

ANNEXES

ANNEX 1

GUIDING PRINCIPLES IN HUMAN RIGHTS-BASED PROGRAMMING

GUIDING PRINCIPLE	WHAT ARE THE IMPLICATIONS FOR PROGRAMMING?	COUNTRY OFFICE EXAMPLES
PARTICIPATION	<ul style="list-style-type: none"> ■ Create channels especially for participation of poor and disadvantaged people (non-discrimination) ■ Participation needs to be active, free and meaningful – time and resources to develop these capacities, especially with regard to disadvantaged groups may be needed ■ Developing capacities for participation is an important result in itself (empowerment) 	
ACCOUNTABILITY	<ul style="list-style-type: none"> ■ Guidance to set responsibilities ■ Focus capacity development on fulfilment of accountabilities (build on existing strengths and address weaknesses) ■ Think of how to strengthen accountabilities through external (e.g., civil society oversight) and project mechanisms 	
NON-DISCRIMINATION	<ul style="list-style-type: none"> ■ Identify most vulnerable groups and focus on them explicitly ■ Give disadvantaged groups a voice in programme design (through participation) ■ Ensure that there is no discrimination through the project against other groups. ■ Develop data disaggregation to better identify disadvantaged groups 	
EMPOWERMENT	<ul style="list-style-type: none"> ■ Identify capacities that are needed to claim and exercise rights (build on existing strengths and solutions, target weaknesses and vulnerabilities) 	
LINKAGES TO HUMAN RIGHTS STANDARDS	<ul style="list-style-type: none"> ■ Familiarize with the relevant standards (e.g., see prison section in Chapter 4) in order to take them into account when designing project results ■ Stress on monitoring progressive results and assessing the risk of setbacks 	

ANNEX 2

SAMPLE IN-DEPTH INTERVIEW GUIDELINES FOR AN NGO MAPPING PRIOR TO AN ACCESS TO JUSTICE ASSESSMENT

NAME OF THE ORGANIZATION:

NAME OF THE INTERVIEWEE AND POSITION:

Briefing on the purpose of the interview:

- We are conducting a mapping exercise of civil society initiatives in fields related to access to justice.
- We are doing this mapping because UNDP will soon support the Government in conducting an assessment of access to justice in five provinces in the country (including both non-conflict and post-conflict areas).
- The purpose of the assessment is to better understand ways to improve people's access to the justice system, and the quality of the justice system to provide effective remedies to people. The assessment also seeks to find out what has been the impact of conflict on access to justice. That is the reason why the assessment includes both non-conflict and post-conflict areas.
- The purpose of this mapping is to find out what type of initiatives in access to justice-related fields have already been done by non-governmental organizations in the country, so the assessment can build on existing knowledge.

By access to justice, we broadly mean the extent to which people can access the justice system to seek solutions when they are victims of crime, human rights violations and other offences; as well as the extent to which the justice system can provide people with adequate remedies, that is remedies that are in conformity with human rights.

By justice system we mean both formal and informal justice mechanisms. By formal mechanisms we mean the courts, the police, the prosecutors, and the prisons. By informal mechanisms we mean traditional systems, such as village-level dispute resolution councils, and other informal mechanisms to resolve disputes at the community level.

We appreciate your time in providing us with basic information for the preparatory stage of the assessment. This interview may take around an hour and a half to two hours. If you have any further questions on the purposes of this interview, you may ask them now, or at any moment during the course of the interview. Please feel free to decline answering any of our questions (ask whether the interview can be recorded, and indicate to the interviewee that he/she can ask to stop recording at any moment during the interview if he/she feels more comfortable answering particular questions that way).

1. HOW LONG HAVE YOU BEEN WORKING IN THIS ORGANIZATION?

2. WHEN WAS THE ORGANIZATION ESTABLISHED?

3. CAN YOU GIVE US A BRIEF DESCRIPTION OF THE HISTORY OF THE ORGANIZATION?

4. HOW WOULD YOU DESCRIBE THE ORGANIZATION'S MAIN LINE OF ACTIVITY ?

5. WHAT IS YOUR PERSONAL OPINION ABOUT THE MOST URGENT ACCESS TO JUSTICE PROBLEMS IN THE COUNTRY? (Indicate responses to this question will be confidential and remind the interviewee that he/she can ask not to record his/her answer to this question).

6. PLEASE PROVIDE YOUR PERSONAL OPINIONS ON THE MOST URGENT PROBLEMS IN THE FOLLOWING FIELDS: (allow duplication with Question 5 and indicate responses to this question will be confidential, and remind the interviewee that he/she can ask not to record his/her answer to this question).

