

Programme
‘Sawasya III — Reinforcing equal access to justice for all Palestinians’
Project Appraisal Committee Minutes
April 6, 2023

Participants

Chair: Chitose Noguchi (Chair), UNDP Deputy Special Representative

Other participants

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Project Overview

Sawasya III is a comprehensive United Nations (UN) integrated programme that aims to advance the promotion, respect for, and fulfilment of human rights and gender equality across the occupied Palestinian territory for the period 2024-2028 (five years).

By maximizing the UN’s impact through a “delivering-as-one” approach, *Sawasya III* utilizes the combined strengths of the United Nations Development Programme (UNDP) in rule of law and human rights, the United Nations Entity for Gender Equality, and the Empowerment of Women (UN Women) in mainstreaming gender equality standards, and the United Nations Children’s Fund (UNICEF) in protecting and advancing the rights of children.

The *Sawasya III* programme adopts an integrated approach that seeks to promote intersectionality, gender justice, and child justice principles that leave no one behind. To ensure long-lasting effects, *Sawasya III* mobilizes state institutions, civil society, and private sector actors. With broad-based commitment from justice, security and protection institutions, civil society and development partners, *Sawasya III*’s shift towards people-centred justice fully aligns with the UNSDCF’s (2023-2025) vision of realizing equal opportunities and human rights for all Palestinians through the progressive achievement of the 2030 Agenda and its Sustainable Development Goals (SDGs) (particularly under Outcome 2 and 3) and the corporate priorities of participatory UN agencies. It intersects with all pillars of the National Policy Agenda (2017-2023), the National Development Plan (2021-2023) and sectoral strategies. *Sawasya III* is a key vehicle to advance Agenda 2030, and particularly its sustainable development goals 16 (Peaceful and Inclusive Societies) and 5 (Gender Equality) by promoting the rule of law, equal access to justice, accountable and transparent institutions, and non-discriminatory policies aimed at ending discrimination,

violence, impunity and harmful practices against women and children, including through leveraging key development and UN partnerships for multiplied effect.

This focus on vulnerable groups serves as a vital metric for measuring progress towards a more cohesive, democratic, and inclusive society that promotes respect for human rights as foundational to the State of Palestine and its social contract. With this in mind, *Sawasya III* defines its overarching goal as ***‘People in the State of Palestine, especially women and children, have access to justice in a protective, inclusive, and responsive system that promotes, respects, and fulfils human rights and gender equality’***.

It is structured around four mutually reinforcing outcomes, designed to address the root causes, problems and bottlenecks identified by the Common Country Analysis and the *Sawasya II* programme team as follows:

- OUTCOME 1: *People, particularly those at-risk, have improved access to high-quality services relating to their legal, psychosocial, protection, and security needs*
- OUTCOME 2: *People are served by responsive institutions that have strengthened capacity to operate in an effective, efficient, people-centred, and accountable manner*
- OUTCOME 3: *Societal and institutional behaviours and norms that uphold human rights, gender equality, and equity principles are embraced*
- OUTCOME 4: *Women’s access to gender responsive and inclusive justice, security and protection services is strengthened.*

In addition to the signatories to this programme document, the Ministry of Justice, Ministry of Social Development, High Judicial Council, Attorney’s General Office and Supreme Judge Department, partner civil society organizations (CSOs) and educational institutions that constitute *Sawasya III*’s primary counterparts, the Programme will engage a variety of key governmental partners, including, albeit not limited to, the Prime Minister’s Office, the Palestinian Civil Police, the Palestinian Judicial Institute, and the General Personnel Council. Finally, the renewed emphasis placed on SDG 16 from a people-centred standpoint will make *Sawasya III* seek the further linking of private sector initiatives, particularly within the legal community, in support of sustainable networks. While investments will continue to be made in existing components, a stronger focus will be put on new areas, including judicial training, under an expanded budget of 55 M \$.

Comments and Discussion

Summarise the key points of discussion

The LPAC members agreed that the programme is strategic and relevant to all three participatory UN agencies, which joined under phase I (UNDP/UN Women) and phase II (UNICEF). Along with HAYA¹, the Chair commended *Sawasya* for constituting a good example of effective and successful UN joint work. The programme’s design was informed by lessons learned during previous programmatic phases and fully aligns with the United Nations Sustainable Development Country Framework (UNSDCF), the UNDP

¹ The HAYA Joint Programme seeks to eliminate violence against women in the West Bank and Gaza Strip. HAYA is funded by the Government of Canada and jointly implemented by the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), the United Nations Population Fund (UNFPA), the United Nations Human Settlements Programme (UN-Habitat), and the United Nations Office on Drugs and Crime (UNODC), in partnership with the Ministry of Women’s Affairs and the Ministry of Social Development as well as other ministries and civil society organizations.

Palestine Programme Framework (PPF) and its governance portfolio as well as UNICEF's Area Programme Document (2023-2025) UN Women Palestine Country Office Strategic Note (2023-2025). As highlighted by the Chair, it builds on a solid and trustworthy partnership with national and development partners, which has translated into the securing of long-term funding commitment ahead of the launch of *Sawasya III*. Comments and questions were raised with regards to the programme's overall goal, sustainability pathways, the application of a gender transformative approach as well as social and environmental screening.

