



Country: United Republic of Tanzania

Initiation Plan

Title: Support to Legal Sector Reforms-Zanzibar

Expected CP Outcome(s): Strengthened national and local structures and systems of governance that foster rule of law, promote gender equality, combat corruption and promote accountability and transparency

Expected UNDAP Output(s): Select public sector reforms in Zanzibar are developed and accelerated

Initiation Plan Start Date: 1 October 2011

Initiation Plan End Date: 30 June 2012

Implementing Partner: Ministry of Justice and Constitutional Affairs (MoJCA)

Brief Description

The Initiation Plan seeks to implement preparatory activities towards multi-year assistance from the UN to legal sector reform in Zanzibar with a focus on direct technical and financial assistance to the Ministry of Justice and Constitutional Affairs (MoJCA). Specifically the initiation plan seeks to support mapping of development assistance in the legal sector in Zanzibar, comprehensive capacity assessment for key actors and an assessment of justice needs for target groups (children, women, persons with disabilities and persons living with HIV/AIDS). It is expected that longer term assistance to legal sector reform will be formulated, appraised and signed.

<p>Programme Period: July 2011-June 2015</p> <p>UNDAP Programme: Governance</p> <p>Atlas Award ID: 61944</p> <p>PAC Meeting Date:</p>	<p>Total resources required 200,000</p> <p>Total allocated resources: 200,000</p> <ul style="list-style-type: none"> • Regular 200,000 <ul style="list-style-type: none"> ○ Other: One UN Fund ○ Donor _____ ○ Donor _____ ○ Donor _____ ○ Government _____ <p>Unfunded budget: _____</p> <p>In-kind Contributions _____</p>
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Agreed by United Nations Development Programme:

United Nations Development Program

Philippe Poinso
Country Director

Signature

Date

I. PURPOSE

Background

The second generation of the Zanzibar Strategy for Growth and Reduction of Poverty (MKUZA II) identifies numerous shortcomings being faced by the legal sector in Zanzibar. MKUZA II identifies key problems including: inadequate institutional and operational capacity; low public awareness on basic justice process and rights; poor infrastructure; delays in delivery of justice, and poor legal practice and procedures; the sector responds slowly to new social, economic and technological realities; apparently, there is public perception that corruption in the legal sector has now become endemic; inadequate legal support, absence framework for managing and coordinating legal training and education; underfunded courts leading to delay of justice.¹

All of these hamper the legal sector's ability to deliver justice efficiently and effectively, improve good governance and contribute positively to pro-poor development. Several positive steps such as the creation and strengthening of the DPP Office, creation of the new MoJCA, the revival of the Law Review Commission, and many other independent initiatives seem to bring limited positive change and thus a need for a more comprehensive way of addressing legal sector issues. It is now believed that the existing political stability and support provide a unique opportunity for Zanzibar to embark on comprehensive legal sector reform.

Rationale for UNDP Support

Efficient and effective legal sector is an integral part of development for the Revolutionary Government of Zanzibar as articulated in the Zanzibar national development plans; Vision 2020 and the second generation Zanzibar Strategy for Growth and Reduction of Poverty (MKUZA II). MKUZA II identifies the legal sector reform program as a priority and links improvements in good governance and justice to the reduction of absolute poverty by stating that Justice, Law and Order institutions have to protect the poor, facilitating their access to legal institutions and reducing their vulnerability.

UNDP recognise the importance of access to justice and a functioning legal system in reducing poverty as well as promoting peace, security and human rights. Rule of law approaches are thus a cornerstone of UN commitment to the Millenium Declaration and the fulfilment of the MDGs and human rights for all.

Together with national partner's and interested Developing Partners, UNDP Tanzania will seek to support in addressing the gaps in the legal sector reform in Zanzibar in response the Revolutionary Government of Zanzibar's priorities, as outlined in the key strategic documents (Vision 2020, MKUZA II and the MoJCA 2011/2012 Budget) priorities. It is also based on the UNDP's outcome 1.2 'Select Public Sector Reforms in Zanzibar are developed and accelerated'.

¹ Page 69-70 ZSGRP II 2010-2015 (MKUZA II)

According to these reference documents, the initiation plan will support preparatory activities for the enhancement of access to justice for all and in particular for the most vulnerable people, as well as on the development of the quality of the justice administration and the efficiency of its services. The basic principle underlining this plan is that legal sector is a key area for the promotion of good governance, and therefore a major element for national economic development and poverty alleviation.

Purpose and Objectives

The first purpose of the Initiation Plan is to prepare the foundations for the development of the Legal Sector Reform strategy for Zanzibar. This will be achieved through a comprehensive profiling and capacity assessment for key actors, an assessment of justice needs and obstacles for target groups (PLWHA, women, children, and PWDs), and finally a mapping of development assistance to the legal sector in Zanzibar. The second purpose of the Initiation Plan is to design a comprehensive, longer term UN support, within the framework of the UN Development Assistance Plan (UNDAP) 2011-2015, for legal sector reform in Zanzibar.

