

UNITED NATIONS DEVELOPMENT PROGRAMME



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PROJECT DOCUMENT

United Nations Development Programme
Global Programme on Rule of Law and Human Rights
Sub-Funding Window CSPS
Country: Republic of Armenia

Project Title Support to Armenia's Rule of Law and Justice Reform
(Bringing Justice Closer to People)*

The Gender Marker: Gen 2
UNDP Strategic Plan outcome:2

Implementing Partner: United Nations Development Programme
Responsible Partner: United Nations Development Programme


Programme Period:	2019-2020
Atlas Project ID:	00117601
Output ID:	00121670
Estimated Start date:	01 March 2020
Estimated End date:	01 August 2021

Management arrangements:	DIM
Total resources required:	450,000 USD
Total allocated resources:	398,000 USD
GP	100,000 USD
Funding Window CPSP	250,000 USD
CO	48,000 USD
To be mobilized:	52,000 USD

Brief Description

This project provides a solid basis for UNDP Armenia CO to support the Government in finding the most applicable solutions for the reform agenda in its transition process, to set-up platforms for policy dialogue on reforms and social cohesion, establishing a solid basis for justice, trust and rule of law in Armenia, as well as strengthen and improve anti-corruption "eco-system" leading to zero tolerance towards corruption. The project will also seek for new solutions as basis for efficient A2J mechanisms for the most vulnerable, in compliance with the UN human rights standards. This will be accompanied by design of a comprehensive communication framework, design of electronic management system for the courts, as well as investing in improving the integrity, efficiency and independence of the judiciary and fostering the capacities of newly established anti-corruption institutions. Finally, the Project will support Government to address the COVID-19 impacts in the justice and rule of law sectors through identifying ultimate needs for response and recovery. The project will apply a gender lens to all activities, to ensure that justice reforms are gender-responsive and that equal representation and participation of women in their design and development processes is duly followed.

Agreed by (signatures)¹:

UNDP	Implementing Partner
Dmitry Mariyasin UNDP Resident Representative 	UNDP

*The Project Document is built on the operational ProDoc/AWP of the Support to Armenia's Rule of Law and Justice Reform (Bringing Justice Closer to People) Project, funded by the Global Programme on RoLHR. The ProDoc is updated according to latest developments and is re-budgeted to reflect the additional \$250,000 initially endorsed by the Funding Window (sub-window for Conflict Prevention and Sustaining Peace).

I. DEVELOPMENT CHALLENGE

Rising inequality, governance and corruption issues are identified as the root causes of 2018 “velvet revolution” in Armenia, resulting in a complete political transformation and start of an ambitious reform process². Armenia’s new parliament and government set out on a path of reforms, which in a nutshell are described as turning the political revolution into a “social and economic revolution”, based on principles of transparency, accountability and the rule of law. The government has transformational aspirations with a strong anti-corruption focus, particularly aimed at comprehensive judiciary reforms and restoration of trust in the justice system.

Armenia has demonstrated promising developments in advancing anti-corruption policy reforms following the revolution in 2018 and the formation of a new parliament. The 2019 Corruption Perceptions Index Report ranked Armenia 77 out of 180 countries and territories, up from the 105th place in 2018. A [new nationwide poll of Armenia](#) (September-October 2019) by the International Republican Institute’s (IRI) Centre shows strong support for the government’s anti-corruption efforts and an optimistic view of the country’s trajectory.³ While there is a commitment from the Government to fight corruption as well as widespread public support, it is important to build on this momentum and institutionalize fight against corruption that has the potential to lead to the cultural transformation and result in zero tolerance towards corruption. This can be achieved by strengthening institutions, mechanisms and systems, raising public awareness on negative impact of corruption, engaging civil society, women, youth and active citizen groups in monitoring of services delivered by public institutions.

In response to Government’s request for support to rule of law and justice reforms, UNDP initiated a scoping mission on 22-26 July 2019 organized by the Country Office with support of the HQ Rule of Law Team and Global Anti-Corruption Team. The mission included also the UNODC and the Bingham Center on Rule of Law. The report identified areas for UNDP and UNODC’s support to the Government in justice and rule of law reforms, complementary to, and coordinated with, the work of other international partners.

The findings confirmed that the overall social dynamics in Armenia is still very much impressed by the recent revolution and that the related priority reforms have a strong transitional justice outlook. Women and young people supported and participated in great numbers in the revolution. The public expectations on addressing the past grievances and quick reforms in the justice sector and strengthened the rule of law are still quite high. At the same time the nature and the span of anti-corruption and justice measures taken so far (including arrests, detentions of high-level officials, and disciplinary measures applied to judges) open room for emotional and sometimes heated debates within the society. Conventional and social media reflect debates and opposing views among the different groups of society, indicating risks of polarization and lack of social cohesion.

The proposed project is largely based on the findings and recommendations of the scoping mission and is building on UNDP CO small scale strategic interventions (such as testing of Emotional Intelligence (EQ) components in judicial recruitment, reflected now in the new judicial strategy; supporting experience exchange for national counterparts with Italian financial crimes investigation and asset recovery issues for the Ministry of Justice and Special Investigative Service, earlier assessment of the free legal aid system, SDG-izing the judicial strategy, etc.).

² According to Freedom House “Nations in Transit Report” for 2018, Armenia’s Democracy Score declines from 5.39 to 5.43, directly related to corruption rating decline from 5.25 to 5.50 due to the solidification of systemic corruption as a consequence of the Republican ruling party consolidation of executive, legislative, and judicial power, and due to accumulated evidence of government unwillingness to root out high-level abuse of office.

³<https://www.iri.org/resource/new-poll-armenians-support-anti-corruption-measures-want-action-socioeconomic-concerns>

The project will be catalytic in nature, aiming to create a ground for UNDP to mobilize donor funding and support the government with the broader and longer-term reform agenda, yet starting with short- and medium-term actions in three main areas: a) **Integrity, independence and efficiency of the judiciary**, b) **Access to justice and improved service orientation of the judiciary**, c) Effective and sustainable anti-corruption 'ecosystem' in the country.

Importantly:

- a) **The project will have the UN Sustaining Peace agenda at heart**, making sure that key reforms that will have direct positive effect on building the trust in the integrity of the governing system help the country graduate from transitional to development-focused mode.⁴
- b) **The project will have a direct contribution to SDG 16** acknowledging the interconnection and interdependence between justice, rule of law, inclusion and peaceful societies and ensure that this approach makes part of the Government reform and programming. The project will directly contribute to achievement of a number of SDG 16 targets, such as 16.3, 16.4, 16.5, 16.6, 16.7 and 16.10, and implicitly to target 16.1, as the increase of the trust in the institutions will inevitably contribute to prevention of any potential for future social unrest and related risks of conflict. The Project will also contribute to implementation of SDG 16+ framework with particular focus on SDG 5 (with particular focus on targets SDG 5.5, 5.B and 5.C). UNDP will support Government in the integration of gender-responsive anti-corruption measures in national development agenda, and mainstreaming of anti-corruption targets of Goal 16 in national planning and budgetary processes. The project will demonstrate the “enabling” nature of SDG 16, by contributing to a creation of an environment enabling focus on sustainable development, rather than on democratic consolidation and transitional justice and will be complementary to the ongoing GP funded “Rule of Law and Agenda 2030” project.
- c) **Gender equality considerations will be central in the project design and implementation.** The project will engage a team of gender experts to ensure gender-responsiveness and sensitivity of the legal and policy framework, as well as the respective curricula and other materials to be developed. Special focus will be on understanding the mechanisms and tools for supporting progress towards gender balance in the judiciary and ensuring that access to justice and legal aid activities are gender responsive. The project activities for anti-corruption measures will build on a UNDP project “Island of Integrity” implemented within the Women Empowerment and Gender Equality Portfolio. The latter produced a Code of Conduct for one of the local communities, which will be scaled up to other institutions in broader public sector in the framework of the proposed project.

To ensure that justice reforms are gender-responsive, the Project will initiate targeted capacity building workshops with relevant officials. The gender dimensions of this project will be more explicit under such components as (i) free legal aid, where particular attention will be paid to the due representation of women eligible for free legal aid; (ii) ADR mechanisms, focusing on current statistics of cases and on type of mediation support women get in disputes and how to improve; (iii) recruitment of judges and psychological testing with inclusion of specific gender sensitive questions and situations; and (iv) communication strategy and campaigns with particular focus on gender equality and

⁴ Evidence collected for the recently published UNDP and the World Bank report on “Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict” illustrates that security and justice institutions that operate fairly and in alignment with rule of law and human rights, are essential to preventing violence and sustaining peace including for in-country vertical span.

women judges, and gender responsive judiciary. Participation of diverse women's groups in the design and decision making on all the above mentioned components will be ensured.

- d) The Project will be adapted to the new realities conditioned with COVID-19 situation** and will create a solid ground for addressing mid and long-term COVID-19 response and recovery in the justice and rule of law. In consultations with Government, the Project team will identify ultimate "response" and "recovery" needs for addressing impacts of COVID-19 in compliance with UNDP's global response.