The legal system
 Courts
 Prosecutors
 Police
 Legal Aid
 Traditional law and/or traditional systems of justice

7. WHAT TYPE OF CIVIL SOCIETY RESPONSES IS THE ORGANIZATION SUPPORTING TO DEAL WITH SUCH PROBLEMS (IF ANY)?

8. HAS THE ORGANIZATION CONDUCTED ANY TYPE OF RESEARCH IN THE FOLLOWING FIELDS? WHAT WAS THE SCOPE (IF RELEVANT)?

The legal system
 Courts
 Prosecutors
 Police
 Legal Aid
 Traditional law and/or traditional systems of justice

9. HAS THE ORGANIZATION RESEARCHED IN ANY OTHER FIELDS? IF SO, WHICH ONES AND WHAT WAS THE SCOPE?

10. DOES THE ORGANIZATION HAVE ANY PUBLICATIONS/REPORTS RELATED TO ITS RESEARCH?

11. DOES THE ORGANIZATION HAVE ANY PERIODICAL PUBLICATION? IF SO, WHAT IS THE SCOPE?

12. WHAT ARE THE ORGANIZATION'S CURRENT MAIN ACTIVITIES IN THE FOLLOWING FIELDS (IF RELEVANT)? (Allow duplication with Question 4).

Advocacy
 Campaigning
 Monitoring
 Service delivery

13. WHAT OTHER ORGANIZATIONS (GOVERNMENT AND NON-GOVERNMENT) DO YOU USUALLY PARTNER WITH IN THE COURSE OF YOUR WORK?

14. TOTAL NUMBER OF STAFF AND TYPE OF STAFF (e.g., researchers, campaigners, management, etc., and how many):

15. STAFF PROFILE (e.g., lawyers, social scientists, etc., and how many)

16. WHO SHOULD WE CONTACT SHOULD WE NEED FURTHER INFORMATION ON THE RESEARCH YOU HAVE MENTIONED IN THIS INTERVIEW?

17. DO YOU HAVE ANY SUGGESTIONS ON WHAT OTHER ORGANIZATIONS WE SHOULD CONTACT FOR THIS MAPPING?

18. DO YOU HAVE ANY SUGGESTIONS ON THE MOST IMPORTANT ISSUES THE ACCESS TO JUSTICE ASSESSMENT SHOULD FOCUS ON?

19. WOULD YOUR ORGANIZATION BE WILLING TO COLLABORATE ON THE ACCESS TO JUSTICE ASSESSMENT UNDP IS PLANNING TO SUPPORT (e.g., by providing information, participating in workshops and research activities, etc.)?

20. DO YOU HAVE ANY PARTICULAR COMMENTS ON THIS INTERVIEW, OR IS THERE ANY OTHER ISSUE YOU WOULD LIKE TO RAISE?

(Finalize the interview by thanking the interviewee for his/her time and responses, and by providing him/her with a name and address of people in UNDP he/she could contact to obtain information on the follow-up to the interview)

ANNEX 3

SAMPLE MAPPING FRAMEWORK AND METHODOLOGY FOR AN ASSESSMENT OF ACCESS TO JUSTICE

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
CITIZENS' TRUST IN THE JUSTICE SYSTEM	Range of citizen's perceptions on the responsiveness of laws and formal justice institutions to people's concerns on safety and security	FGDs Secondary data (previous surveys)
	Range of citizen's perceptions on the responsiveness of customary norms and informal and traditional justice systems to people's concerns on safety and security	FGDs Secondary data (previous surveys)
	Range of citizen's perceptions on the type of positive and negative features of (a) informal and traditional adjudication, (b) administrative adjudication, (c) police, (d) prosecutors, (e) lawyers, (f) the judiciary, and (g) independent bodies (e.g., National Human Rights Institution, Ombudsman office) to ensure effective access to justice	FGDs Secondary data (previous surveys)
	Range of citizen's perceptions on the independence and neutrality of (a) informal and traditional adjudication, (b) administrative adjudication, (c) police, (d) prosecutors, (e) lawyers, (f) the judiciary, and (g) independent bodies (e.g., National Human Rights Institution, Ombudsman office)	FGDs Secondary data (previous surveys)
	Range of citizen's perceptions on the type of obstacles to independence and neutrality in (a) informal and traditional adjudication, (b) administrative adjudication, (c) police, (d) prosecutors, (e) lawyers, (f) the judiciary, and (g) independent bodies (e.g., National Human Rights Institution, Ombudsman office)	FGDs Secondary data (previous surveys)
	Type of perceived incentives and disincentives for people, particularly poor and vulnerable groups, to take cases to (a) formal justice system (police and courts) and (b) informal justice system, when they perceived to have been victims of crimes and offences	FGDs Secondary data (previous studies and surveys)
LEGAL PROTECTION OF RIGHTS AND REMEDIES		