II. EXPECTED OUTPUTS

The main deliverables under the Initiation Plan are the following:

1. Assessment of justice sector actors' needs and capacity.

- Mapping and development of detailed profiles of relevant actors in both government and civil society.
- Inter-linkages of institutions and their problems will be highlighted.
- Strategic entry points will be identified, and a foundation provided for the design of capacity development activities.

2. Assessment of justice needs and obstacles in Zanzibar, particularly for poor & disadvantaged populations.

- A detailed understanding of the current justice needs and obstacles facing target groups will enable the specific definition of the justice problems to be addressed by the programme.
- The role of customary justice systems, and availability and use of various legal services - such as legal aid and paralegals - and legal/rights information, is as yet poorly documented and understood, but vital to the design of legal sector reform.
- Baseline data will be developed.

3. Mapping of past, current and potential future development assistance to the legal sector in Zanzibar.

- A clear picture will be generated of actual and potential development assistance. This will facilitate better aid coordination, and improve alignment with GOZ priorities as articulated in the approved Strategy.
- To facilitate resource mobilization around the activities in the Strategy.
- To complement existing multi-sectoral mapping of donor support already conducted by UNDP.

4. Plan for development of Legal Sector Reform Strategy formulated.

- A concept paper will be produced, comprising:
 - o A 'road map' for development of the Strategy
 - o A Participation Plan
 - o A resource mobilization framework

5. Longer term assistance to Legal Sector Reform Programme formulated, appraised, and document signed.

-Project document for UNDP support to the Legal Sector Reform Programme formulated, appraised and signed

Strategy

The Initiation Plan is a preparatory assistance that aims to provide resources for project start-up activities. Implementation will therefore prioritize activities of start-up nature over other longer term measures that will be part of a broader capacity development strategy for support to Legal Sector Reform Programme.

During implementation of the Initiation Plan activities, a key objective will be multi-stakeholders consultation of all the actors in the legal sector.

UNDP and government partners will continue to explore partnerships with international development partners to strength dialogue and seek financial support to the legal sector reform agenda for Zanzibar.

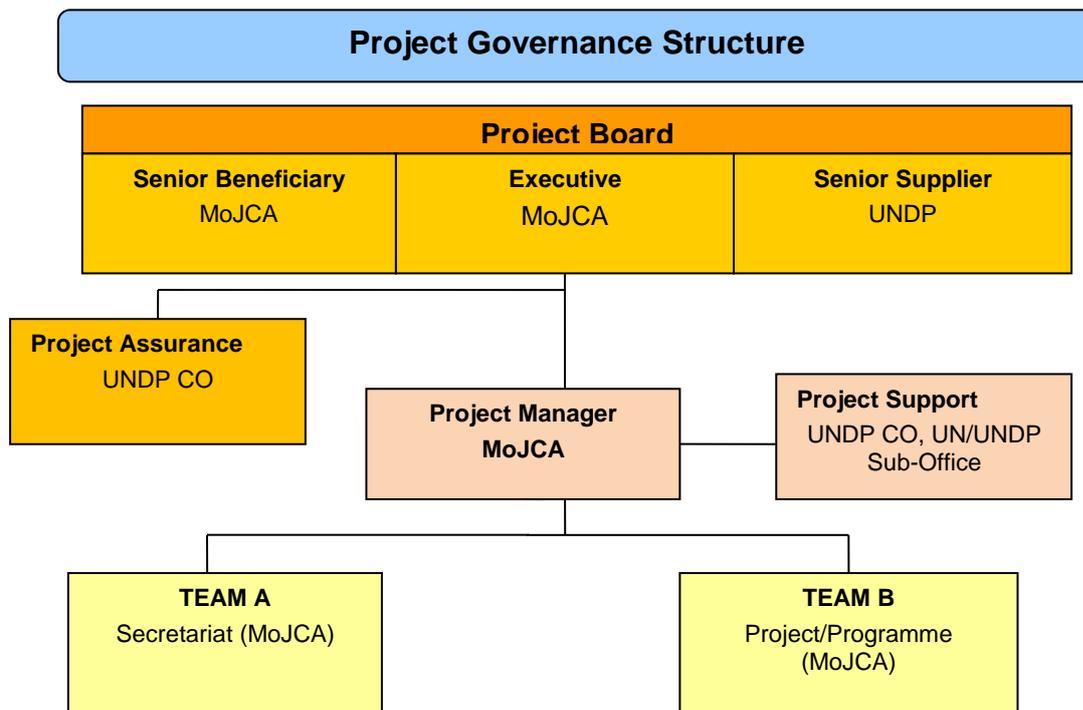
III. MANAGEMENT ARRANGEMENTS

This preparatory assistance is guided by the principle of national ownership and the goals of the national poverty reduction strategies in strengthening good governance. The project implementation approach will use and strengthen internal capacities of the implementing partners in the continued development of legal sector reform strategy for Zanzibar.

The Ministry of Justice and Constitutional Affairs will implement the project activities in close collaboration and consultation with UNDP and other key stakeholders.