II. STRATEGY

Goals and Objectives:

The proposed project will deliver immediate support and will create a foundation for long-term support package, in line with the Legal and Judicial Strategy 2019-2023 and its Action Plans and Anti-Corruption Strategy 2019-2022 and its Action Plan, adopted in October 2019, as well as the recommendations of UNDP Scoping mission report. The project will be built on three interrelated outputs, which include the three building blocks identified in the Mission Report and as agreed with the Ministry of Justice and other key stakeholders. Under the suggested outputs the project will implement a set of catalytic activities that will ensure quick wins and enable UNDP to do medium- and long-term planning with the Ministry and other key stakeholders and attract resources for mid- and long-term reforms.

To this end the project aims for the following objectives:

- I. Integrity, independence and efficiency of the judiciary supported through national policies and new mechanisms in place.**

Under Output 1, the project will provide support to:

- (i) Putting in place **integrity mechanisms in the judicial recruitment procedures and, strengthening integrity component of the judicial curricula. For this purpose, merit-based psychological testing will be integrated into recruitment process and gender responsive e-recruitment system will be designed.**

This will be based on the standards of judicial ethics and conduct as stipulated in UN Convention against Corruption, UN Basic Principles on the Independence of the Judiciary and the Bangalore Principles of Judicial Conduct. The Project will further promote gender equality in the judicial system through integrating strategies for increasing representation of women in the judiciary⁵, particularly in leadership positions. The 2030 Agenda for Sustainable Development, and Sustainable Development Goals (SDG) 5 and SDG 16 in particular, address the global responsibility we have to gender equality and women's representation in public institutions such as the judiciary⁶.

In a preparation for this activity, UNDP CO commissioned an Assessment Mission in December 2019, resulting in a detailed report with findings and recommendations on both the current procedural issues and the gaps in the legal framework for judicial recruitment and integrity checks, but also the mapping of E-Systems and their interoperability necessary for the data exchange and efficient e-recruitment platform.

⁵The under-representation of women in the judiciary should be addressed, with women holding only 25% of the total number of judicial posts,⁵ and, worryingly, holding none of the court president positions at the time of the most recent Council of Europe survey in 2016⁵, having only two women as heads of Criminal and Civil, Administrative Chambers of the Cassation Court as of the time of writing of this report. UNDP, SCOPING MISSION REPORT, July 2019.

⁶ <https://independence-judges-lawyers.org/gender-in-the-judiciary-and-the-legal-profession/>

The Report prepared by international experts⁷, *inter alia*, suggests establishing e-recruitment system of judges, as an integral part of broader e-justice system, as well as create legal and institutional basis for merit-based psychological testing of judges. Introducing a digitized Judge Recruitment system will tackle several challenges of the current manual process, thus addressing gaps and shortcomings in the justice sector which mostly concern the absence of electronic tools, and which proved to be of vital importance to keep the processes going during the time of crisis and lock-down.

(ii) For **efficient and independent administration** of the judiciary the project will provide **technical assistance for reviewing the existing Alternative Dispute Resolution measures** and developing a gender responsive strategy for improving them and promoting their use.

There is an urgent need to strengthen legal and institutional background of existing ADR system in Armenia, which will help to reduce the backlog of cases, as well as create favorable environment for foreign investments. The promotion of ADR systems become more and more pivotal during crisis situations when traditional means of conflict resolutions lose their endurance and become fragile. Therefore, there is a strong need to further promote ADR system in the country through raising public awareness and creating strong legislative mechanisms. This comes also a special request from the Government to support putting in place and efficient e-platform of ADR.

The Project will pay particular attention to putting in place gender responsive ADR mechanisms, thus enhancing equal access to justice services.

(iii) To **ensure the support to the reform processes is delivered in a transparent and efficient manner and to “bring justice closer to people”** a number of public awareness raising, and public engagement mechanisms will be an integral part of the planned activities. **The project will facilitate diversity of communication and dialogue platforms to enhance trust between the different actors of the reform process, including from executive, legislative, judiciary and civil society.** The communication and outreach to public and respective stakeholders on the judicial and anti-corruption reforms is identified as a burning priority for Government and there was a particular request to UNDP CO to support with design of Communication Strategy for quick, efficient and innovative methods of communication but also capacity development for the policy makers and practitioners to be able to deliver a communication and outreach campaign.

The Communication Strategy, *inter alia*, will set a target to change the image of judges in the society, as well as promote women’s representation in the judiciary. Also, gender-differentiated aspects of access to justice will be in special focus.

II. Access to justice improved through increased service orientation of the judiciary.

Under Output 2, UNDP will support:

(i) As an efficient tool for access to justice, **the project will support the development of efficient e-court/e-case-management solutions** aiming to improve administration of justice and efficient functioning of the judiciary as described and cross-linked under Output 1 with the ADR. Pursuant to the request of the Ministry of Justice, initial review of the E-Court/Case Management System in Armenia has been conducted by another team of UNDP international experts in December 2019⁸. The main purpose of this review was to analyse the current state of e-justice system in Armenia, with special emphasis on the use of information and Communication technology (ICT) in the courts (“E-Court”). The mission aimed to reveal, identify and dissect the key problem points and issues, which may prevent or slow down further development of these systems, and to elaborate on certain number of proposals for improvement and development of the existing systems, in order to adjust

⁷ Report on “Merit-Based Judicial Recruitment System Including E-recruitment: Focus design of Psychological Testing System” prepared by UNDP international experts.

⁸ Report on “Initial Review of the E-court/Case-Management System in Armenia”.

and enhance the respective plans of digital transformation under the state governance that are under implementation for the period 2020- 2021 and beyond.

The Project will further support the development and application of efficient e-court/e-case-management solutions based on the mid, short and long-term recommendations presented by international experts. The design of the e-court/e-case management will be considerate of potential gender sensitivity of the components and the procedures. To ensure this is duly implemented, the Project will engage gender review of the designed system, as well as will ensure the draft design framework is validated with number of representative groups of the judiciary and beneficiaries with equal representation by women.

(ii) As the main pillar for access to justice, the project will look into **strengthening and diversifying free legal aid system and improving access to free legal aid**. For this purpose, **legal aid needs and efficiency of the use of current state-guaranteed legal aid system will be assessed** to prepare a dedicated project proposal for strengthening the legal aid system.

It was also evident that access to justice was one of the major issues for people during the times of lockdowns, emergency situation and social distancing during the crisis of COVID-19. People, especially in remote areas, had no idea and no guidance where to go and how to claim justice and protection of their rights, when the rights were limited in situation of crisis. Evidence collected by a number of civil society organization prove that the crisis hit the most vulnerable in this regard limiting the right protection and A2J mechanisms in the first place for women (as victims of GBV/DV, and as targets for being dismissed at the first place by employers), the elderly, children and minorities. The access to at least primary legal aid and consultation at local level, might have been critical in majority of cases. The Project will look also into the possibilities of digital legal aid service provision, but with full consideration of possible deepening of the new forms of inequality of the digital ‘haves’ risks further excluding the ‘have-nots’, thus leaving no one behind. The Project will support the Government to review the legal framework from gender equality and gender parity perspectives with the potential to expand eligibility criteria for free legal aid at both primary and secondary levels, and making free legal aid accessible for women, with particular focus on urgent support to victims of GBV/DV.

(iii) **The project will incentivize implementation of justice and anti-corruption innovations through engaging citizens and civic actors** under possible small grant scheme to CSOs and civic groups. The Project will support **development of electronic platform to enhance monitoring and evaluation mechanisms of Justice and Anti-Corruption reforms**, enhancing public awareness and engaging public in the implementation of the reform processes. The electronic platform will assure the interconnection between SDG barometer⁹ and relevant data collection and exchange between the platforms.

III. Anti-corruption “ecosystem” in the country improved and strengthened.

Under output 3, UNDP CO in cooperation with UNDP Anti-Corruption Global Team, UNODC and OSCE¹⁰ will support Government in:

⁹ Developed in the result of another GP funded Project on “RoL and SDG 16 in Armenia’s Reform Agenda”.

¹⁰ On 8 June 2020, the OSCE/Office of the Co-ordinator for Economic and Environmental Activities and the United Nations Development Programme (UNDP) in Armenia signed a Statement of Intent on “*Strengthening the Anti-corruption Framework of Armenia*”. The parties agreed to provide comprehensive and instrumental support to the Government of Armenia in establishing an effective and sustainable anti-corruption ‘ecosystem’ in the country.

(i) Support institutional set-up of anti-corruption bodies, including Corruption Prevention Commission (CPC), Ant-Corruption Committee (ACC) through development of standard operation procedures, and a functionality roadmap of the CPC and legal and institutional framework of the ACC.

With the assistance of UNDP Anti-Corruption global team, Policy support document for CPC was developed, which contains clear and comprehensive recommendations on the institutional capacity building of newly established anti-corruption prevention body. Based on the recommendations presented in the Policy Support document, the Project will further assist CPC to enhance its institutional capacity. A gender perspective will be mainstreamed in these capacity building programs and in developing effective programs and projects to combat corruption.

