

ANNEX 2

MATRIX OF UNDP JUSTICE AND HUMAN RIGHTS PROJECTS IN ASIA AND THE PACIFIC

<i>Overview of programme portfolio</i>	<i>Initiatives that generated lessons (slide 1)</i>	<i>Challenges</i>	<i>Lessons learnt</i>	<i>Codification and resources needed, and specific commitments to achieve them</i>
<i>Iran:</i> <i>Part of governance programme that was established in last few years</i>	<ul style="list-style-type: none"> ○ Establishment of HR MA degree ○ Establishment of permanent center of HR studies ○ Conducting workshops for network of HR defenders ○ Breaking ice with judiciary ○ Advocacy for women's rights 	<p>UNDP politically motivated</p> <p>Institutional inertia</p> <p>Non-uniformity of government circles</p> <p>UNDP Government centric</p>	<p>Dialogue is important, as is the willingness to take risks</p> <p>Willingness to take risks</p> <p>If undertaken properly, partnerships will readily come and expand</p>	<p>Major stakeholders workshop would prove useful</p> <ul style="list-style-type: none"> ● Commitment: Iran CO to provide lessons on partnership building
<i>Fiji:</i>	<ul style="list-style-type: none"> ○ Judicial training ○ HR – ratification of conventions 	<p>Judicial training</p> <ul style="list-style-type: none"> ○ Ownership and governance of project ○ Creating culture of judicial education ○ Impact and ownership at country level <p>HR:</p> <ul style="list-style-type: none"> ○ Lack of awareness ○ Overcoming fears on implications of ratification ○ Grouping of the countries sometimes created 	<p>Judicial training</p> <ul style="list-style-type: none"> ○ Involve judicial officers in management of training programmes ○ Establish committees at national/local levels and adopt a strategy of cumulative training activities (?) <p>HR:</p> <p>Awareness should be targeted at all levels, not only specific groups</p>	<p>Judicial training:</p> <p>Project → institutionalization of Pacific Education project</p> <p>Commitments:</p> <ul style="list-style-type: none"> ● Fiji CO to provide lessons learnt on human rights training for professionals, on the basis of the experience of the South Pacific University. ● Iran CO to provide lessons on the establishment of Center and Masters

		confusion	Training and advocacy at official level was not successful Need to demonstrate clear benefits of ratification	Degree for Human Rights studies
Bangladesh:	Training religious leaders	Building rapport with religious leaders	Greater coordination among the UN agencies	Impact study of religious leaders can be used as case study
	Human Rights Commission Bill – constituency building	The process was difficult because of the sensitivity of the issue	Training on human rights at the foundation stage of police training is extremely important	Commitment: • Bangladesh CO to provide lessons learnt on capacity development of religious leaders.
	Comprehensive Participatory Appraisal on HR	The participants were not able to use what they had learned as the institutions they were affiliated to were unwilling to let them put it into practice	Working with HR NGOs and civil society	Sustaining documentation and institutional memory is essential
	Human Rights Training on Police	The role of UNDP vis a vis human rights still remains unclear	Participatory stock taking as contributed to a better understanding of citizen’s perception of human rights	
			Targeting people with influence, i.e., religious leaders will have multiplying effects, as many people will be reached	
			Comparative experiences from neighbouring countries prove more useful than those with vastly different social and	

			cultural settings	
			It is important to build rapport with the institutions as well as individuals in order to ensure continuity and usefulness (Re: Police)	
Yemen: Very recent interventions, constituency building preceded this	Justice: Institution capacity building – pilot courts. Awareness of rights Human Rights: Institutional capacity building (study on civil society)	Tribal/ indigenous groups have their own systems of justice, which runs parallel to the formal justice system A huge gap in information sharing Inadequate capacity, lack of understanding and awareness among government institutions of human rights laws and mandates Weak NGOs and civil society Lack of transparency and accountability of the judiciary	Gender disparity is a huge issue that needs to be addressed Access to information and knowledge is crucial to promote respect for human rights	Skills and know how for COs how to extract case studies • Commitment: SURFs to provide guidelines for the elaboration of best practices and lessons learnt, practitioners to collect lessons with the support of peers and the SURFs.
Sri Lanka:	○ Support to the National Human Rights Commission	NHRC: ○ Lack of government funding ○ Members work only part	NHRC: ○ Projects must be planned in a way that increase	Case study of NHRC, evaluate structure and process used for review of laws – conduct