Based on comments and discussion during the LPAC meeting, the below **follow-up actions** are recommended:

- ▶ A separate overall goal for *Sawasya III* will be maintained;
- ▶ Programme team, in consultation with the Gender Advisor, to integrate, if relevant, an additional sentence in the situation analysis that further links with gender transformative strategic and programming elements;
- ▶ Programme team to provide separately the social and environmental screening checklist completed;
- ▶ UNDP country office and programme teams to meet separately to discuss the delivery enabling services (DES) rate and connex issues.

See matrix of comments and responses below for details.

Decision

The LPAC in principle endorsed the *Sawasya III* programme for approval on April 6, 2023, with the understanding that the programme document will be revised based on the comments received and the discussions that have taken place.

The draft LPAC Minutes and revised programme document have been circulated to LPAC members on July 7, 2023 for final endorsement. As no objection was received by the indicated deadline of July 7, 2023, the LPAC Minutes and final programme document have been endorsed, and the programme document is deemed ready for signature by the Special Representative.

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11-Aug-2023

Chitose Noguchi
Deputy Special Representative, OIC
UNDP PAPP

Date

MATRIX OF COMMENTS AND RESPONSES		
Criteria	Comments	Response
Strategic	Is the programme linked to the programme outputs? (i.e., UNDAF Results Group Work plan/CPD, RPD or Strategic Plan IRRF for global projects/strategic interventions not part of a programme) Can the UNSDCF vision statement be adopted as <i>Sawasya III</i> overall goal, as using a separate overall goal does not align with best results-based management practices?	All joint programmes contribute to the UNSDCF, including <i>Sawasya</i> , which more directly contributes to Outcome 3 (relating to governance). The <i>Sawasya III</i> programme document is aligned with the UNSDCF, and UN corporate priorities. However, it remains relevant to maintain a separate overall goal distinct from the UNSDCF vision statement. The result and resource framework (RRF) is developed and designed to respond to the development partners's reporting needs and measure achievements. The RRF will reflect the programme's overall objective in addition to the UNSDCF's vision.
Relevant	Does the programme target groups furthest left behind? Have knowledge, good practices, and past lessons learned from UNDP and others informed the programme design? How to further link reference to the patriarchal culture in the situation analysis with the programme document's gender transformative approach?	<i>Sawasya III</i> is designed around specific strategies relating to child justice (" <i>Towards a redefined justice system for children: Prevention, deinstitutionalization, rehabilitation</i> ") and gender justice (" <i>Gender equality and women's empowerment strategy</i> "). The " <i>Gender equality and women's empowerment strategy</i> " takes stocks of the patriarchal culture to develop methodologies and tools aimed at addressing the root causes of gender justice's obstacles. Hence, the separate " <i>Gender equality and women's empowerment strategy</i> ", and its situation analysis complement the general situation analysis, and further outlines the theoretical underpinnings of <i>Sawasya III</i> 's gender transformative approach, including in relation to the operationalization of gender justice instruments, and particularly CEDAW. The latter will be shared with development partners. The development of a series of

strategy annexes aims to ensure that the project is inclusive and is leaving no categories/segments behind.	
good practices, sign?	To make such link clearer, the <i>Sawasya</i> team will add one sentence in consultation with the Gender Advisor, to integrate, if relevant, an additional sentence in the situation analysis that further links with gender transformative strategic and programming elements, while fully accounting for potential sensibilities coming from national partners.
role envisioned al partners and	The <i>Sawasya III</i> programme document builds on a large variety of complementary knowledge products developed under <i>Sawasya I</i> and <i>Sawasya II</i>. Hence, in both phases, the documents were the basis to refer to and guide programming. <i>Sawasya I</i>'s evaluation guided the programme approach strategically on a number of issues such as legal aid and engagement with CSOs. The <i>Sawasya II</i> mid-term evaluation also informed programming adjustments and contained a recommendation that UNDP globally should learn from <i>Sawasya</i>'s M&E system. Accordingly, the development of <i>Sawasya III</i> factored in such recommendations as well as preliminary recommendations from <i>Sawasya II</i>'s final evaluation, in addition to the outcomes of the regular policy discussions held by <i>Sawasya II</i> with partners. The <i>Sawasya</i> brand is known within the rule of law sector in Palestine as a knowledge catalyst and constitutes the basis of Canada's interest in joining the programme's donor consortium. Over the years, the programme has built and maintained trust relations with development partners, who have expressed solid funding commitment for the third phase. Under <i>Sawasya I</i>, the programme met the vast majority of its targets, with the bulk