In accordance with Anti-Corruption Strategy, in 2021 new anti-corruption law enforcement body will be established in Armenia. In this context, UNDP CO, tapping into UNODC expertise, and in cooperation with OSCE, will assist in strengthening legal and institutional framework of the Ant-Corruption Committee.

(ii) Support introduction of anti-corruption compliance system in public sector - Corruption risk assessment and capacity building of respective bodies on monitoring and evaluation of anti-corruption reforms.

The CO will support the efforts of Government and AC bodies to pilot corruption risk assessment in two-three-line ministries to be scaled-up. Taking into account the fact that national institutions lack capacities to effectively monitor and evaluate anti-corruption reforms, in particular the progress of AC Strategy and its Action Plan, this Project in cooperation with UNDP AC Global team, will support the Ministry of Justice and other stakeholders to improve and enhance their capacities on M&E.

(iii) Support development and implementation of a comprehensive and gender responsive capacity building program and trainings for AC Court judges in Armenia. In accordance with Legal and Judicial Strategy, in 2021 new Anti-Corruption Court will be established in Armenia. UNDP will assist with capacity building for selected judges, starting with earlier identification of needs and supporting to build this capacity and necessary mechanisms by the time the specialized Court is established.

(vi) Promote anti-corruption education through supporting the Government in AC campaigns and trainings for civil servants and integrity officers. Anti-corruption online modules developed by UNDP Anti-Corruption Global team will be re-designed for local context and integrated into training curriculum for public servants and integrity officers. As mentioned above, the Project will consider lessons learnt of the “Integrity Islands; component of UNDP CO WEGE “Women in Politics” project as well as rely on/engage the local expertise the project cultivated (see above point c) Gender Equality – under Development Challenge section of this Project Document).

(v) Support in development and adoption of Codes of Conduct and conflict of interest regulations in the public sector. In this context, it should be mentioned that in July 2020, the Council of Elders of Etchmiadzin Community formally approved the Code of Conduct for Community Officers/Community Servants which was developed by UNDP under “Integrity Islands” component of the “Women in Politics” Project. UNDP based on this will further support the development and adoption of the gender sensitive Codes of Conduct and conflict of interest regulations in the broader public sector.

Intervention Strategy and Logic:

The logic of the Project is structured through three interconnected objectives aiming to provide support to the Government in its transitional reform process and creating an enabling environment for evidence-based, transparent and cohesive reform agenda. While supporting enhancing the integrity, independence and efficiency of the judiciary through national policies and new mechanisms in place, the project will also target the anti-corruption related reforms with communication and outreach, as well as access to justice improved through increased service orientation of the judiciary.

In parallel, new and innovative methods will be introduced in setting-up ***new culture of communication to the profession and citizenry*** to re-inaugurate the image and position of the judge and bring justice closer to people. Communications efforts will highlight the important role of the judiciary in upholding women's rights and equal access to justice, and eliminating gender stereotypes. It will present the judiciary as an equal-opportunity employer, at entry level and leadership posts.

To ensure sustainability of the judicial integrity interventions, the project will support related anti-corruption measures, through the prism of UNCAC and its instruments, in order to assist the government to ensure coherence of its multi-faceted efforts in the judiciary reform. From the initially identified short-term priorities, UNDP in collaboration with UNODC will provide normative inputs, comparative experiences and technical support to operationalization of the preventive and investigative mechanisms and inputs on specific technical issues related to judicial integrity, asset declaration and recovery. The support to the preventive mechanisms will be strongly focused on citizen engagement.

UNDP CO, as part of the global COVID-19 response, will continue to strengthen national and local governance institutions and processes to help Government and communities to cope with and adequately respond to the crisis, while also fostering conditions necessary for long-term development, stability and resilience. Overall effectiveness of any country's COVID-19 response will be affected by the performance of anti-corruption or oversight institutions. Hence, the role of anti-corruption agencies undoubtedly remains relevant and important even during COVID-19. Thus, it is necessary for anti-corruption agencies to provide concrete and targeted questions that can develop into concrete anti-corruption prevention¹¹. UNDP CO will bring together MoJ, CPC and other partners for the knowledge exchange and experience sharing in the context of COVID-19 response and recovery planning.

The capacity building programs will enhance the understanding of equal access to justice and legal aid, and highlight the importance of gender balance in the judiciary.

Taking into consideration that the 2019-2023 RA Strategy on Judicial and Legal Reforms highlights ***the constitutional reforms***, the Project will provide technical support to constitutional reform processes in the Republic of Armenia, in particular assisting in building capacity of the Constitutional Reform Commission and its Secretariat and strengthening CSO participation in Constitutional review process. The participation of women's rights organizations will be ensured during the discussions on Constitutional reforms.

In addition, in search for new and innovative methods and aiming to raise visibility and invite due attention of donor and development partners, ***the project will seek partnerships to support organization of a first-ever justice innovations forum in Armenia***, which will help to bring together the justice innovation leaders and create space for new and forward-looking justice solutions, being a great supplement to the already planned reforms. If the COVID-19 situation allows so, Justice and Anti-Corruption Innovative Forum will be organized, if not in consultations with Government, Forum will be organized online by the end of 2020.

¹¹ Guidance Note # 10: SUMMARY Supporting Equitable and Inclusive Governance Responses to Addressing COVID-19's Impact on Fragility, Peace and Development.

In a medium- and long-term context, the engagement will be tailored together with the MoJ and other key national partners, such as the Supreme Judicial Council, based on the adopted Judicial and Legal Reforms, as well as Anti-corruption strategies.

III. RESULTS AND PARTNERSHIPS

Expected Results

Rationale and Actions:

Objective 1: Integrity, independence and efficiency of the judiciary supported through national policies and new mechanisms in place.

Activity 1: Put in place gender sensitive integrity mechanisms in the judicial recruitment procedures and, strengthen integrity component of the judicial curricula through psychological testing and based on the standards of judicial ethics and conduct as stipulated in UN Convention against Corruption, UN Basic Principles on the Independence of the Judiciary and the Bangalore Principles of Judicial Conduct.

Activity 2: Provide technical assistance for reviewing the existing Alternative Dispute Resolution measures and developing a concept not for improvements.

Activity 3: Facilitate diversity of communication and dialogue platforms to enhance trust between the different actors of the reform process, including executive, legislative, judiciary and civil society. Apply new and innovative methods to set-up new culture of communication to the profession and citizenry to re-inaugurate the image and position of the judge and bring the justice closer to people.

Activity 4: Provide consultative technical assistance in Constitutional review process.

Objective 2: Access to justice improved through increased service orientation of the judiciary.

Activity 1: Support the development of e-court/e-case-management solutions aiming to improve administration of justice and efficient functioning of the judiciary.

Activity 2: Assess legal aid needs and efficiency of the use of current state-guaranteed legal aid system to prepare a dedicated project proposal for strengthening the legal aid system and its access to women, with particular focus on survivors of GBV/DV, single mothers, women in difficult life situations and other vulnerabilities.

Activity 3: Incentivize development and implementation of justice and anti-corruption innovations through engaging citizens and civic actors under possible small grant scheme to CSOs and civic groups. Support organization of a first-ever justice innovations forum in Armenia.

Objective 3: Anti-corruption "ecosystem" in the country improved and strengthened.

Activity 1: Support institutional set-up of anti-corruption bodies, including Corruption Prevention Commission, Ant-Corruption Committee through development of standard operation procedures, and a functionality roadmap of the CPC and legal and institutional framework of the ACC.

Activity 2: Support introduction of anti-corruption compliance system in public sector - Corruption risk assessment and capacity building of respective bodies on monitoring and evaluation of anti-corruption reforms.

Activity 3: Support development and implementation of capacity building on anti-corruption for selected judged.

Activity 4: Promote anti-corruption education through supporting AC campaigns and gender-sensitive capacity development schemes for civil servants and integrity officers.

Activity 5: Support in development and adoption of Codes of Conduct and conflict of interest regulations in the public sector.

Resources Required to Achieve the Expected Results

The Project will have the following human resources:

1. 80% Task Lead and 20% Programme Manager, both with vast experience in implementing justice, rule of law projects. TL will be responsible for project implementation, development, monitoring of project activities, managing financial delivery and ensure planned outputs as per Project work plan. TL under overall guidance of the Programme Manager will ensure project liaison with the government, parliament, civil society organizations, ongoing UNDP initiatives and international partners to ensure information exchange, coordination and synergy.
2. 20% Programme Associate (PA) to provide assistance for project administration and operational issues.

The project will hire additional thematic experts for targeted activities and will tap into the expertise of the WEGE team.

Partnerships

Following UNODC's inputs during and after the scoping mission, the project will be implemented in close coordination and partnership with UNODC. Through this partnership, the UN will ensure access of national partners to global expertise and best practices aligned with the international standards set out in the United Nations Convention against Corruption, UN Basic Principles on the Independence of the Judiciary, the Bangalore Principles of Judicial Conduct and The UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems. This platform should also assist the government to consolidate its reform efforts and monitor them accordingly. Other agencies engaged in justice sector and/or rule of projects in the country will be taken under consideration as well.