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
<p>Parameter 1: Coherent legal framework regulating the functioning of the justice system</p>	<p>Main laws and constitutional provisions regulating the functioning of (a) the judiciary, (b) prosecutors, (c) the police, and specific mandates envisioned for each of these institutions</p> <p>Legal vacuums/legal contradictions in laws, regulations and ordinances regarding:</p> <ul style="list-style-type: none"> ■ Distribution of competences among the judiciary, prosecutors and police ■ Separation of roles and competences between the police and the army ■ Distribution of competences among civil courts, religious courts, military courts, human rights courts and traditional systems of justice ■ Independence of the judiciary, prosecutors, police and lawyers 	<p>In-depth interviews FGDs Desk review of existing laws, regulations and ordinances</p>
<p>Parameter 2: Adequate normative recognition of rights and entitlement to remedies in the justice process</p>	<p>Main laws and constitutional provisions recognizing fundamental human rights in the Universal Declaration of Human Rights</p> <p>Main laws establishing limits to the exercise of fundamental human rights in the Universal Declaration of Human Rights</p> <p>Legal vacuums/ legal contradictions in laws, regulations and ordinances regarding:</p> <ul style="list-style-type: none"> ■ Access to legal information by the public ■ Access to legal counsel by detainees ■ Access to free legal counsel for those who cannot afford to hire a lawyer ■ Lawyer’s prompt access to sufficient information on the case ■ Protection against intimidation to (a) lawyers, (b) prosecutors, (c) judges and (d) police ■ Witness protection ■ Standards of conduct for (a) lawyers, (b) prosecutors, (c) judges and (d) police ■ Disciplinary procedures and sanctions for (a) lawyers, (b) prosecutors, (c) judges and (d) police ■ Registry of citizen’s complaints ■ Issuance of warrants ■ Procedures for detentions and searches ■ Use of force and firearms ■ Access to records on arrests and detentions ■ Revision of the legality of detention by an independent judicial authority ■ Revision of the legality of pre-trial detention ■ Revision of the legality of detention pending trial ■ Revision of the legality of administrative detention ■ Revision of the legality of incommunicado detention ■ Victims’ protection and rehabilitation ■ Separation of juveniles from adults in detention centres and prisons ■ Separation of men and women in detention centres and prisons 	<p>In-depth interviews FGDs Desk review of existent laws, regulations and ordinances</p>

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
Parameter 2: Adequate normative recognition of rights and entitlement to remedies in the justice process	<ul style="list-style-type: none"> ■ Use of alternatives to pre-trial detention and to detention pending trial ■ Prohibition of the use of torture, inhuman or degrading treatment and punishment ■ Prohibition of slavery ■ Notification on arrests, detentions and transfers of prisoners and detainees ■ Information to detainees on (a) reasons for arrest, (b) charges against them, (c) right to legal counsel, (d) right not to testify against themselves ■ Access to bail 	In-depth interviews FGDs Desk review of existent laws, regulations and ordinances
Parameter 3: Responsiveness of the legal system to people's needs and concerns	Laws related to the justice system (formal and informal) approved by national and provincial legislative bodies since 1999 (and % with respect to total laws approved)	Legislative records at national and provincial levels Desk review of laws and regulations
	Regulations and ordinances related to the laws above approved by competent authorities since 1999	
	Pending bills related to the justice system (formal and informal) since 1999 (and % with respect to total bills pending)	
	Type of non-government actors who were consulted during the legal drafting process of both approved laws and pending bills	Legislative records at national and provincial levels In-depth interviews
	Type of capacity-building strategies for the implementation of approved laws and regulations in implementing agencies	In-depth interviews FGDs Agencies' reports
LEGAL AWARENESS		
Parameter 1: Adequate understanding of rights and of the possibility to seek remedies through formal justice systems	Government and non-government providers of information on rights and remedies and on the functioning of the justice system	In-depth interviews FGDs Secondary data
	Means of dissemination of information on rights and remedies and on the functioning of the justice system to the public	In-depth interviews FGDs Secondary data
	Type of costs incurred by the public when accessing information on rights and remedies	In-depth interviews FGDs Secondary data
	Type of perceived incentives and disincentives for citizens to seek information on rights and remedies	In-depth interviews FGDs
Parameter 2: Accessibility of legal information (e.g., new laws and regulations, court decisions, etc.) by the legal profession	Means of dissemination of legal information to legal professionals	In-depth interviews FGDs
	Type of costs incurred by professionals when accessing information	In-depth interviews FGDs
	Type of perceived incentives and disincentives for professionals to seek legal information	In-depth interviews FGDs

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
LEGAL AID AND COUNSEL		
Parameter 1: Sufficient availability of legal aid	Type and number of providers of professional legal counsel (government and non-government) in urban and rural areas (data since 1999)	In-depth interviews and FGDs with legal professionals administrative data (Bar Associations)
	Type of providers of non-professional legal counsel in urban and rural areas	In-depth interviews and FGDs with paralegal organizations and NGOs
	Public budget for free legal assistance (at provincial and district levels) (data since 1999)	Administrative data (Supreme Court)
Parameter 2: Accessibility of legal aid	Access to clients (when and where do lawyers have access to clients)	In-depth interview and FGDs with paralegal organizations and NGOs
	Private lawyers' fees (type of fees collected by lawyers (regular and irregular)	In-depth interviews and FGDs with legal professionals
	Minimum rate for lawyers (per specific type of case specific activity)	Administrative data (Bar Associations)
	Type of costs involved in a litigation process (regular and irregular)	In-depth interviews and FGDs with legal professionals
	Type of costs (regular and irregular) incurred by legal aid providers in the handling of a case	In-depth interviews and FGDs with legal aid providers
	Type of costs covered by legal aid schemes – e.g., advice, trial representation, writing legal briefs, hiring expert witnesses, travel costs	Administrative data (Supreme Court)
	Fees/salaries for government-provided lawyers (data since 1999)	Administrative data (Supreme Court)
	Other forms of support to legal aid providers (e.g., facilities, etc)	In-depth interviews and FGDs with legal aid providers Administrative data (Supreme Court)
	Eligibility criteria for free legal counsel (government and non-government funded)	In-depth interviews and FGDs with legal aid providers Administrative data (Supreme Court)
	Procedures to access free legal counsel during (a) detention, (b) arraignment, (c) trial – authority making the decision on legal aid, procedures to assign lawyers to clients	In-depth interviews with legal professionals Administrative data (Supreme Court)
Type of documents that need to be presented to be granted legal aid	In-depth interviews with legal professionals Administrative data (Supreme Court)	