	<ul style="list-style-type: none"> ○ Parliamentary Assistance Projects 	<p>time</p> <p>Parliament:</p> <p>Members are not permanent, and it becomes difficult to achieve results</p> <p>Older members are reluctant to changes, such as performance based promotion</p> <p>Lack of adequate funds for competitive salaries means a lack of qualified candidates</p> <p>Lack of judicial independence and low caliber of legal personnel</p>	<p>people’s belief in the Commission</p> <ul style="list-style-type: none"> ○ Much depends on the personality of individual partners and therefore, it is important to have rapport with ‘sympathetic’ individuals 	<p>participatory survey</p> <p>Commitments:</p> <ul style="list-style-type: none"> ● Nepal CO to provide lessons on experiences with NHRCs ● Mongolia CO to provide lessons on the role of NHRCs in facilitating access to justice by the disadvantaged <p>Need to evaluate the quality of services provided by the HRC, through direct interviews with users</p> <p>Commitment:</p> <ul style="list-style-type: none"> ● Sri Lanka CO to outsource user survey.
<p>India:</p> <p>Police Project:</p> <p>Refrastucture</p> <p>Training through innovative methods (police in civilian clothes filing cases)</p> <p>Right to</p>	<ul style="list-style-type: none"> ○ Police project (infrastructure, training, community liaison group) ○ Right to information project (Right to information act, public hearings – info fairs, framing of rules, ICT kiosks) ○ Judicial seminar 	<ul style="list-style-type: none"> ○ Community policing is not gender sensitive as the members are mostly males. ○ Lack of documentation of past UNDP projects ○ There was a conflict between the right to information and the ability of people to access information 	<ul style="list-style-type: none"> ○ “UNDP model of police station” ○ A comprehensive approach is necessary ○ Involved also non-lawyers. UNDP should facilitate interaction between activists and the formal system ○ Important to identify and work with sympathetic people in government 	

Information

<p>China</p>	<p>Legal system reform project, strengthen legal aid system project, monitor and assist implementation of key human rights conventions in China, policy studies on distributive power, customary law and alternative dispute resolution</p>	<p>Political sensitivity of international human rights issues</p> <p>Very little public awareness</p>	<p>Identify key leverage areas for intervention</p> <p>Use UNDP strategically to maximize impact</p> <p>Choose proper national counterparts</p>	<p>Development of legal aid institutions (institutional and human resources)</p> <ul style="list-style-type: none"> • Commitment: China CO to provide lessons learnt on developing legal aid institutions
<p>Nepal:</p> <ul style="list-style-type: none"> ○ Rule of law (MoJ) ○ Judiciary ○ Access to justice ○ NHRC ○ NHRAP 	<ul style="list-style-type: none"> ○ Capacity Development of NHRAP ○ Access to Justice 	<ul style="list-style-type: none"> ○ Lawyers opposition to settlement fair ○ Lack of know how of legal projects ○ Maoist conflict impact on the project → rebel's adoption of their own justice system ○ Changes of laws are not effectively implemented or enforced ○ Very high illiteracy rates and low awareness of rights and procedures 	<p>The Justice system is a conservative part of society, and is slow to open to changes</p> <p>The right selection of civil society groups is important for successful implementation of projects</p> <p>A combination of top down and bottom up approach is necessary</p> <p>Coordination among donors is necessary</p>	<p>Commitment:</p> <p>Nepal to provide lessons on:</p> <ul style="list-style-type: none"> • Developing capacities of NHRCs: lessons and challenges • Consultative processes in NHRAPs: lessons and challenges • Strengthening ADR to increase A2J by the disadvantaged: lessons and challenges