For more coordinated and synergized support to anti-corruption reform, UNDP and OSCE agreed on cooperation and partnership framework through signing a Statement of Intent for joint implementation in June 2020.

With an aim to explore possible innovative justice solutions and possible scale up, UNDP will reach out to innovation partners in the field who are actively involved in SDGs, Governance, and A2J innovative projects, such as Stanford University, UK's NESTA, Hiil for Measuring Justice, Data Justice Lab, Inequality Data Lab, RIWI, Innovation Radicals and others, as well as will learn from the experiences of other COs in the region under the South-South cooperation scheme.

Risks:

The Risk Log is attached as Annex 2.

Stakeholder Engagement

Target groups:

While, the Project will work with wide range of stakeholders, it will target the broader population of Armenia as an end user of the outcomes and results.

Stakeholders:

The Project primary contact points will be the Ministry of Justice as the lead institution of policy making and reforms both in the judicial and anti-corruption sectors. In addition, the Project will include wide range of national actors, as Supreme Judicial Council, Corruption Prevention Commission, Anti-Corruption Committee, Anti- Corruption Court, Parliament, Judiciary, General prosecutor's office, Public Defender, Bar Association, legal aid providers and CSOs.

Knowledge

The Project comes in a transition and reforming process when much is about new approaches and learning. The attempt to apply new and gender responsive methodologies for reforming the judiciary, applying new tools to integrity and digitisation of the case management systems will bring in new knowledge and expertise. At the same time, it will be more about learning through doing.

Sustainability and Scaling Up

The **sustainability plan** of the project will be based on three main pillars: **(i) ensuring government ownership, (ii) ensuring linkages and complementarity** with the current projects; and **(iii) partnerships, resource mobilization and expansion of the project cycle**, including in partnerships with other UN agencies and other development partners.

IV. PROJECT MANAGEMENT**Project Management**

The project will be implemented by UNDP through "Direct Implementation Modality (DIM).

Financial oversight, including approval of expenditures and independent audits, monitoring and mid-term and final evaluation of progress and results will be also ensured by the country office, as required.

UNDP, as responsible partner, will establish a project team, which will ensure that the envisaged activities are carried out and the outputs are reached. The project team will be managed by the dedicated Task Leader, who will coordinate project activities and National Programme Manager (NPM) on part-time basis and as the financial authorizing officer.

V. RESULTS FRAMEWORK¹²

¹² UNDP publishes its project information (indicators, baselines, targets and results) to meet the International Aid Transparency Initiative (IATI) standards. Make sure that indicators are S.M.A.R.T. (Specific, Measurable, Attainable, Relevant and Time-bound), provide accurate baselines and targets underpinned by reliable evidence and data, and avoid acronyms so that external audience clearly understand the results of the project.

Intended Outcome as stated in the UNDAF/Country Programme Results and Resource Framework:

OUTCOME UNDAF Outcome(s) 2: By 2020, people benefit from improved systems of democratic governance and strengthened protection of human rights.

CPD/CPAP Outcome 2: By 2020, people's expectations for voice, accountability, transparency, and protection of human rights are met by improved systems of democratic governance.

CPAP Output 2.2: Institutions and systems strengthened to improve protection of human rights.

Support to Armenia's Rule of Law and Justice Reform (Bringing Justice Closer to People)

Applicable Output(s) from the UNDP Strategic Plan: Output 2.2.3 Capacities, functions and financing of rule of law and national human rights institutions and systems strengthened to expand access to justice and combat discrimination, with a focus on women and other marginalized groups.

Project title and Atlas Project Number: 00121670-00117601

EXPECTED OUTPUTS	OUTPUT INDICATORS	DATA SOURCE	BASELINE		TARGETS (by frequency of data collection)			DATA COLLECTION METHODS & RISKS
			Value	Year	First half	Second half	FINAL	
Output 1 Integrity, independence and efficiency of the judiciary supported through national policies and new mechanisms in place	1.1 Integrity mechanisms in the judicial recruitment procedures through gender responsive merit-based and psychological testing developed.		0	2020	0	1	1	<i>Package of merit-based judicial recruitment procedures in place</i> <i>Risks- unpredictable factors that can change the approach and need for a merit-based recruitment process</i>
	1.2 Strengthened integrity component of the judicial curricula in the Academy of Justice, including with focus on gender sensitive topics.		0	2021	1		1	<i>Gender sensitive modules with integrity and ethics components added to JA curricula</i>
	1.3 Design of interoperable e-recruitment system developed.		0	2020	0	1	1	<i>Design package available.</i> <i>Risks- with changing environment of e-justice arrangements, development of e-recruitment system becomes impossible</i>
	1.4. E-recruitment system applied as an integral part of broader e-justice system.		0	2021	1	0	1	<i>E-recruitment system is in place.</i> <i>Risks- Lack of coordination between the Gov agencies.</i>
	1.5 Existing Alternative Dispute Resolutions methods reviewed and proposal for improvement developed, <i>inter alia</i> , addressing gender dimension.		0	2021	1	0	1	<i>Package of findings and recommendations</i> <i>Risks- N/A</i>

	1.6 New and innovative methods to set-up new culture of communication to the profession of judges and citizenry and to re-inaugurate the image and position of the judge, including gender equality and women representation applied.		0	2020	0	1	1	<i>Communication Strategy and roadmap in place, gender specific dimensions outlined and implemented</i> <i>Risks- unpredictable political developments related to the current judicial reform that can influence the related activities</i>
	1.7 Public awareness campaigns on equal access to justice (with particular focus on women groups), including through introduction of new judicial and anti-corruption reforms developed and implemented.		0	2020	2	2	4	Number of campaigns, including on access to justice for survivors of GBV/DV, single mothers, women in difficult life situations and other vulnerabilities. . <hr/> <i>Risks – N/A</i>
	1.8. Constitution review process supported through building capacity of the Constitutional Reform Commission and its Secretariat and strengthening CSO participation.		0	2020		1	1	<i>Documented workshops, knowledge products, comparative research documents.</i> <i>Risks- Political environment of the country affecting the process.</i>
Output 2 Access to justice improved through increased service orientation of the judiciary	2.1 Package of design of efficient e-court/e-case-management system proposed with due consideration of gender responsive mechanisms and solutions in place.		0	2020	0	1	1	<i>The gender responsive design packages</i> <i>Risks- given the changing environment of e-justice arrangements, development of e-court/e-case management system becomes impossible</i>
	2.2. Basic systems and capacities for efficient e-court/e-case-management system as part of e-justice system developed and applied, including gender equality and gender responsive dimension		0	2021	1	1	2	<i>Capacity development package developed including gender responsive dimension</i> <i>Risks- Lack of coordination, technical, financial and human capacities within Government.</i> <i>Match of available funds and proposed model of e-court.</i>
	2.3 Free legal aid system assessed and package of proposals for improvement, including introduction of gender responsive system, provided.		1	2021	1	0	1	Assessment report and package of recommendations, including on survivors of GBV/DV, single mothers, women in difficult life situations and other vulnerabilities. <hr/> <i>Risks- unpredictable reprioritization of issues that can impact the assessment</i>

	2.4 Innovative Justice Forum conducted, and small grant schemes started.		0	2021	1	1	2	<i>Project reports, records Justice and anti-corruption innovative tools developed. COVID-19 situation pandemic which will not allow to organize live Forum. As a response, UNDP will support the organization of online Forum in 2020 and offline in 2021 when the travel is allowed.</i>
Output 3 Anti-corruption "ecosystem" in the country improved and strengthened.	3.1. Policy support package provided to CPC, comprehensive and gender responsive capacity building programs developed and implemented for members of CPC and its staff.		0	2020/21	0	2	2	<i>Policy support package and training programme developed, including gender responsive curricula and modules. Risks- N/A</i>
	3.2. Corruption risk assessment with focus on gender dimensions is piloted in two line-ministries and capacity of respective bodies on monitoring and evaluation of anti-corruption reforms enhanced.		0	2021	1	1	2	<i>CRA assessment report and methodology including with focus on gender dimensions. N/A</i>
	3.3. Capacity building program and trainings, including gender dimension, for AC court judges in Armenia developed and implemented.		0	2021	1	1	2	<i>Gender responsive capacity building programme available Risks- N/A</i>
	3.4. Anti-corruption education in the country promoted through organizing AC campaigns and trainings for civil servants and integrity officers, including gender dimension.		0	2021	1	1	2	<i>Developed training modules, including with focus on gender dimensions. Risks-Unpredictable political vector changes that can influence this process.</i>
	3.5. Codes of Conduct and conflict of interest regulations in the public sector developed and adopted including the focus on gender responsive dimension.		0	2020		1	1	<i>Gender responsive regulations Risks-Unpredictable political vector changes that can influence this process.</i>