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
Parameter 2: Accessibility of legal aid	Protection against intimidation to lawyers <ul style="list-style-type: none"> ■ Type of threats, intimidation and reprisals ■ Legal provisions, policies and resources to protect lawyers against intimidation ■ Remedies to intimidation 	In-depth interviews and FGDs with legal professionals
Parameter 3: Adequacy of legal aid	Guarantees to lawyer's sufficient access to information on the case (evidence, case files, documents, places of detention, transfers, etc) <ul style="list-style-type: none"> ■ Location of records ■ Procedures to access records ■ Costs 	In-depth interviews and FGDs with legal professionals Administrative data (Ministry of Justice, Supreme Court)
	Availability of special counsel for disadvantaged groups (e.g., women, children, IDPs)	In-depth interviews and FGDs with legal professionals Administrative data (Supreme Court)
	Other forms of support to poor and disadvantaged litigants (e.g., reduction/waivers of court fees to poor litigants, support schemes to bail, translation facilities, etc.)	In-depth interviews and FGDs with legal professionals Administrative data (Supreme Court)
Parameter 4: Accountability in the provision of legal counsel	Existence of professional standards of conduct	Administrative data (Bar Associations)
	Accountability mechanisms in case of violation of standards <ul style="list-style-type: none"> ■ Procedures to report violations of standards ■ Sanctions 	In-depth interviews with legal professionals Administrative data (Bar Associations)
INVESTIGATION		
Parameter 1: Responsiveness to victims	Procedures to register complaints	In-depth interviews with police FGDs with legal aid providers and victims
	Incentives/ disincentives for registry of complaints	In-depth interviews with police FGDs with legal aid providers and victims
	Ratio complaints/ investigations	Administrative data (police)
	Training (regular and non-regular) in counselling and attention to victims	In-depth interviews with police
	Medical and psychological services to victims (financial, human and material resources) (data since 1999)	In-depth interviews with police FGDs with legal aid providers and victims
Parameter 2: Quality and adequacy of investigations	Number of police officers at provincial, district, sub-district and village levels (data since 1999)	Administrative data (police)
	Number of police vacancies (data since 1999)	Administrative data (police)

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
<p>Parameter 2: Quality and adequacy of investigations (continued)</p>	Number of material resources (vehicles, communication hardware, computers and typewriters) (data since 1999)	Administrative data (police)
	Type of human and material resources devoted to investigation	In-depth interviews with police Administrative data (police)
	Police salaries (data since 1999)	Administrative data (police)
	Type of threats/ intimidations faced by investigators	In-depth interviews with police
	Procedures and type of methods to ensure protection against threats/ intimidation	In-depth interviews with police Administrative data (police)
	Type of methods used for the collection of evidence	In-depth interviews with police
	Scope of professional training (regular and non-regular) in investigation methods (regular and non-regular)	In-depth interviews with police Administrative data (police)
	Number of police officers trained in investigation methods (data since 1999)	Administrative data (police)
	Ratio cases investigated/ cases prosecuted (data since 1999)	Administrative data (police and Attorney General's Office)
	Administrative mechanisms to expedite the investigation process	In-depth interviews with police and prosecutors
	Existence of special services for disadvantaged groups at police stations (e.g., women, children)	In-depth interviews with police Administrative data (police)
	Procedures for the protection of evidence	In-depth interviews with police
	Procedures for the protection of crime sites	In-depth interviews with police
	<p>Parameter 3: Accountability of investigations</p>	Actors responsible for the oversight of investigations/ procedures for oversight of investigations
Existence of standing orders emphasizing legal safeguards for investigations		In-depth interviews with police Administrative data (police)