Vietnam:	<ul style="list-style-type: none"> ○ Legal needs assessment – led to multi-donor partnerships 	<p>Legal reform – start modestly due to the sensitive nature of the issue led to spectacular successes</p> <p>Mediation and facilitator role of UNDP important</p> <p>Step by step approach is effective</p> <p>“light footprint approach”, openness of approach (e.g. study tour to Russia, Hungary)</p> <p>UNDP had excellent relationship with Govt. – opened the doors for Banks</p>	<p>Constituency building.</p> <p>Facilitation in decision making is important . How can we provide information and leave the decision to the decision maker. Lots of process lessons!</p> <p>Commitment:</p> <ul style="list-style-type: none"> • (Tentative) Cambodia CO to outsource constituency building study • Vietnam CO to provide lessons on legal needs assessment and ownership • Iran CO to provide lessons on partnership building for human rights.
Cambodia:	<p>Two entry points:</p> <p>Parliament – providing legal backstopping</p> <p>Judiciary – mentor system, training workshops for judges, lawyers etc</p>	<ul style="list-style-type: none"> ○ Lack of independence of judiciary ○ Low capacity and low numbers of professionals working in the sector ○ Inadequate capacity of Ministry of Justice ○ Little national ownership; reluctance 	<p>Build national advocacy base for legal reform is important.</p> <p>Consultative approach is necessary because of sensitive area of reform</p>
Indonesia	<p>Support to National Law Commission, National Ombudsmen Commission; Strengthening of Human Rights Institutions</p>	<p>Diversity of justice subsystems</p> <p>Still very much project oriented</p> <p>Weak orientation and</p>	<p>Implementation needs commitment</p> <p>3 dimensions of justice must be considered: commutative,</p>

		synchronization	distributive and legal	
				Decentralised initiatives are more efficient than national ones
<i>Mongolia</i>	<ul style="list-style-type: none"> ○ Human Security, ○ NHRC, ○ public involvement in legislative process 	<ul style="list-style-type: none"> ○ political will without financial commitment ○ public pressure without clear awareness ○ political sensitivity to past perceptions ○ civil society strengthening, but weak partnership building ○ individual capability without institutional capacity 	<p>NHRAP: Process as important as product Cultivate political will, but maintain public pressure</p> <p>NHRC: Partnerships with civil society</p>	
<i>Philippines</i>	<ul style="list-style-type: none"> ○ Addressing gender bias/insensitivity in the court system ○ Undertaking institutional diagnosis of human rights and justice institutions ○ Mainstreaming the rights-based approach in capacity-building interventions ○ Strengthening media groups' role as advocates for justice and human rights ○ Baseline studies as basis in developing a performance monitoring system for the 	<ul style="list-style-type: none"> ○ Resistance of some key officials to subject government institutions, mechanisms and policies for review or assessment ○ Lack of a common framework or perspective on human rights and justice across institutions ○ Intense internal and external political dynamics among key officials tend to jeopardize gains ○ Difficulty of sustaining interest and expanding constituencies from both government and the private 	<p>Need to have a good understanding and analysis of the political dynamics of targeted institutions before interventions are undertaken</p> <p>Need to establish strategic linkages with key personalities within institutions to facilitate decisions and actions</p> <p>Need for back-up or flexible strategic plans that will address ever changing political landscape (e.g. change in priorities, leaders</p>	<p>Ensure access to information/data from relevant institutions</p> <p>Select case writers who are familiar with human rights/justice issues</p> <p>Undertake focus group discussions to deepen analysis/write-up</p>

	5 pillars of justice	<p>groups to pursue reforms</p> <ul style="list-style-type: none"> o Difficulty in encouraging legal practitioners to extend their services to the poor 	<p>turnover)</p> <p>Gender issues are human rights and a justice issue too!</p> <p>Governance reforms “is business as usual” without a strong perspective on justice and human rights</p> <p>Agreeing to a common framework/perspective on human rights and justice, helps in generating substantive reforms collectively</p>	
<p><i>PRAJA</i> Broad Approach to A2J – work with Ministries, judges, communities</p>	<ul style="list-style-type: none"> o Community legal trainings – each country has legal training officers (LRTOs) who identify other paralegals o Policy changes (domestic violence, etc.) 	<p>Dealing with outdated laws that are discriminatory, esp. regarding women</p> <p>There is a prevalence of customary laws and practices which are not in line with human rights standards</p>	<p>People find it easier to approach NGO than lawyers</p>	<p>Case studies are being collected</p>