VI. MONITORING AND EVALUATION

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

Monitoring Plan

Monitoring Activity	Purpose	Frequency	Expected Action	Partners (if joint)	Cost (if any)
Track results progress	Progress data against the results indicators in the RRF will be collected and analysed to assess the progress of the project in achieving the agreed outputs.	Mid-term and annual	Slower than expected progress will be addressed by project management.	Ministry of Justice; Supreme Judicial Council, Corruption Prevention Commission, Anti-Corruption Committee	
Monitor and Manage Risk	Identify specific risks that may threaten achievement of intended results. Identify and monitor risk management actions using a risk log. This includes monitoring measures and plans that may have been required as per UNDP's Social and Environmental Standards. Audits will be conducted in accordance with UNDP's audit policy to manage financial risk.	Mid-term and annual	Risks are identified by project management and actions are taken to manage risk. The risk log is actively maintained to keep track of identified risks and actions taken.	Ministry of Justice; Supreme Judicial Council, Corruption Prevention Commission, Anti-Corruption Committee	
Learn	Knowledge, good practices and lessons will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project.	Annual	Relevant lessons are captured by the project team and used to inform management decisions.	Ministry of Justice; Supreme Judicial Council, Corruption Prevention Commission, Anti-Corruption Committee	
Annual Project Quality Assurance	The quality of the project will be assessed against UNDP's quality standards to identify project strengths and weaknesses and to inform	Annual	Areas of strength and weakness will be reviewed by project management and used to inform decisions to improve project performance.	Ministry of Justice; Supreme Judicial Council, Anti-	

	management decision making to improve the project.			Corruption Committee, Corruption Prevention Commission	
Review and Make Course Corrections	Internal review of data and evidence from all monitoring actions to inform decision making.	Mid-term	Performance data, risks, lessons and quality will be discussed by the project board and used to make course corrections.	Ministry of Justice; Supreme Judicial Council, Corruption Prevention Commission, Anti-Corruption Committee	
Project Report	A progress report will be presented to the Project Board and key stakeholders, consisting of progress data showing the results achieved against pre-defined annual targets at the output level, the annual project quality rating summary, an updated risk log with mitigation measures, and any evaluation or review reports prepared over the period.	Mid-term, and at the end of the project (final report)		Ministry of Justice; Supreme Judicial Council, Corruption Prevention Commission, Anti-Corruption Committee	
Project Review (Project Board)	The project's governance mechanism (i.e., project board) will hold regular project reviews to assess the performance of the project and review the Multi-Year Work Plan to ensure realistic budgeting over the life of the project. In the project's final year, the Project Board shall hold an end-of project review to capture lessons learned and discuss opportunities for scaling up and to socialize project results and lessons learned with relevant audiences.	Mid-term, and at the end of the project (final report)	Any quality concerns or slower than expected progress should be discussed by the project board and management actions agreed to address the issues identified.	Ministry of Justice; Supreme Judicial Council, Corruption Prevention Commission, Anti-Corruption Committee	

VII. MULTI-YEAR WORK PLAN ¹³¹⁴

EXPECTED OUTPUTS	PLANNED ACTIVITIES	Planned Budget by Year		PLANNED BUDGET Responsible party, Q3-4		
		Y1 2020	Y2 2021	Funding Source	Budget Description	Amount
Output 1: <i>Integrity, independence and efficiency of the judiciary supported through national policies and new mechanisms in place</i>	Activity 1.1: Put in place integrity mechanisms in the judicial recruitment procedures and strengthening integrity component of the judicial curricula.	42,000.00	30,000.00		71200 Int Consultants	72,000.00
	1.1.1 Develop merit-based and psychological tests for recruitment of judges.	5,800.00	4,167.00		71300 Local Consultants	9,967 .00
	1.1.2 Develop the design of interoperable e-recruitment system.					
	1.1.3 Apply e-recruitment system as an integral part of broader e-justice system.					
	1.1.4 Look into linkages of integrity check package for acting judges connected to merit-based recruitment.	9,800.00	10,000.00		71600 Travel	19,800.00
	1.1.5 Develop integrity and ethics modules for JA curricula.					
	Activity 1.2: Apply new and innovative methods to set-up new culture of communication to the profession and citizenry to re-inaugurate the image and position of the judge.	32,500.00	36,500.00		72100 Contractual services-Companies	69,000.00
	1.2.1. Develop comprehensive Communication strategy and Action Plan on Justice and Anti-Corruption reforms.	1,925.93	1,500.00		74200 Audio Visual & Print Prod Costs	3,425.93
1.2.2. Implement communication campaign activities in accordance with developed Action Plan.						
Activity 1.3: Identify and assess options for reducing court workload, including through assessment of the ADR measures and develop a strategy for improvement.	900.00	1,000.00		74500 Miscellaneous Expenses	1,900.00	

¹³ Cost definitions and classifications for programme and development effectiveness costs to be charged to the project are defined in the Executive Board decision DP/2010/32.

¹⁴ Changes to a project budget affecting the scope (outputs), completion date, or total estimated project costs require a formal budget revision that must be signed by the project board. In other cases, the UNDP programme manager alone may sign the revision provided the other signatories have no objection. This procedure may be applied for example when the purpose of the revision is only to re-phase activities among years.

	1.3.1 Assess the current ADR measures and produce report with package of recommendations for improvement.	0.00	500.00		75700 Trainings, Workshops & Conferences	500.00
	1.3.2. Suggest the design of potential alternative dispute resolution electronic system.	6,844.07	6,023.00		75100 F&A	12,867.07
	1.3.3 Validate with national partners and develop proposal for strengthening of the system.					
	1.3.4 Organise public awareness campaigns on access to justice.					
Activity 1.4: Provide technical assistance in the Constitutional review process.						
1.4.1. Assisting in design process of Constitutional review, including quick comparative research and analysis on certain topics.						
1.4.2. Support in Communication and outreach.						
1.4.3. Building capacity of the Constitutional Reform Commission and its Secretariat.						
1.4.4. Strengthening CSO participation in Constitutional review process						
Sub-Total for Output 1					189,460.00	
Output 2	Activity 2.1: Support development of efficient e-court/e-case management system	41,500.00	0.00		71200 Int Consultants	41,500.00
<i>Access to justice improved through increased service orientation of the judiciary</i>	2.1.1 Conduct assessment of current status of e-court/e-case management system and interoperability with overall e-justice system.	1,900.00	1,900.00		71300 Local Consultants	3,800.00
	2.1.2 Develop the design of interoperable e-court/case management system.					
	2.1.3 Apply some components of e-court/case management system as an integral part of broader e-justice system.					
	Activity 2.2: Assess free legal aid needs and the use of current state-guaranteed legal aid system and suggest areas for strengthening.	0.00	0.00		72100 Contractual services- Companies	0.00
	2.2.1 Conduct assessment of the legal aid needs and the current state of free legal aid system.	9,800.00	0.00		71600 Travel	9,800.00
	2.2.2. Validate with national counterparts and suggest proposal for comprehensive support scheme.					

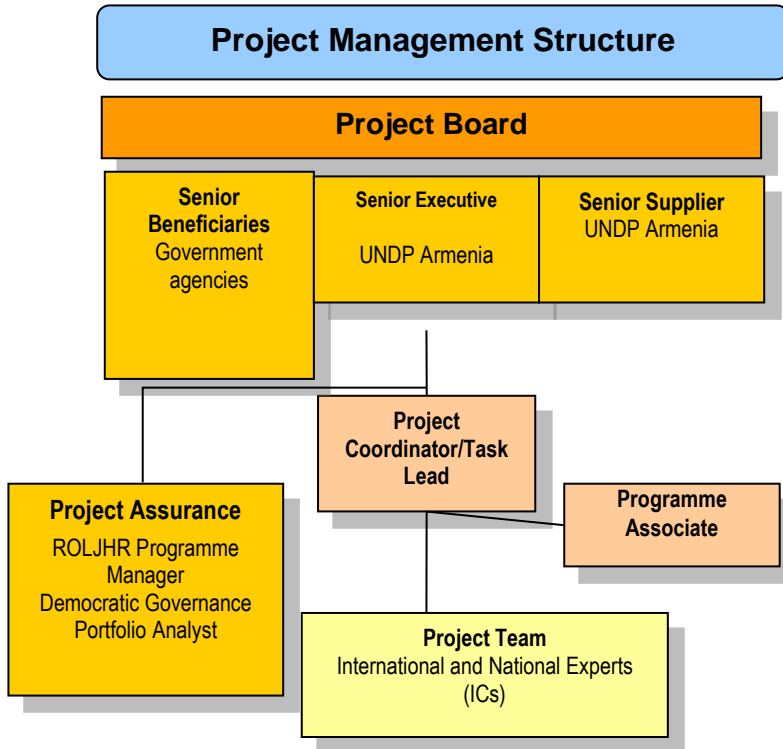
	Activity 2.3: Incentivize implementation of justice and anti-corruption innovative solutions	800.00	100.00		74500 Miscellaneous Expenses	900.00
	2.3.1 Assure interoperability and interconnection between merit-based e-recruitment system and integrity check of judges.					
	2.3.2 Support the introduction of an innovative smart asset declaration and fraud detection system for Corruption Prevention Commission, as well as innovative, smart and user-centric data analytics methods to enhance effectiveness in data collection and evidence-based policy formulation.	0.00	0.00		75700 Trainings, Workshops & Conferences	0.00
	2.3.3 Develop electronic platform to enhance monitoring and evaluation mechanisms of Justice and Anti-Corruption strategic documents in order to promote public awareness on justice and anti-corruption reforms initiated by the Government, and engage public in the implementation of the reform processes.	840.00	140.00		75100 F&A	980.00
	2.3.4. Support in organization of Justice and Anti-Corruption Innovative International forum in Armenia.					
	Sub-Total for Output 2					56,980
Output 3: <i>Project Implementation</i>	Staff /part-time Programme Manager, Task Leader & 20% project assistant	28,000.00	38,650.00		71400 Contractual services/individuals	66,650.00
	DPC (staff)	3,000.00	3,000.00		64300 Direct Project Cost Staff	6,000.00
	Supplies	3,500.00	2,000.00		72500 Supplies	5,500.00
	Office rent	500.00	1,000.00		73100 Rent&Maint. – Premises	1,500.00
	Comms. facilities	500.00	1,500.00		74200 Audio Visual & Print Prod Costs	2,000.00
		500.00	495.00		74500 Miscellaneous Expenses	995.00
		2,520.00	3,265.00		75100 F&A	5,785.00