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
Parameter 3: Accountability of investigations (Continued)	Procedures to report non-compliance with legal safeguards	In-depth interviews with police and judges Administrative data (police)
	Type of incentives/ disincentives to report non-compliance	In-depth interviews with police, legal professionals and former detainees
	Range of sanctions for non-compliance with legal safeguards	In-depth interviews with police Administrative data (police)
	Range of sanctions for non-compliance with legal safeguards	In-depth interviews with police Administrative data (police)
DETENTION		
Parameter 1: Lawfulness of detentions	Legal provisions for the issuance of warrants/ court orders in detentions and searches (actors involved, procedures and time limits)	In-depth interviews with police, prosecutors and judges Administrative data (police, Supreme Court, AGO)
	Circumstances when unwarranted detentions and searches are permitted	In-depth interviews with police, prosecutors and judges Administrative data (police, Supreme Court, AGO)
	Provisions to have legality of detention reviewed (actors involved, procedure and time limits)	In-depth interviews with police, prosecutors and judges Administrative data (police, Supreme Court, AGO)
	Grounds for administrative detention and provisions for judicial supervision of administrative detention (actors involved in supervision, procedure and time limits)	In-depth interviews with police, prosecutors and judges Administrative data (police, Supreme Court, AGO)
	Sanctions and remedies to illegal detentions and searches	In-depth interviews with police, prosecutors and judges Administrative data (police, Supreme Court, AGO)
	Time limits for pre-trial detention	Desk review of legislation
	Time limits for detention pending trial	Desk review of legislation
	Actors involved in monitoring respect for time limits in (a) pre-trial detention, (b) detention pending trial	In-depth interviews with police, prosecutors and judges Desk review of legislation
	Procedures to monitor respect for time limits in (a) pre-trial detention, (b) detention pending trial	In-depth interviews with police, prosecutors and judges Desk review of legislation

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
<p>Parameter 2: Accountability for the violation of legal safeguards</p>	Existence of standing orders on arrest procedures	In-depth interviews with police Administrative data (police)
	Existence of standing orders on the use of force and firearms	In-depth interviews with police Administrative data (police)
	Existence of standing orders on the prohibition of torture, inhuman or degrading treatment	In-depth interviews with police Administrative data (police)
	Existence of standing orders prohibiting slavery in detention centres	In-depth interviews with police Administrative data (police)
	Internal methods/procedures to report violations of legal safeguards	In-depth interviews with police Administrative data (police)
	Type of incentives and disincentives for reporting violations of legal safeguards in detention	In-depth interviews with police
	Disciplinary procedures and range of sanctions for violations of legal safeguards in detention	In-depth interviews with police Administrative data (police)
<p>Parameter 3: Access to information on detentions</p>	Procedure for notifications on arrests, detentions and transfers of prisoners and detainees	In-depth interviews with police and legal professionals Administrative data (police)
	Records of arrests and interrogations – type of information contained in records, procedures to access records	In-depth interviews with police and legal professionals Administrative data (police)
	Guarantees for access by independent bodies (e.g., National Human Rights Institutions) to places and records of detention	In-depth interviews with police and Kommas HAM officers
	Management of confidential information – standard procedures	In-depth interviews with police
<p>Parameter 4: Access to legal counsel by detainees</p>	Responsibilities and procedures to ensure information to detainees on (a) reasons for arrest, (b) charges against them, (c) right to legal counsel, (d) right not to testify against themselves	In-depth interviews with police, prosecutors, judges and legal professionals
	Access to legal counsel by detainees – Actors involved, responsibilities and procedures	In-depth interviews with police and legal professionals

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
Parameter 5: Alternatives to detention	Range of alternatives for pre-trial detention	In-depth interviews with police, prosecutors and judges
	Range of alternatives for detention pending trial	In-depth interviews with police, prosecutors and judges
Parameter 6: Access to bail	Considerations in the determination of bail	In-depth interviews with prosecutors, judges and legal professionals Desk review of legislation
	Availability of loan schemes for bail and procedures to access them	In-depth interviews with legal professionals Administrative data (Ministry of Justice, Supreme Court)
	Grounds of denial for bail	In-depth interviews with prosecutors, judges and legal professionals Desk review of legislation
Parameter 7: Adequate detention facilities	Type of officially recognized places of detention	In-depth interviews with police
	Number of detainees per detention centre (data since 1999)	Administrative data (detention records)
	Type of legal and material provisions guaranteeing the separation of juveniles/ adults in places of detention, facilities to ensure separation	In-depth interviews with officials in detention centres
	Type of legal and material provisions guaranteeing the separation of men/women in places of detention, facilities to ensure separation, number of female staff guarding female detainees	In-depth interviews with officials in detention centres and legal aid providers
	Type of special facilities for pregnant women and nursing mothers	In-depth interviews with officials in detention centres and legal aid providers
	Access by non-governmental organizations (e.g., humanitarian, religious) to places of detention, procedures for access	In-depth interviews with officials in detention centres and NGOs
	Total budget for health and hygiene, food and clothing per detention centre (data since 1999)	Administrative data (detention centres)

