



**STRENGTHENING THE RULE OF LAW
IN THE ARAB STATES –
MODERNIZATION OF PROSECUTORS’
OFFICES**

**PROJECT DOCUMENT
March 2005**

PROJECT DOCUMENT

Project Title: Strengthening the Rule of Law in the Arab States - Modernization of Prosecutors' Offices

UNDP Project Number: RAB

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Programme Framework topic: Peace, Security and Human Rights

Project Purpose: To support national efforts in the Arab Region to strengthen institutional capacity within the context of good governance and the rule of law with an aim to enhance citizen security

Duration: 36 months

Starting Date: 1 December 2004

Docket number: 12

Location: Arab Region (Pilot Countries: Yemen, Morocco, Jordan and Egypt)

UN organization responsible for management/lead agency: UNDP

UN Partner Agencies: OHCHR, UNODC

Brief Summary: Building upon the findings of the recent Arab States Human Development Reports and taking into account and addressing the issue of citizen security in the Arab States Region, the overall objective of this Project is to support institution building within the context of good governance and the rule of law. During the Preparatory Phase of this Project (which is not covered by this Project Document and the accompanying budget) various project partners from governments, civil society organizations as well as international and regional experts joined efforts under the general oversight of an advisory group to produce several studies and working papers on issues relating to institution building and citizen security in an international as well as regional context. Focusing on institutions of public prosecution, these studies and research papers have made available a wide array of information that has been the basis for in depth needs assessment in this area. The outcome of the needs assessment and analysis under the Preparatory Phase forms the basis of this comprehensive, broad based Project. Activities will concentrate on bringing together stakeholders such as civil society organizations with expertise in citizen security and human rights issues and representatives of the principal State institutions responsible for State and citizen security, in a concerted effort to generate the structural and policy reforms required to approach security and institution building needs within the context of good governance and rule of law. This will include the development of a forum for the Arab Region that provides and processes related information from the region and from abroad for the region and the international community.

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I. BACKGROUND AND ANALYSIS

A. Problem Statement

a. The new security situation has led to increased suppression of the rule of law throughout the Arab Region

1. It has traditionally been the case that security threats have been considered to emanate from foreign States. One of the main roles that States have therefore been called upon to play is to safeguard citizens from external threats, something that was typically carried out through the establishment of a strong military. Since the end of the Cold War, conventional external threats appear to have diminished somewhat, while recent conflicts and events have shown that security threats arise from internal as well as external sources.
2. This changed security environment has not led to a decrease of the military's power, nor has it interrupted the close collaboration between the military and the police that exists in many developing countries.¹ In fact, it appears to be the case that the close relationship between the military and the police in some countries has been reinforced. This has prevented the development of civil institutions that would help to achieve internal security within the context of good governance and the rule of law.
3. In the Arab Region, recent events and developments such as renewed terrorist activities and a more politicized and very vocal general public have made it clear that relying exclusively on authoritarian institutions such as the military and the police do not provide satisfactory solutions to problems relating to security. This is a view that is supported by the 2002 Human Development Report, which "*warns against compromising human rights and support for democracy in the fight against global terror and strongly disputes the notion that authoritarian regimes are better for political stability and economic growth.*"² Furthermore, there is an increasing awareness among governments, international institutions and civil society as a whole that reforming and strengthening

¹ "In many countries the accountability and behaviour of security forces suffers from a failure to clearly demarcate between the military and the police", Human Development Report 2002, at page 93.

² See Press Release issued by the United Nations Development Programme, dated 24 July 2002, <http://hdr.undp.org/reports/global/2002/en/pdf/HDR%20PR%20E2.pdf>.

civil institutions that deal with security issues increases citizen security, improves respect for human rights and enhances transparency and accountability.

- b. Efforts to reform civil institutions that deal with citizen security have thus proved ineffective*
4. Efforts to reform the security system have thus far tended to be somewhat 'isolationist'. They have either focused on increasing the technical capacity of relevant government institutions through upgrading their systems and work processes or have concentrated on working exclusively with NGOs in the area of advocacy and human rights issues. Such a narrow approach isolates different reform measures from each other and often leads to misinformation and polarization, which can be counterproductive in terms of reform.
5. The urgency that surrounds these issues and the challenges in dealing with them has been widely recognized among governments, civil society organizations ('CSOs') and international organizations in the region. As the Arab Human Development Report has highlighted, the establishment of a well-functioning and accountable public sector that operates within the rule of law and adheres to principles of good governance is a fundamental starting point for development in a nation, and will in itself lead to peace and stability and the increased prosperity of a region.³

- c. Public prosecutors' offices are a vital component of the judicial system, and must be reformed in order to increase respect for the rule of law and to encourage good governance*
6. One of the main civil institutions that deal with security issues is the public prosecutor's office. As part of the judicial system, it should be independent and its role should be to defend the public interest while providing access to justice and upholding the rule of law. As Henning Fode, the Director of Public Prosecutions in Denmark, stated in his address to the International Association of Prosecutors:

“Public prosecutors [...] play an important role as the authorities who help ensuring that the principle of legality is followed in criminal cases. This concerns not only the public prosecutor's traditional objective of

³ See Chapter 7 of the Arab Human Development Report 2002.