	Sub-Total for Output 3					88,430
Output 4 <i>Anti-corruption “ecosystem” in the country improved and strengthened.</i>	Activity 4.1. Strengthen and enhance institutional capacity of newly established AC bodies, CPC & ACC. 4.1.1 Develop comprehensive capacity building program for CPC and ACC staff. 4.1.2. Conduct trainings for members of CPC and its staff and for ACC staff.	34,000.00	10,000.00		71200 Int Consultants	44,000.00
	Activity 4.2. Pilot Corruption risk assessment in two line-ministries and enhance capacity of respective bodies on monitoring and evaluation of anti-corruption reforms. 4.2.1 Analyze current situation of anti-corruption system in line ministries and support introduction of anti-corruption standards, measures and monitoring procedures in line ministries. 4.2.2. Based on initial review support in piloting corruption risk assessment in two line-ministries. 4.2.3. Develop relevant Monitoring and Evaluation methodology and conduct training for relevant stakeholders.	5,000.00	0.00		71300 Local Consultants	5,000.00
	Activity 4.3. Develop and implement comprehensive capacity building program and trainings for AC court judges in Armenia 4.3.1. In close cooperation with UNODC and in line with UNCAC provisions develop comprehensive capacity building program and validate with national partners. 4.3.2. Conduct trainings for AC court judges in Armenia focusing on asset recovery aspects.	1,500.00	0.00		74200 Audio Visual & Print Prod Costs	1,500.00
	Activity 4.4. Promote Anti-corruption education in the country through organizing AC campaigns and trainings for civil servants and integrity officers. 4.4.1. Conduct assessment of the anti-corruption education system in Armenia through analysis of existing training courses and consultation with key stakeholders in the field. 4.4.2. Develop and adapt online and offline anti-corruption training curriculum for civil servants and integrity officers. 4.4.2. Incorporate training curriculums on HRMIS under Civil Service Office of RA	500.00	500.00		74500 Miscellaneous Expenses	1,000.00
	Activity 4.5. Develop and adopt Codes of Conduct and conflict of interest regulations in the public sector.	3,000.00	4,500.00		75700 Trainings, Workshops & Conferences	7,500.00
		3,080.00	1,050.00		75100 F&A	4,130.00

	4.5.1. Support national partners in developing and adopting of Code of Conduct based on UNDP global expertise. 4.5.2. Promote the use of Codes of Conduct within public sector by organizing public awareness campaigns.					
	Sub-Total for Output 4	89,640.00				63,130.00
Total:	General Management Support	23,762.07				23,762.07
	Global Program:	100,000.00				100,000.00
	Funding Window (CPSP):	250,000.00				250,000.00
	Total GP & FW:	350,000.00				350,000.07
	UNDP CO :	48,000.00				48,000.00
Total Budget:						398,000.00

Programme Coordination and Steering: This Project will be managed by a part-time Task Lead. S/he will be supported by a Project Assistant 20%, Experts and Programme Manager.

Below is the Management structure of the project as per UNDP guidelines.



In addition to the Project Board a Working Group including representatives of key stakeholders: MoJ, SJC, CPC. The WG will meet on a by-monthly basis to report on the activities, to find joint solutions to programmatic, operational and management issues, and identify issues to be directed to a higher-level decision-making at Project Board. The Project Board will meet twice per annum to learn on progress and provide guidance. The Project Board may invite an ad-hoc meeting given the necessity and urgency of the Project implementation related issues.

UNDP Project Time Frame: The Project duration is 12 months and will break down into following timelines:

March 2020 – March 2021 – 12 months implementation and delivery of \$100,000 from GP on RoLHR.

August 2020 – August 2021 – 12 months implementation and delivery of \$250,000 from Funding Window.

VIII. LEGAL CONTEXT AND RISK MANAGEMENT

The Project will operate under: Government Entity (**Support to DIM**) modality, which implies:

1. Consistent with Part VI on Programme Management of the Country Programme Action Plan (CPAP) 2016-2020 between the Government of Armenia. UNDP as the Responsible Party shall comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS.)
2. UNDP agrees to undertake all reasonable efforts to ensure that none of the project funds are used to provide support to individuals 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/sc/committees/1267/aq_sanctions_list.shtml. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.
3. Consistent with UNDP's Programme and Operations Policies and Procedures, social and environmental sustainability will be enhanced through application of the UNDP Social and Environmental Standards (<http://www.undp.org/ses>) and related Accountability Mechanism (<http://www.undp.org/secu-srm>).
4. The Responsible Party Partner shall: (a) conduct project and programme-related activities in a manner consistent with the UNDP Social and Environmental Standards, (b) implement any management or mitigation plan prepared for the project or programme to comply with such standards, and (c) engage in a constructive and timely manner to address any concerns and complaints raised through the Accountability Mechanism. UNDP will seek to ensure that communities and other project stakeholders are informed of and have access to the Accountability Mechanism.
5. All signatories to the Project Document shall cooperate in good faith with any exercise to evaluate any programme or project-related commitments or compliance with the UNDP Social and Environmental Standards. This includes providing access to project sites, relevant personnel, information, and documentation.

IX. RISK MANAGEMENT

1. UNDP as the Implementing Partner will comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS.)
2. UNDP as the Implementing Partner will undertake all reasonable efforts to ensure that none of the [project funds]¹⁵ [UNDP funds received pursuant to the Project Document]¹⁶ are used to provide support to individuals 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/sc/committees/1267/aq_sanctions_list.shtml. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.
3. Social and environmental sustainability will be enhanced through application of the UNDP Social and Environmental Standards (<http://www.undp.org/ses>) and related Accountability Mechanism (<http://www.undp.org/secu-srm>).
4. UNDP as the Implementing Partner will: (a) conduct project and programme-related activities in a manner consistent with the UNDP Social and Environmental Standards, (b) implement any management or mitigation plan prepared for the project or programme to comply with such standards, and (c) engage in a constructive and timely manner to address any concerns and complaints raised through the Accountability Mechanism. UNDP will seek to ensure that communities and other project stakeholders are informed of and have access to the Accountability Mechanism.
5. All signatories to the Project Document shall cooperate in good faith with any exercise to evaluate any programme or project-related commitments or compliance with the UNDP Social and Environmental Standards. This includes providing access to project sites, relevant personnel, information, and documentation.
6. UNDP as the Implementing Partner will ensure that the following obligations are binding on each responsible party, subcontractor and sub-recipient:
 - a. Consistent with the Article III of the SBAA [*or the Supplemental Provisions to the Project Document*], the responsibility for the safety and security of each responsible party, subcontractor and sub-recipient and its personnel and property, and of UNDP's property in such responsible party's, subcontractor's and sub-recipient's custody, rests with such responsible party, subcontractor and sub-recipient. To this end, each responsible party, subcontractor and sub-recipient shall:
 - i. put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;
 - ii. assume all risks and liabilities related to such responsible party's, subcontractor's and sub-recipient's security, and the full implementation of the security plan.
 - b. UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an

¹⁵ To be used where UNDP is the Implementing Partner

¹⁶ To be used where the UN, a UN fund/programme or a specialized agency is the Implementing Partner

appropriate security plan as required hereunder shall be deemed a breach of the responsible party's, subcontractor's and sub-recipient's obligations under this Project Document.

