

**Strengthening the Capacity of Key National Bodies Responsible for the Effective  
Implementation of the National Justice Reform Programme  
31/March/2016**

| <b>São Tomé e Príncipe 2016</b> |   |
|---------------------------------|---|
| <b>Appealing Agency/ies</b>     | <b>UNDP</b>   |
| <b>Project Title</b>            | Strengthening the Capacity of the National Bodies Responsible for the Effective Implementation of the Justice Reform Programme Nationwide   |
| <b>Project Code</b>             | 00095776/ 00099832  |
| <b>Sector/Cluster</b>           | Governance  |
| <b>Objectives</b>               | <ol style="list-style-type: none"> <li>1. Improve public institution capacity and promote public administration reforms in order to ensure modernization and reorganization of state structure</li> <li>2. democracy through, strengthening and modernizing Consolidate institutions and bringing them closer to the citizens they serve</li> <li>3. Provide public administration workforce with effective tools which will enable them prioritize critical investments in the productive sectors</li> </ol> |
| <b>Beneficiaries</b>            | <ul style="list-style-type: none"> <li>➤ Justice System/Ministry of Justice</li> <li>➤ Population of STP</li> </ul>   |
| <b>Implementing Partners</b>    | Ministry of Justice, UNDP   |
| <b>Project Duration</b>         | 3 years (December 2016 - May 2019)  |
| <b>Funds Requested</b>          | \$1,000,000   |
| <b>Location</b>                 | Nationwide  |
| <b>Potential Donor</b>          | Portugal & Timor-Least  |
| <b>Priority</b>                 | Priority Level  |
| <b>Gender Marker Code</b>       | GEN2  |
| <b>Contact Details</b>          | ----  |

**Background**

The justice sector in São Tomé and Príncipe (STP) has experienced a serious level of crisis that has if anything only deepened in the recent past. This situation has led to a general deterioration in the level of confidence in the judiciary. This is not only a cause of considerable concern in terms of ensuring that the rule of law is respected in STP but also in terms of the damage that this instability is having on other sectors of the nation's political, economic and social life.

The crisis in the justice system and the general lack of trust and discredit its members have suffered as a result is particularly evident amongst those citizens who are obliged to have recourse to the system. This is particularly true with the more vulnerable sectors of the population, particularly those who are relatively impoverished, as they find themselves unable to access the legal remedies that are in place to ensure they are able to exercise and enjoy their human rights as well and constitutional assigned entitlements. Reforming the Justice Sector would therefore contribute to an improved and more efficient administration of justice in STP as well as ensuring that all the citizens

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of STP, irrespective of their personal circumstances, would receive equitable treatment when using the Justice System.

Therefore, in summary, the crisis in the STP Justice System needs to be addressed in order to i) ensure the consolidation and development of the rule of law at level of the legal system and judiciary in STP and ii) to ensure the continued economic, political and social progress of the country as a whole.

The Government of STP is fully cognisant of this situation and has expressed its concern at the declining confidence in and condition of the justice sector. They have therefore established the reform of the justice system as one of their principal priorities. In this respect, they have emphasized the importance of strengthening the legitimacy and trust of citizens in all levels of the judiciary.

As a first step in the justice reform process, the STP Government decided to hold a National Meeting on Justice. Thus, in late November 2009, The National Meeting on Justice was organised and took place with the support of UNDP and other development partners. The National Meeting had as its motto "Correct Deviations to Rebuild and Ensure Justice for All."

In support of the government's objective to reform and improve the justice system, UNDP has committed to supporting the upgrading and transformation of the justice system in STP by improving the manner in which the judiciary operate, providing capacity building support to members of the justice system and organisational support. In this respect, UNDP brings to the table not only its widespread expertise in the area of Justice Sector reform and governance but also its experience and knowledge in the coordination and execution of such projects.

By reforming and improving the functioning of the Justice System, this project will help realise one of the four major objectives of the UN Framework for Development Action Plan (2012-2016) namely to ensure that by 2016 the national institutions of STP at both the central and regional levels are operating more effectively and in accordance with the principles of good governance in order to promote and consolidate the rule of law.