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
PROSECUTION		
<p>Parameter 1: Independence, impartiality and neutrality of prosecution</p>	<p>Procedures and criteria for:</p> <ul style="list-style-type: none"> ■ Recruitment ■ Appointment ■ Promotions ■ Disciplinary sanctions 	<p>In-depth interviews with prosecutors Administrative data (Attorney General Office – PPS)</p>
	<p>Status of prosecutors and conditions of service, including legal provisions for security of tenure</p>	<p>In-depth interviews with prosecutors Desk review of legislation and regulations</p>
	<p>Scope of judicial or quasi-judicial functions performed by prosecutors</p>	<p>In-depth interviews with prosecutors and judges Desk review of legislation and regulations</p>
	<p>Procedures for the allocation of cases to prosecutors</p>	<p>In-depth interviews with prosecutors Desk review of regulations</p>
	<p>Procedures to initiate the prosecution of a case</p>	<p>In-depth interviews with prosecutors Desk review of regulations</p>
	<p>Type of perceived incentives/disincentives to initiate prosecution</p>	<p>In-depth interviews with prosecutors</p>
	<p>Remuneration and welfare schemes</p>	<p>Administrative data (Attorney General Office – PPS)</p>
	<p>Salaries for prosecutors (data since 1999)</p>	<p>Administrative data (Attorney General Office - PPS)</p>
	<p>Type of perceived incentives and disincentives to independence and impartiality of prosecutors</p>	<p>In-depth interviews with prosecutors, judges and legal professionals</p>
	<p>Protection against intimidation/threats to prosecutors</p> <ul style="list-style-type: none"> ■ Type of threats, intimidation and reprisals ■ Legal provisions, policies and resources to protect prosecutors against intimidation/threats ■ Remedies to intimidation/threats 	<p>In-depth interviews with prosecutors Desk review of laws and regulations</p>

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
Parameter 1: Independence, impartiality and neutrality of prosecution (Continued)	Guarantees for free professional association	In-depth interviews with prosecutors Desk review of laws and regulations
	Percentage of female prosecutors at provincial and district levels	Administrative data (Attorney General's Office – PPS)
Parameter 2: Quality and efficiency of prosecution	Number of prosecutors at provincial, district and sub-district levels (data since 1999)	Administrative data (Attorney General's Office – PPS)
	Number and type of support staff (data since 1999)	Administrative data (Attorney General's Office – PPS)
	Number of vacancies (data since 1999)	Administrative data (Attorney General's Office – PPS)
	Number of material resources (vehicles, communication hardware, computers and typewriters) (data since 1999)	Administrative data (Attorney General's Office – PPS)
	Total budget and internal allocation of budget (data since 1999)	Administrative data (Attorney General's Office – PPS)
	Scope of professional training	In-depth interviews with prosecutors
	Prosecutors caseload (data since 1999)	Administrative data (Attorney General's Office – PPS)
	Process of case management	In-depth interviews with prosecutors
	Legal provisions to refuse evidence obtained through illegal means and initiate proceedings against those involved	In-depth interviews with prosecutors Desk review of laws and regulations
	Type of records and information systems	In-depth interviews with prosecutors
Coordination mechanisms with police, judiciary, lawyers and other investigative bodies (e.g., National Human Rights Commission and Ombudsman office)	In-depth interviews with prosecutors, judges, legal professionals, Kommas HAM officers	
Parameter 3: Adequate protection to victims and witnesses	Actors responsible for protecting witnesses and victims	In-depth interviews with prosecutors, judges, legal professionals and victims
	Policies and legal provisions on witness and victims protection	In-depth interviews with prosecutors Desk review of policies and regulations
	Type of methods/strategies to ensure protection to witness and victims	In-depth interviews with police and prosecutors

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
Parameter 2: Quality and efficiency of prosecution (Continued)	Financial, human and material resources devoted to witness and victims' protection (data since 1999)	Administrative data (Attorney General's Office)
Parameter 4: Accountability of prosecution	Codes of conduct for prosecutors	In-depth interviews with prosecutors Administrative data (Attorney General's Office – PPS)
	Disciplinary procedures and type of sanctions	In-depth interviews with prosecutors Administrative data (Attorney General's Office – PPS)
	Type of incentives and disincentives to report violations of codes of conduct	In-depth interviews with prosecutors
JUDICIAL ADJUDICATION		
Parameter 1: Independence of the judiciary	Constitutional guarantees for the separation of powers	Desk review of constitution and legislation
	Scope of capacities of the executive and the legislative powers regarding amnesties and pardons	Desk review of constitution and legislation
	Procedures and requirements for: <ul style="list-style-type: none"> ■ Recruitment ■ Appointment ■ Promotions ■ Disciplinary sanctions 	In-depth interviews with judges Administrative data (Supreme Court)
	Process of case management	Desk review of legislation
	Legal guarantees for judicial autonomy in the determination of questions of competence	Desk review of legislation
	Legal guarantees for judicial autonomy in questions of internal administration, personnel and finance	Desk review of legislation
	Coordination mechanisms with police, judiciary, lawyers and other investigative bodies (e.g., National Human Rights Commission and Ombudsman office)	In-depth interviews with prosecutors, judges, legal professionals, Kommas HAM officers
	Guarantees for free professional association	In-depth interviews with judges Desk review of legislation
	Protection against intimidation to judges <ul style="list-style-type: none"> ■ Type of threats, intimidation and reprisals ■ Legal provisions, policies and resources to protect judges against intimidation ■ Remedies to intimidation 	In-depth interviews with judges Desk review of legislation