- c. Each responsible party, subcontractor and sub-recipient will take appropriate steps to prevent misuse of funds, fraud or corruption, by its officials, consultants, subcontractors and sub-recipients in implementing the project or programme or using the UNDP funds. It will ensure that its financial management, anti-corruption and anti-fraud policies are in place and enforced for all funding received from or through UNDP.
- d. The requirements of the following documents, then in force at the time of signature of the Project Document, apply to each responsible party, subcontractor and sub-recipient: (a) UNDP Policy on Fraud and other Corrupt Practices and (b) UNDP Office of Audit and Investigations Investigation Guidelines. Each responsible party, subcontractor and sub-recipient agrees to the requirements of the above documents, which are an integral part of this Project Document and are available online at www.undp.org.
- e. In the event that an investigation is required, UNDP will conduct investigations relating to any aspect of UNDP programmes and projects. Each responsible party, subcontractor and sub-recipient will provide its full cooperation, including making available personnel, relevant documentation, and granting access to its (and its consultants', subcontractors' and sub-recipients') premises, for such purposes at reasonable times and on reasonable conditions as may be required for the purpose of an investigation. Should there be a limitation in meeting this obligation, UNDP shall consult with it to find a solution.
- f. Each responsible party, subcontractor and sub-recipient will promptly inform UNDP as the Implementing Partner in case of any incidence of inappropriate use of funds, or credible allegation of fraud or corruption with due confidentiality.

Where it becomes aware that a UNDP project or activity, in whole or in part, is the focus of investigation for alleged fraud/corruption, each responsible party, subcontractor and sub-recipient will inform the UNDP Resident Representative/Head of Office, who will promptly inform UNDP's Office of Audit and Investigations (OAI). It will provide regular updates to the head of UNDP in the country and OAI of the status of, and actions relating to, such investigation.

- g. *Choose one of the three following options:*

Option 1: UNDP will be entitled to a refund from the responsible party, subcontractor or sub-recipient of any funds provided that have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of this Project Document. Such amount may be deducted by UNDP from any payment due to the responsible party, subcontractor or sub-recipient under this or any other agreement. Recovery of such amount by UNDP shall not diminish or curtail any responsible party's, subcontractor's or sub-recipient's obligations under this Project Document.

Option 2: Each responsible party, subcontractor or sub-recipient agrees that, where applicable, donors to UNDP (including the Government) whose funding is the source, in whole or in part, of the funds for the activities which are the subject of the Project Document, may seek recourse to such responsible party, subcontractor or sub-recipient for the recovery of any funds determined by UNDP to have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of the Project Document.

Option 3: UNDP will be entitled to a refund from the responsible party, subcontractor or sub-recipient of any funds provided that have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of the Project Document. Such amount may be deducted by UNDP from any payment due to the responsible party, subcontractor or sub-recipient under this or any other agreement.

Where such funds have not been refunded to UNDP, the responsible party, subcontractor or sub-recipient agrees that donors to UNDP (including the Government) whose funding is the source, in whole or in part, of the funds for the activities under this Project Document, may seek recourse to such responsible party, subcontractor or sub-recipient for the recovery of any funds determined by UNDP to have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of the Project Document.

Note: The term “Project Document” as used in this clause shall be deemed to include any relevant subsidiary agreement further to the Project Document, including those with responsible parties, subcontractors and sub-recipients.

- h. Each contract issued by the responsible party, subcontractor or sub-recipient in connection with this Project Document shall include a provision representing that no fees, gratuities, rebates, gifts, commissions or other payments, other than those shown in the proposal, have been given, received, or promised in connection with the selection process or in contract execution, and that the recipient of funds from it shall cooperate with any and all investigations and post-payment audits.
- i. Should UNDP refer to the relevant national authorities for appropriate legal action any alleged wrongdoing relating to the project or programme, the Government will ensure that the relevant national authorities shall actively investigate the same and take appropriate legal action against all individuals found to have participated in the wrongdoing, recover and return any recovered funds to UNDP.
- j. Each responsible party, subcontractor and sub-recipient shall ensure that all of its obligations set forth under this section entitled “Risk Management” are passed on to its subcontractors and sub-recipients and that all the clauses under this section entitled “Risk Management Standard Clauses” are adequately reflected, *mutatis mutandis*, in all its sub-contracts or sub-agreements entered into further to this Project Document.

X.

Annex 1: Social and Environmental Screening Template

Project Information	
1. Project Title	Support to Armenia's Rule of Law and Justice Reform (Bringing Justice Closer to People)
2. Project Number	00121670-00117601
3. Location (Global/Region/Country)	Armenia

Part A. Integrating Overarching Principles to Strengthen Social and Environmental Sustainability

QUESTION 1: How Does the Project Integrate the Overarching Principles in order to Strengthen Social and Environmental Sustainability?

Briefly describe in the space below how the Project mainstreams the human-rights based approach

The centrality of human rights is underlined in the Project goal and objectives. The human rights-based approach is mainstreamed throughout the Project activities, outputs and results by applying diversity of HRBA principles. The Project was developed in close consultation with all parties involved and will be implemented through a joint decision-making Board. Project progress will be reported, and further actions agreed through a quarterly meeting of the multi-party task force to ensure transparency and accountability of all measures.

Briefly describe in the space below how the Project is likely to improve gender equality and women's empowerment

To the extent possible, gender balance will be kept during the expert team formation. In order to eliminate social injustice and to ensure equal opportunities for all, the project approach looks at the development targets through a gender perspective too. Gender will be in the heart of the program implementation by ensuring balanced participation of women in capacity building trainings **(at least 40%)**

Gender empowerment: The Project will ensure gender parity in Project team, Project Board and Working Groups. The activities and objectives will be designed to open space for equal representation of women and men in expert teams. Gender mainstreaming and gender responsive policy formulation and processes will be part of all activities, need assessments and development of recommendations packages in the recruitment system of judges, the judicial curricula and the e-court management system.

Equal access to resources: The Project team will be able to assess the equality of access to program resources, by men and women, through regular monitoring activities and reports.

Briefly describe in the space below how the Project mainstreams environmental sustainability

Environmental sustainability is a core value embedded in the design of the project. All activities will be planned and implemented in line with principles of environment sustainability, avoiding negative effect to natural resources and physical environment.

UNDP is a recognized leader in Armenia in sustainable development solutions and corporate practices. This culture will be mainstreamed across the Project implementation process, the activities and to partners involved.

Part B. Identifying and Managing Social and Environmental Risks

Risk Description	Impact and Probability (1-5)	Significance (Low, Moderate, High)	Comments	Description of assessment and management measures as reflected in the Project design. If FSIA or SESA is required note that the assessment should consider all potential impacts and risks.
Are any Project activities proposed within or adjacent to critical habitats and/or environmentally sensitive areas, including legally protected areas (e.g. nature reserve, national park), areas proposed for protection, or recognized as such by authoritative sources and/or indigenous peoples or local communities?	I = 2 P = 1	Low	referred to SESP Attachment 1: Standard 1, Question 1.2	N/A. There are no project activities, which may have impact on the environment.
Select one (see SESP for guidance)				Comments NA
Low Risk			X	
Moderate Risk				
High Risk				
Check all that apply			Comments	
Principle 1: Human Rights			X	
Principle 2: Gender Equality and Women's Empowerment			X	
1. Biodiversity Conservation and Natural Resource Management				
2. Climate Change Mitigation and Adaptation				
3. Community Health, Safety and Working Conditions				
4. Cultural Heritage				
5. Displacement and Resettlement				
6. Indigenous Peoples				
7. Pollution Prevention and Resource Efficiency				

Final Sign Off

<i>Signature</i>	<i>Date</i>	<i>Description</i>
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SESP Attachment 1. Social and Environmental Risk Screening Checklist

Checklist Potential Social and Environmental Risks		
Principles 1: Human Rights		Answer (Yes/No)
1.	<i>Could the Project lead to adverse impacts on enjoyment of the human rights (civil, political, economic, social or cultural) of the affected population and particularly of marginalized groups?</i>	No
2.	<i>Is there a likelihood that the Project would have inevitable or discriminatory adverse impacts on affected populations, particularly people living in poverty or marginalized or excluded individuals or groups?</i>	No
3.	<i>Could the Project potentially restrict availability, quality of and access to resources or basic services, in particular to marginalized individuals or groups?</i>	No
4.	<i>Is there a likelihood that the Project would exclude any potentially affected stakeholders, in particular marginalized groups, from fully participating in decisions that may affect them?</i>	No
5.	<i>Is there a risk that duty-bearers do not have the capacity to meet their obligations in the Project?</i>	No
6.	<i>Is there a risk that rights-holders do not have the capacity to claim their rights?</i>	No
7.	<i>Have local communities or individuals, given the opportunity, raised human rights concerns regarding the Project during the stakeholder engagement process?</i>	No
8.	<i>Is there a risk that the Project would exacerbate conflicts among and/or the risk of violence to project-affected communities and individuals?</i>	No
Principle 2: Gender Equality and Women's Empowerment		
1.	<i>Is there a likelihood that the proposed Project would have adverse impacts on gender equality and/or the situation of women and girls?</i>	No
2.	<i>Would the Project potentially reproduce discriminations against women based on gender, especially regarding participation in design and implementation or access to opportunities and benefits?</i>	No
3.	<i>Have women's groups/leaders raised gender equality concerns regarding the Project during the stakeholder engagement process and has this been included in the overall Project proposal and in the risk assessment?</i>	No
4.	<i>Would the Project potentially limit women's ability to use, develop and protect natural resources, taking into account different roles and positions of women and men in accessing environmental goods and services?</i> <i>For example, activities that could lead to natural resources degradation or depletion in communities who depend on these resources for their livelihoods and well being</i>	No