This project will contribute to the achievement of Strategy Development Goal (SDG16), as outlined in Table 1 below:

**Table 1: Project Support to SDG Attainment**

| <b>Sustainable Development Goals (SDG)</b> |   |
|--|---|
| <b>SDG 16</b>                              | <b><i>Develop a Global Partnership for Development</i></b><br>Target 16.4: by 2030 increase inclusive, participatory and representative decision-making at all levels, taking into consideration the interests of present and future generations<br>Target 16.15: by 2030 ensure that all laws are publicized and accessible by all |

**Project Objectives**

1. Improve public institution capacity and promote public administration reforms in order to ensure modernization and reorganization of state structure
2. Consolidate democracy through, strengthening and modernizing institutions and bringing them closer to the citizens they serve
3. Provide public administration workforce with effective tools which will enable them prioritize critical investments in the productive sectors

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## ***Anticipated Outcomes***

- The Justice Sector will have undergone an extensive and successful reform process by means of which it will have been modernised and reorganised to implement its mandate in an impartial, transparent and effective manner
- The technical capacity of personnel in the Justice Sector will have been strengthened allowing them to discharge their roles and responsibilities in an enhanced manner
- The citizens of STP will have a better and clearer understanding of the role that the Justice System plays and how they can access it in order to protect their rights and legal entitlements
- The people of STP will have an improved understanding of their legal rights and duties
- The public will have a greater confidence in the efficacy and impartiality of the Justice System
- The increased respect for the Justice System will result in a more stable society and a more attractive environment for potential foreign investors in the STP economy

## ***Strategy***

The project's strategy will entail the following three principal components:

1. Supporting the Ministry of Justice in the implementation of the Justice Programme and affiliate bodies including Police Investigations and the CEN to help it improve the efficiency and consistency of its operations with respect to the electoral process
2. Mobilizing the funds required to implement the necessary Justice Sector reform and ensuring the transparent and accountable management of these funds so that they optimally allocated to achieve the project's objectives
3. Strengthening the capacity of the relevant judicial bodies and supporting their efforts to implement crucial and sustainable improvements in their operational methods in order to contribute substantively to the broader state reform process in STP

A 'basket fund' will be established at UNDP to which the partners participating in the project will contribute, both implementing partners and external donors. This fund will be managed by UNDP in a transparent and accountable manner to finance stipulated project activities. UNDP will transfer funds for the implementation of project activities based on submitted quarterly work plans either through direct payment to suppliers of goods, services and so forth or through the transfer of funds to implementing partners prior to the completion of the relevant activities.

The implementation of the project will be through the national execution modality. This will permit real ownership on the part of the national institutions involved in the project. At the same time, UNDP will provide constant support and technical assistance in the management of the project's resources and activities to ensure the project's objectives and anticipated outcomes, as listed above, are attained. The project's implementation partners, including UNDP, will jointly prepare the project's work plans and have regular meetings to discuss issues of importance and review progress in order to ensure the most effective execution of the project's activities.

To ensure effective and transparent management of the project, management team will be established consisting of: a) A Committee (Project Board) that will have overall responsibility for project management, producing project implementation guidelines and ensuring the project's goals or realised

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- b) Project Manager who will be responsible for day-to-day management and decision-making on behalf of the Project Board to ensure the project's goals are met
- c) Project Assurance Team who will be responsible for project control. UNDP will provide monitoring and evaluation (M & E) support.

The compilation of Lessons learned will be actively integrated into the project's strategy to ensure that they are captured and catalogued in a suitable format and convenient location/s to facilitate ease of access for the Ministry of Justice. If appropriate these lessons learned will be made available for use by similar initiatives both domestically and abroad. International best practices will be applied to ensure optimal efficacy of the project's interventions and activities.

***Project Funding***

Given the lack of funds and resources at the disposal of the STP government, a situation which has been further aggravated by the international financial crisis, there is an urgent need for the country's international partners such as the UN system and the donor community, to come together to help support this crucial initiative.

This project will cost **US\$1.5** million in total. UNDP will contribute a total of **US\$300,000** over the three years of the project and the STP government **US\$200,000** during the first two years of the project. This leaves a shortfall in funding of **US\$1,000,000** that needs to be raised from external sources.