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
Parameter 2: Impartiality of the judiciary, neutrality and non-discrimination	Procedures for the assignment of cases to judges	In-depth interviews with judges
	Type of incentives and disincentives to corruption	In-depth interviews with judges
	Remuneration schemes for judges	Administrative data (Supreme Court)
	Salaries for judges (data since 1999)	Administrative data (Supreme Court)
	Legal safeguards against bias and discrimination	Desk review of legislation
	Percentage of female judges at provincial and district levels (data since 1999)	Administrative data (Supreme Court)
	Legal safeguards against trial of civilians by Military Courts	Desk review of legislation
Parameter 3: Judicial efficiency	Number of judges at provincial and district levels (data since 1999)	Administrative data (Supreme Court)
	Number and type of support staff (data since 1999)	Administrative data (Supreme Court)
	Number of vacancies (data since 1999)	Administrative data (Supreme Court)
	Type and number material resources (vehicles, communication hardware, computers and typewriters) – data since 1999	Administrative data (Supreme Court)
	Number of vacancies (data since 1999)	Administrative data (Supreme Court)
	Total budget and internal allocation of budget (data since 1999)	Administrative data (Supreme Court)
	Scope of professional training (entry-level and regular)	In-depth interviews with judges
	Processes of case management, including (a) registration, (b) distribution of cases, (c) trial, (d) verdict, (e) reviews, (f) post-verdict, (e) archive	In-depth interviews with judges
	Court caseload (data since 1999)	Administrative data (Supreme Court)
	Legal time limits for the disposition of cases	Desk review of legislation

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
Parameter 3: Judicial efficiency (Continued)	Type of reasons for the postponement of hearings	In-depth interviews with judges, prosecutors and legal professionals
	Type of reasons for the archiving of cases	In-depth interviews with judges, prosecutors and legal professionals
	Type of archives, records and information systems	In-depth interviews with judges
	Procedures to monitor (a) quality of verdicts and (b) execution of verdicts	In-depth interviews with judges, prosecutors and legal professionals
	Legal provisions to refuse evidence obtained through illegal means	Desk review of legislation
	Type of incentives and disincentives to refuse evidence obtained through illegal means	In-depth interviews with judges, prosecutors and legal professionals
	Coordination mechanisms with police, prosecutors, lawyers and other investigative bodies (e.g., National Human Rights Institutions and Ombudsman offices)	In-depth interviews with judges, prosecutors, legal professionals, Kommas HAM officers
Parameter 4: Accountability of the judiciary	Codes of conduct for the judiciary	In-depth interviews with judges Administrative data (Supreme Court)
	Disciplinary procedures and type of sanctions	In-depth interviews with judges Administrative data (Supreme Court)
	Type of incentives and disincentives to report violations of codes of conduct	In-depth interviews with judges
Parameter 5: Adequate sentencing	Type of legal sources used by the judiciary as the basis for sentencing	In-depth interviews with judges Desk review of legislation
	Procedures to examine the quality of verdicts	In-depth interviews with judges Desk review of legislation
ADMINISTRATIVE DISPUTE RESOLUTION		
Parameter 1: Impartiality, neutrality and non-discrimination of administrative dispute resolution	Procedures and requirements for: <ul style="list-style-type: none"> ■ Appointment ■ Allocation of cases ■ Disciplinary sanctions 	In-depth interviews with adjudicating officers Desk review of legislation
	Type of perceived factors undermining impartiality and neutrality of administrative dispute resolution	In-depth interviews with adjudicating officers, legal professionals and users
Parameter 3: Due process in administrative dispute resolution	Procedures to initiate administrative dispute resolution	In-depth interviews with adjudicating officers, legal professionals and users

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
Parameter 3: Due process in administrative dispute resolution (Continued)	Type of representation for litigants in administrative dispute resolution	In-depth interviews with adjudicating officers, legal professionals and users
	Appeal procedures in administrative dispute resolution	In-depth interviews with adjudicating officers, legal professionals and users
	Procedure for judicial review of administrative dispute resolution	In-depth interviews with judges, adjudicating officers, legal professionals and users
Parameter 4: Accountability of administrative dispute resolution	Legal provisions for reasoned decisions in administrative adjudication	Desk review of legislation
	Standards of conduct, disciplinary procedures and sanctions	In-depth interviews with adjudicating officers
INFORMAL AND TRADITIONAL DISPUTE RESOLUTION		
Parameter 1: Independence, impartiality and neutrality of informal and traditional dispute resolution	Actors involved in informal and traditional dispute resolution	In-depth interviews with operators and users of traditional justice mechanisms FGDs with NGOs and community-based organizations
	Type of perceived factors undermining impartiality and neutrality of informal dispute resolution	In-depth interviews with operators and users of traditional justice mechanisms FGDs with NGOs and community-based organizations
Parameter 2: Due process in informal and traditional dispute resolution	Type of perceptions on the meaning of “due process” in informal and traditional dispute resolution	In-depth interviews with operators and users of traditional justice mechanisms
	Scope of competency of traditional dispute resolution on criminal matters	In-depth interviews with operators and judges
	Procedures/scope for judicial review and oversight of traditional dispute resolution	In-depth interviews with operators and judges
	Type of representation for litigants in informal and traditional dispute resolution	In-depth interviews with operators and users of traditional justice mechanisms
Parameter 3: Transparency of informal and traditional dispute resolution	Systems for recording actions and documenting decisions	In-depth interviews with operators
Parameter 4: Adequate sentencing	Types of compensation, reparation and other forms of settlement in informal dispute resolution	In-depth interviews with operators and users of traditional justice mechanisms