Principle 3: Environmental Sustainability: Screening questions regarding environmental risks are encompassed by the specific Standard-related questions below		
Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management		
1.1	Would the Project potentially cause adverse impacts to habitats (e.g. modified, natural, and critical habitats) and/or ecosystems and ecosystem services? <i>For example, through habitat loss, conversion or degradation, fragmentation, hydrological changes</i>	No
1.2	Are any Project activities proposed within or adjacent to critical habitats and/or environmentally sensitive areas, including legally protected areas (e.g. nature reserve, national park), areas proposed for protection, or recognized as such by authoritative sources and/or indigenous peoples or local communities?	No
1.3	Does the Project involve changes to the use of lands and resources that may have adverse impacts on habitats, ecosystems, and/or livelihoods? (Note: if restrictions and/or limitations of access to lands would apply, refer to Standard 5)	No
1.4	Would Project activities pose risks to endangered species?	No
1.5	Would the Project pose a risk of introducing invasive alien species?	No
1.6	Does the Project involve harvesting of natural forests, plantation development, or reforestation?	No
1.7	Does the Project involve the production and/or harvesting of fish populations or other aquatic species?	No
1.8	Does the Project involve significant extraction, diversion or containment of surface or ground water? <i>For example, construction of dams, reservoirs, river basin developments, groundwater extraction</i>	No
1.9	Does the Project involve utilization of genetic resources? (e.g. collection and/or harvesting, commercial development)	No
1.10	Would the Project generate potential adverse transboundary or global environmental concerns?	No
1.11	Would the Project result in secondary or consequential development activities which could lead to adverse social and environmental effects, or would it generate cumulative impacts with other known existing or planned activities in the area? <i>For example, a new road through forested lands will generate direct environmental and social impacts (e.g. felling of trees, earthworks, potential relocation of inhabitants). The new road may also facilitate encroachment on lands by illegal settlers or generate unplanned commercial development along the route, potentially in sensitive areas. These are indirect, secondary, or induced impacts that need to be considered. Also, if similar developments in the same forested area are planned, then cumulative impacts of multiple activities (even if not part of the same Project) need to be considered.</i>	No
Standard 2: Climate Change Mitigation and Adaptation		
2.1	Will the proposed Project result in significant greenhouse gas emissions or may exacerbate climate change?	No
2.2	Would the potential outcomes of the Project be sensitive or vulnerable to potential impacts of climate change?	No
2.3	Is the proposed Project likely to directly or indirectly increase social and	No

<p><i>environmental vulnerability to climate change now or in the future (also known as maladaptive practices)?</i></p> <p><i>For example, changes to land use planning may encourage further development of floodplains, potentially increasing the population's vulnerability to climate change, specifically flooding</i></p>	
Standard 3: Community Health, Safety and Working Conditions	
3.1 <i>Would elements of Project construction, operation, or decommissioning pose potential safety risks to local communities?</i>	No
3.2 <i>Would the Project pose potential risks to community health and safety due to the transport, storage, and use and/or disposal of hazardous or dangerous materials (e.g. explosives, fuel and other chemicals during construction and operation)?</i>	No
3.3 <i>Does the Project involve large-scale infrastructure development (e.g. dams, roads, buildings)?</i>	No
3.4 <i>Would failure of structural elements of the Project pose risks to communities? (e.g. collapse of buildings or infrastructure)</i>	No
3.5 <i>Would the proposed Project be susceptible to or lead to increased vulnerability to earthquakes, subsidence, landslides, erosion, flooding or extreme climatic conditions?</i>	No
3.6 <i>Would the Project result in potential increased health risks (e.g. from water-borne or other vector-borne diseases or communicable infections such as HIV/AIDS)?</i>	No
3.7 <i>Does the Project pose potential risks and vulnerabilities related to occupational health and safety due to physical, chemical, biological, and radiological hazards during Project construction, operation, or decommissioning?</i>	No
3.8 <i>Does the Project involve support for employment or livelihoods that may fail to comply with national and international labor standards (i.e. principles and standards of ILO fundamental conventions)?</i>	No
3.9 <i>Does the Project engage security personnel that may pose a potential risk to health and safety of communities and/or individuals (e.g. due to a lack of adequate training or accountability)?</i>	No
Standard 4: Cultural Heritage	
4.1 <i>Will the proposed Project result in interventions that would potentially adversely impact sites, structures, or objects with historical, cultural, artistic, traditional or religious values or intangible forms of culture (e.g. knowledge, innovations, practices)? (Note: Projects intended to protect and conserve Cultural Heritage may also have inadvertent adverse impacts)</i>	No
4.2 <i>Does the Project propose utilizing tangible and/or intangible forms of cultural heritage for commercial or other purposes?</i>	No
Standard 5: Displacement and Resettlement	
5.1 <i>Would the Project potentially involve temporary or permanent and full or partial physical displacement?</i>	No
5.2 <i>Would the Project possibly result in economic displacement (e.g. loss of assets or access to resources due to land acquisition or access restrictions - even in the absence of physical relocation)?</i>	No
5.3 <i>Is there a risk that the Project would lead to forced evictions?</i>	No

5.4 Would the proposed Project possibly affect land tenure arrangements and/or community based property rights/customary rights to land, territories and/or resources?	No
Standard 6: Indigenous Peoples	
6.1 Are indigenous peoples present in the Project area (including Project area of influence)?	No
6.2 Is it likely that the Project or portions of the Project will be located on lands and territories claimed by indigenous peoples?	No
6.3 Would the proposed Project potentially affect the human rights, lands, natural resources, territories, and traditional livelihoods of indigenous peoples (regardless of whether indigenous peoples possess the legal titles to such areas, whether the Project is located within or outside of the lands and territories inhabited by the affected peoples, or whether the indigenous peoples are recognized as indigenous peoples by the country in question)? If the answer to the screening question 6.3 is "yes" the potential risk impacts are considered potentially severe and/or critical and the Project would be categorized as either Moderate or High Risk.	No
6.4 Has there been an absence of culturally appropriate consultations carried out with the objective of achieving FPIC on matters that may affect the rights and interests, lands, resources, territories and traditional livelihoods of the indigenous peoples concerned?	No
6.5 Does the proposed Project involve the utilization and/or commercial development of natural resources on lands and territories claimed by indigenous peoples?	No
6.6 Is there a potential for forced eviction or the whole or partial physical or economic displacement of indigenous peoples, including through access restrictions to lands, territories, and resources?	No
6.7 Would the Project adversely affect the development priorities of indigenous peoples as defined by them?	No
6.8 Would the Project potentially affect the physical and cultural survival of indigenous peoples?	No
6.9 Would the Project potentially affect the Cultural Heritage of indigenous peoples, including through the commercialization or use of their traditional knowledge and practices?	No
7: Standard Pollution Prevention and Resource Efficiency	
7.1 Would the Project potentially result in the release of pollutants to the environment due to routine or nonroutine circumstances with the potential for adverse local, regional, and/or transboundary impacts?	No
7.2 Would the proposed Project potentially result in the generation of waste (both hazardous and nonhazardous)?	No
7.3 Will the proposed Project potentially involve the manufacture, trade, release, and/or use of hazardous chemicals and/or materials? Does the Project propose use of chemicals or materials subject to international bans or phase-outs? For example, DDT, PCBs and other chemicals listed in international conventions such as the Stockholm Conventions on Persistent Organic Pollutants or the Montreal Protocol	No
7.4 Will the proposed Project involve the application of pesticides that may have a negative effect on the environment or human health?	No
7.5 Does the Project include activities that require significant consumption of raw materials, energy, and/or water?	No

Annex 2: Risk Analysis

#	Description	Date identified	Type	Impact and probability	Countermeasures / Management response
1	With changing environment of e-justice arrangements, development of e-recruitment system is delayed.	21.07.20	Political	I = 4 P = 1	This risk is minimal; however, the Project team and UNDP CO will work closely with the MoJ, SJC and CPC to minimize the possibility of delay in the work plan.
2	Given the scarcity of resources in the e-justice sector and in this particular initiation project the scale of development of e-court/e-case management system might be revisited.	21.07.20	Technical	I = 4 P = 1	The Project team and CO are working on possibilities to extend the projects support scheme and resource mobilization with donors.
3	Unpredictable reprioritization of issues that can impact the assessment of free legal aid system as the key guarantor for access to justice of people.	21.07.20	Technical	I = 4 P = 1	This issue stays on priority list for quite some time already and will be discussed and prioritized with the MoJ again, as one of priority areas on UN access to justice agenda and one of the weakest areas in Armenian justice system that requires urgent attention.
4	Government is in process of implementing large-scale reforms in the sphere of combatting corruption and institutionalizing the fight against corruption. However lack of relevant human, financial and technical capacities, as well as relevant coordination mechanisms can have huge impact on achieving tangible results.	21.07.20	Technical Financial	I = 4 P = 1	UNDP CO will work very closely with all stakeholders in the sphere of fight against corruption in order to minimize the mentioned risks and to create sustainable anti-corruption eco-system through close partnerships and collaboration.