The achievement of results and monitoring of progress is the responsibility of the ‘Responsible Party’ in the Work Plan. A Project Manager will be identified by MoJCA for the day to day management and monitoring of the project and communication with UNDP. UNDP will provide technical support and facilitate procurement of services as needed and requested by the implementing partners. UNDP will also provide advisory support to the activities in the work plan and the needs of the implementing partners. In the case of Government procurement, Government procurement rules apply. In particular, it is envisaged that technical experts will be hired to provide direct assistance in specified areas. Such experts will report directly to the designated Project Manager.

During this preparatory phase, a simplified governance arrangement will be in place to support decision making in the project. A Project Board meeting will be convened at least once during the life of the Initiation Plan to review progress and recommend actions. A joint meeting for the exchange of technical issues will be held if schedules permit. Changes within the stipulated budget will not require convening of the full Project Board.



Resource Mobilisation

Funding for this initiation plan will come from UNDP core resources with supplement from the UN One Fund. One of the deliverables in this plan will include a resource mobilization plan for the expanded and specific support to MoJCA and the legal sector institutions Zanzibar in the longer term.

IV. MONITORING

Monitoring and Reporting

Periodic monitoring of project activities will be conducted by the implementing agencies and UNDP.

Narrative and financial reports will be submitted by all parties to UNDP quarterly before the following dates; Jan 15th 2012, April 15th 2012 and July 15th 2012. Upon the completion of the Initiation Plan, an end of project report will be produced by the implementing agencies and submitted to UNDP. Consultancy reports produced with project funds will supplement, but not replace, project reports.

V. ANNUAL WORK PLAN 2011/2012

EXPECTED OUTPUTS	PLANNED ACTIVITIES	TIMEFRAME				PLANNED BUDGET		
		Q1	Q2	Q3	Q4	Budget Description	Responsible Party	Amount
<p>Output 1: Assessment of justice sector actors' needs and capacity</p> <p>Baseline: - No Capacity Assessment exists</p> <p>Indicators 1: Capacity Assessment report developed</p>	<p>1.1 Develop TORs</p> <p>1.2 Recruit consultant to conduct a capacity assessment for legal sector actors (govt. & civil society) in Zanzibar.</p>		X	X		71300 Local consultants 71600 Travel 75700 Workshops	MoJCA	\$35,000
<p>Output 2: Assessment of justice needs & obstacles of target groups conducted.</p> <p>Baseline: - No A2J assessment exists</p> <p>Indicators 1: Needs Assessment report for target groups produced</p> <p>Targets: March 2012</p>	<p>2.1 Develop TORs</p> <p>2.2 Select agency to conduct research on justice needs, and availability/use of legal services and customary systems.</p>		X	X		72100 Social research 71600 Travel	MoJCA	\$80,000
<p>Output 3: Mapping of development assistance to the legal sector in Zanzibar conducted.</p> <p>Baseline:</p>	<p>3.1 Develop TORs</p> <p>3.2 Recruit consultants to conduct a donor mapping</p>		X			71300 Local consultants 71600 Travel	UNDP/MoJCA	\$10,000

<p>- No detailed mapping of donor support in the legal sector exists.</p> <p>Indicators 1: Donor Mapping report developed.</p> <p>Targets: By January 2012 donor mapping report developed.</p>								
<p>Output 4:</p> <p>Plan for development of Legal Sector Reform Strategy formulated.</p> <p>Baseline:</p> <p>- No comprehensive strategy for legal sector reform exists.</p> <p>Indicators 1: Plan for LSR Strategy developed under the coordination of MoJCA.</p> <p>Targets: By June 2012 plan for LSR Strategy is developed, to include:</p> <p>- 'Road map'</p> <p>- Participation Plan</p> <p>-Resource mobilization framework.</p>	<p>4.1 Develop TORs</p> <p>4.2 Recruit consultant to lead and coordinate the development of the plan for the Legal Sector Reform Strategy</p> <p>4.3 Conduct consultative meetings for stakeholders (Ungunja, Pemba and zHOR) to discuss elements of the plan</p>				X	<p>71300 Local Consultant</p> <p>75700 Workshops</p> <p>71600 Travel</p>	MoJCA	\$30,000

<p>Output 5:</p> <p>Longer term assistance to Legal Sector Reform Programme formulated, appraised, and document signed.</p> <p><i>Indicators 1: Project document for legal sector reform support is developed, appraised and document signed</i></p> <p>Targets: By June 2012</p>	<p>5.1 Develop TOR</p> <p>5.2 Recruit consultant Develop a project document for Legal sector reform</p>			X	X	<p>71300 Local Consultant</p> <p>71600 Travel</p>	UNDP	\$25,000
<p>Project management support</p>	<p>Regional Service Advisory support incl. travel to Zanzibar</p> <p>Monitoring costs incl. travel to Zanzibar</p> <p>Operating Expenses (MoJCA)</p>		X	X	X	<p>71600 Travel</p> <p>71210 Short term support</p> <p>70000 Operating Expenses (UNDP)</p> <p>7000 Operating Expenses (MoJCA)</p>	<p>UNDP</p> <p>UNDP</p> <p>MoJCA</p>	<p>\$8,000</p> <p>\$6,000</p> <p>\$6,000</p>
TOTAL								\$200,000