		of unmet targets being constituted by indicators relating to child justice. This is the reason why UNICEF joined under <i>Sawasya II</i>, with key progress having been made on this front during the current programmatic phase. Complementarity between the agencies is hence a strong value added to the programme, with strong work synergies cutting across justice issues and dedicated expertise, particularly in relation to gender justice. This complementarity is further illustrated as Palestine was selected globally by the UNDP/UN Women Joint Programme on Addressing Stigma, Discrimination, and Violence for Empowering Women with Disabilities through the <i>Sawasya II</i> Programme among six countries to pilot a project on improving access to justice for women with disabilities.
Principled- Social & Environmental Standards	Does the project apply a human rights-based approach and mainstreams the “do no harm principle”? There is no mention of a gender transformative approach that engages men as part of the solution to achieve gender justice and human rights.	The human-rights based approach is well articulated and mainstreamed within the programme document. One example of this, is the decision taken under <i>Sawasya III</i> to scale back on community policing in application of the “do no harm principle,” particularly as stakeholders prioritized work in refugee camps. Moreover, <i>Sawasya III</i>’s design integrates recommendations from UN human rights treaty committees, particularly the Committee on the Rights of the Child and the Committee Against Torture and hence particularly align with UN corporate priorities as outlined in strategic documents. The gender transformative approach is one of the main approaches that has guided the design of the third phase. It is more specifically outlined in the “<i>Gender equality and women’s empowerment strategy</i>” in Annex I, which includes the programme’s foreseen methodology for engaging men in promotion of gender equality and access to justice.

	Does the programme support the resilience and sustainability of societies and/or ecosystems?	<i>Sawasya</i> has proved particularly successful in the area of capacity building, showcasing that change occurs overtime. The programme document contains a detailed sustainability and exit strategy. For example, <i>Sawasya's</i> legal aid portfolio places primary emphasis on ensuring the long-term sustainability of interventions within the framework of law-based state-sponsored legal aid system. Recognizing some of the obstacles faced in taking this forward, focus has also been put on gradually operationalizing institutionalized legal aid elements. This includes the establishment of a legal aid fund in front of Ecclesiastical courts and leveraging the potential offered by clinical education and legal incubator to not only create a legal aid culture among future practitioners but to build in legal aid capacity in nascent law practices with a view to activate mechanisms of reinvestment within the legal community. Within this framework <i>Sawasya</i> intends to strategically support CSOs and ensure that links and networks are further developed, particularly in the West Bank to further reduce donor dependency. The social and environmental screening checklist will be separately completed.
Management & Monitoring	Is the RRF aligned with RBM best practices? Is the programme's governance mechanism clearly defined in the programme document, including the composition of the steering committee?	Yes, comments received from the UNDP RBM team were well integrated and the RRF is endorsed. <i>Sawasya III</i> will be maintaining the same governance mechanism that was adopted under <i>Sawasya II</i>, with the UN Resident Coordinator chairing the steering committee. This is a best practice that was established under <i>Sawasya I</i> and has proved particularly efficient in managing competition

	Have the programme risks been identified with clear mitigation measures? What does the programme document mean by psychosocial support interventions?	among justice actors, particularly at the level of the Attorney General's Office and the High Judicial Council, as both possessed strong grounds to chair the steering committee. The risk log was developed based on a rolling analysis of risks with solid engagement from partners under <i>Sawasya II</i>, including using the policy discussion format. Under <i>Sawasya I</i> and <i>Sawasya II</i>, the programme used a top-down approach in working with legislation, policy, and services. While building on this, <i>Sawasya III</i>'s people-centered approach adopts a holistic methodology that seeks to remove all access to justice barriers, which may translate into the provision of psychosocial support within the framework of legal assistance. This methodology is already being tested by UN Women under <i>Sawasya II</i>, with the provision of psychosocial support for women in conflict with law and their families.
Efficient	Have specific measures for ensuring a cost-efficient use of resources been explicitly mentioned as part of the programme design?	The <i>Sawasya III</i> budget is anticipated to reach \$55 million, a budget that is larger than the one allocated under <i>Sawasya II</i>. GMS which amounts to 7% and the Administrative Agent fee which stands at 1% are also accounted for in this budget. This expanded <i>Sawasya III</i> budget will continue cover existing components, while investing in new areas such as judicial training with the Palestinian Judicial Institute.

Effective	Have targeted groups been engaged in the design of the programme?	While drafting the programme document, the <i>Sawasya II</i> team heavily engaged in consultations with national partners. The team was also able to inform the design of phase III building on a wealth of knowledge products, including those generated within the framework of our CSO partnership, on court monitoring and transitional justice for instance, as well as with the Palestinian Bureau of Statistics and the bi-annual conduct of the “Rule of Law and Access to Justice” perception survey. While strong built-in M&E capacity has allowed for rolling engagement with target groups, the programme annual work plan development process, which spans across several months, also guarantees the comprehensive and structured engagement of partners and efficient reporting to the annual programme steering committee meeting.
Sustainability & National Ownership	Have national/regional/global partners led, or proactively engage in, the design of the programme? Is there is a clear strategy embedded in the programme specifying how the programme will use national systems (i.e., procurement, monitoring, evaluations, etc.,) to the extent possible?	The programme has had several consultations with the UNDP global rule of law programme team. Moreover, the programme document was reviewed by the PSEA International Coordinator from the Humanitarian Country Team PSEA Network. The programme is building on expanded partner capacities and established systems for interventions, including through the further institutionalizing of planning units but also through leveraging the considerable advances made in the area of digitalization, particularly through the Mizan court management system and the automated M&E system.