and the sector as a whole	Engagement of these actors through the other rule of law projects of the UNDP.	PM, UNDP	PM		
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**(B) ANNUAL WORK PLAN FOR SUPPORT TO THE JUDICIARY PROJECT:**

Year: JANUARY 2010 TO DECEMBER 2010

EXPECTED PROJECT OUTPUTS <i>And baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	PLANNED BUDGET	
		Q1	Q2	Q3	Q4		Funding Source	Budget Description
<b>Legal reference materials developed and produced</b>								
<b>Output 1.</b> Increased capacity of the judiciary (Technical and Research Bureau) to provide technical support to its members.  <b>Baseline: To be determined by an ongoing assessment of the Sudan court system</b>	Print legal indexes and texts for the judiciary of the northern Sudan State.	X	X	X	X	Judiciary		225,000
	The Judiciary Technical Bureau office refurbished with legal books, furniture and equipment.		X					
<b>Court system's IT and technical support needs assessed</b>								
<b>Indicators:</b> <ul style="list-style-type: none"> <li>○ Judgements of the judiciary reviewed by <i>appeal courts. High Court</i></li> <li>○ Observations of legal profession obtained on increased capacity.</li> <li>○ Consultants report completed</li> </ul> <b>Targets:</b> <ul style="list-style-type: none"> <li>○ Law reports and texts published <b>for 400 courts and 900 judges</b></li> <li>○ <b>400 courts assessed by consultant.</b></li> </ul>	Contract Consultant to conduct assessment of courts of northern Sudan, including IT needs and capabilities to ensure an efficient court system.	X	X	X	X	UNDP		30,000

The Judiciary Training Administration knowledge and capacity enhanced						
<b>Output 2.</b> Improved knowledge of judges and court administrators.  <b>Baseline:</b> <b>To be determined by an ongoing assessment of the Sudan court system.</b>  <b>Indicators:</b> <ul style="list-style-type: none"> <li>○ Judgments of the judiciary reviewed by <del>Appeal Courts.</del> <i>HIGH COURT</i></li> <li>○ Opinion of legal profession sought on increased capacity of the judiciary.</li> <li>○ Civil society groups opinion sought on increased capacity of the judiciary.</li> <li>○ Training sessions assessed on administrative organizational capacity and performance by UNDP</li> <li>○ Assessment report completed by UNDP</li> </ul> <b>Targets:</b>	X	X			UNDP	15,000
	Support the Judiciary Training Administration in developing trainings in northern Sudan States, including South Kordofan, Darfur and Kassala States in collaboration with UNDP rule of law projects in those States.  Support the Judiciary Training Administration to conduct trainings for the judiciary, court administration and local courts in northern Sudan States, including South Kordofan State, Darfur State and Kassala State in collaboration with UNDP rule of law projects in those States.  Send judges to the Harun Hashim Law Centre of the Islamic University of Malaysia for training.	X	X	X	X	UNDP
<b>Needs of court system assessed</b>						



<ul style="list-style-type: none"> <li>○ 50% of the Sudan judiciary staff receive training within 12 months.</li> <li>○ 20% of the court administrators receive training within 12 months .</li> <li>○ 100% of the Judiciary Training Administration staff trained.</li> <li>○ Court system in Sudan assessed.</li> </ul>	<p>Assess court system of northern Sudan States in collaboration with UNDP Rule of Law projects, including local courts identifying needs and processes including the needs of juveniles and women in the court system. (by Chief Technical Adviser/UNDP)</p>	X	X		UNDP	10,000	
<b>Output 3. Exposure of Judiciary to equivalent jurisdictions increased</b>							

	Procure and deliver video conferencing equipment to the judiciary to enhance communications between Khartoum judicial administration and the States.		X	X		UNDP		55,000
<b>Output 4.</b> UNDP Rule of Law projects coordinated and able to deliver timely and relevant assistance to the Sudan justice system.								
<b>Baseline: One annual retreat conducted.</b>								
<b>Indicators:</b>								
o	Quarterly meetings conducted.							
o	Minutes produced of	Meetings of UNDP Rule of Law Projects conducted and decisions on coordinated activities made with particular reference to the needs of the State judiciary and local courts.	X	X	X	UNDP		14,500
Attend regional rule of law meetings, as required.								

<p>meetings</p> <ul style="list-style-type: none"> <li>○ Reporting format filed as part of minutes</li> </ul> <p><b>Targets:</b></p> <ul style="list-style-type: none"> <li>○ 90% of rule of law officers attend meetings.</li> <li>○ Decisions on coordinated activities implemented.</li> </ul>	<p>Reporting formats for Rule of Law officers agreed.</p>	<p>X</p>	<p>UNDP</p>		
				<p>Sub-Total</p>	<p>684,500</p>
<p><b>Output 5.</b> Project management supported</p>	<p>Staffing CTA/Implementer – Int'l</p>	<p>X</p>	<p>UNDP</p>		<p>410,000</p>

<b>Baseline:</b> N/A	Project Analyst – Nat.	X	X	X	X	X	X	UNDP		
	Project Assistant– Nat.	X	X	X	X	X	X	UNDP		
	Financial Manager – Nat.	X	X	X	X	X	X	UNDP		
	Project Driver	X	X	X	X	X	X	UNDP		
	<b>Operational Expenses</b>									
<b>Indicators:</b>	Audit report completed								203,000	
	<b>Targets:</b>	Repayment of administrative costs July to December 2009								10,000
		Audit					X	X	UNDP	20,000
		Operating Costs	X	X	X	X	X	X	UNDP	50,000
		Cost-Sharing	X	X	X	X	X	X	UNDP	5,000
HACT	X									
								<b>Sub-Total</b>	<b>1,382,500</b>	
								<b>GMS (7%)</b>	<b>96,775</b>	
								<b>Security (2%)</b>	<b>27,650</b>	
								<b>TOTAL</b>	<b>1,506,925</b>	