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
<p>Parameter 4: Adequate sentencing (Continued)</p>	<p>Procedures to examine the quality of settlements</p>	<p>In-depth interviews with operators and users of traditional justice mechanisms FGDs with NGOs and community-based organizations</p>
<p>Parameter 5: Accountability of informal and traditional dispute resolution</p>	<p>Disciplinary procedures against actors of traditional and informal dispute resolution involved in improper/unethical conduct in the performance of their functions</p>	<p>In-depth interviews with operators FGDs with NGOs and community-based organizations</p>
<p>ENFORCEMENT</p>		
<p>Parameter 1: Responsive and accountable enforcement</p>	<p>Responsibilities and procedures to enforce summons</p>	<p>In-depth interviews with judges, police, prosecutors and legal professionals Desk review of legislation</p>
	<p>Responsibilities and procedures for the execution of court orders and decisions</p>	<p>In-depth interviews with judges, police, prosecutors and legal professionals Desk review of legislation</p>
	<p>Responsibilities and procedures for the execution of administrative decisions</p>	<p>In-depth interviews with judges, police, prosecutors and legal professionals Desk review of legislation</p>
	<p>Responsibilities and procedures for the execution of decisions and settlements emerging from informal mechanisms of dispute resolution</p>	<p>In-depth interviews with operators and users of traditional justice mechanisms</p>
	<p>Disciplinary procedures for non-execution of orders and decisions in formal and informal systems; type of sanctions</p>	<p>In-depth interviews with judges, police, prosecutors and legal professionals In-depth interviews with operators and users of traditional justice mechanisms Desk review of legislation</p>
	<p>Administrative complaints process against prison officials/ administration and type of remedies and sanctions</p>	<p>In-depth interviews with legal aid providers and prison administration officers</p>
<p>Parameter 2: Adequate prison conditions</p>	<p>Number of prisons (data since 1999)</p>	<p>Administrative data (prisons)</p>
	<p>Numbers of prisoners, disaggregated by gender (data since 1999)</p>	<p>Administrative data (prisons)</p>
	<p>Number of juvenile prisoners (data since 1999)</p>	<p>Administrative data (prisons)</p>
	<p>Budget for prisons and internal allocation of budget (data since 1999)</p>	<p>Administrative data (prisons)</p>
	<p>Procedures for the release of prisoners after completion of sentences</p>	<p>In-depth interviews with legal aid providers and prison administration officers</p>

PARAMETER	MAPPING AREA	METHODOLOGY FOR DATA COLLECTION
Parameter 2: Adequate prison conditions (Continued)	Legal and material provisions for the separation of juveniles and adults/ men and women in prisons	In-depth interviews with legal professionals and prison administration officers Desk review of legislation
CIVIL SOCIETY AND PARLIAMENTARY OVERSIGHT		
Parameter 1: Civil society capacity to perform oversight functions on access to justice	Type of non-governmental organizations involved in monitoring activities on the justice system	In-depth interviews and FGDs with civil society organizations
	Type of non-governmental organizations involved in research activities on the justice system	In-depth interviews and FGDs with civil society organizations
	Type of non-governmental organizations involved in advocacy on access to justice-related issues	In-depth interviews and FGDs with civil society organizations
	Type of incentives and disincentives for collaboration among non-governmental organizations with regard to (a) exchange of information and experiences, (b) monitoring, (c) reporting, and (d) advocacy	In-depth interviews and FGDs with civil society organizations
	Type of incentives and disincentives for media reporting on access to justice-related issues	In-depth interviews and FGDs with civil society organizations and media professionals
	Laws and regulations providing for the involvement of non-governmental organizations in (a) policy development, (b) legal reforms, (c) institutional reforms, and (d) appointments and promotions of judges and prosecutors	Desk review of legislation
	Type/scope of existing initiatives for developing capacities in the civil society to engage on access to justice-related issues	In-depth interviews and FGDs with civil society organizations
	Type of issues prioritised by non-governmental organizations with regard to access to justice	In-depth interviews and FGDs with civil society organizations
Parameter 2: Freedom from threats and intimidation	Protection against intimidation to journalists and human rights defenders <ul style="list-style-type: none"> ■ Type of threats, intimidation and reprisals ■ Legal provisions, policies and resources to protect journalists/human rights defenders against intimidation ■ Remedies to intimidation 	In-depth interviews and FGDs with human rights advocates and media professionals
Parameter 3: Capacity of legislative powers to perform oversight functions on access to justice	Type/scope of legislative commissions performing oversight functions on the justice system	In-depth interviews with parliamentarians
	Type/scope of involvement of the legislative powers in disciplinary procedures related to (a) police, (b) prosecution, (c) judiciary	In-depth interviews with parliamentarians Desk review of legislation