*ensuring that the guilty are brought to trial, but its counterpart: that the innocent are not prosecuted”.*⁴

7. In other words, public prosecutors should be a true guarantor of civil rights for each citizen. Their importance lies in the fact that they are one of the main civil institutions that deals with criminal procedures and prosecution issues in relation to citizen security and rule of law.
8. In order to fulfil this important role, public prosecutors must build a much closer relationship with civil society. It is only through constant exchanges with civil society and within an active and open relationship that public prosecutors will be able to base their work on the real needs of the citizen.
9. In addition, a more active relationship between public prosecutors and civil society will provide the latter with the knowledge and tools it requires in order to actively benefit from the services public prosecutors' offices can provide and to monitor the work of public prosecutors to ensure respect for human rights and access to justice.

d. Efforts at reforming the judicial system in the Arab Region have thus far ignored the role of public prosecutors

10. Governments in the Arab Region have made some effort at strengthening the judiciary. Significant advances have been made in the Arab Region in relation to court administration, the training of judges, and case management. The use of emergency laws as a daily judicial tool is slowly decreasing. Some countries in the region have recently launched comprehensive new projects to provide their judicial institutions with additional training and resources. This includes the UNDP project launched in 2003 on *Modernization of the Justice Sector in Yemen*.⁵
11. However, as yet, little attention has been paid to the role of public prosecutors in society. In judicial systems throughout the Arab Region, public prosecutors' offices are among the weakest institutions. They are often fairly weakly developed institutions within the judicial system, especially when compared with the police or armed forces. One of the

⁴ Speeches 2000, at pages 2 to 3.

⁵ See www.undp.org/ye/justice2.htm.

reasons for this weakness has been the tendency of governments not to strengthen those institutions that are designed to check the power of government. As a result, public prosecutors' offices have often been under-funded, under-staffed and under-represented in the decision-making process of government on questions relating to security.

12. This is compounded by the fact that in many Arab countries, the position of prosecutor is an entry-level position which does not require any prior professional experience, and is therefore often considered as being merely a stepping stone in a young professional's career towards becoming a judge. Very few prosecutors actually remain in their positions for a significant amount of time and many often note that little effort is made to improve the working conditions of public prosecutors. Development efforts in this area generally focus on the work of courts and the training of judges.⁶
13. It is for these reasons that public prosecutors' offices have been selected as the lead institutions for this initiative. Only strong, independent, and transparent public prosecutors' offices can truly ensure access to justice for all its citizens while at the same time ensuring respect of the rule of law.
14. Through supporting the institutional capacities of prosecutors' offices and promoting a closer relationship with civil society, this Project aims at contributing to the overall goal of improving the level of citizen security in terms of increased protection of human rights and access to justice.
15. This Project will improve systems and institutions relating to security in countries throughout the region and especially in Jordan, Morocco and Yemen (the "Pilot Countries"). These improved systems and institutions (especially public prosecutors' offices) will be more effective in their fight against security threats such as organised crime and terrorism, but will at the same time be able to ensure a higher level of personal security and freedom for citizens within the rule of law.

⁶ The need to further support judicial administration moving beyond support for judges was also mentioned by Nathan Brown in his study on Arab Judicial Structures: *"In some countries the effort to improve training and salaries for judges has paid off in a greater level of professionalism. However, without a similar effort being launched aimed at other key personnel, the full benefits of reform may not be felt"*, Arab Judicial Structures, Nathan Brown, August 2001, at page 1, www.undp-pogar.org.

16. The Project addresses three main areas of focus:
- The capacity and quality of government institutions with a mandate to achieving security and enforcing respect for human rights, with a particular focus on public prosecutors.
 - The interaction between public prosecutors and the citizen and the recognition of the judicial system as a positive force in resolving disputes among citizens and between the citizen and the State, providing security and ensuring adherence to the rule of law.
 - Building regional and international networks of different stakeholders that are involved in issues relating to State and citizen security.
17. These different areas are being addressed through the implementation of specific activities in Jordan, Morocco and Yemen, the Pilot Countries, and on the regional level through integration and networking activities.
18. This approach of working with a limited number of pilot countries was chosen in order to be able to implement specifically tailored activities that respond to the needs of individual countries in a more detailed manner, so as to ensure that the outcome of these activities will have a real impact on the functioning of the partner institutions in the Pilot Countries.

B. Relationship to UNF, Project Framework and Project Criteria

19. This Project is fully consistent with the UNF programme area of Peace, Security and Human Rights and the United Nations principle of moving from a culture of reaction to a culture of prevention as stated in the Report of the Secretary-General on the Prevention of Armed Conflict.⁷
20. Governments in the Arab Region have long been criticised by various CSOs for repeated human rights violations – in particular in relation to areas of criminal prosecution and other areas of the justice system. In addition, governments of the Region have found themselves under increased pressure from the international community to increase their

⁷ General Assembly 55th Session, Report of the Secretary General on the work of the Organization: Prevention of armed conflict A/55/985-S/2001/574.

capacity for criminal investigation and prosecution in order to effectively fight terrorism and transnational organized crime.

21. This Project aims to address these concerns by supporting institution building in the context of good governance and the rule of law. This includes implementing comprehensive activities in the Pilot Countries in areas of institution building and judicial reform as well as supporting the implementation of international instruments against terrorism, transnational organized crime and corruption.
22. Specific activities on the national level will correspond directly to requests made by key institutions within the Pilot Countries themselves. The proceedings and outcome of the activities will be shared on a continuous basis with the regional programme and thereby made available to the rest of the Arab Region with an aim to serve as an example, and a resource for future activities throughout the entire region.

C. National/Government Commitment

23. The Project is based on the principles according to which (1) security concerns of the State should be addressed in the context of good governance and the rule of law, and (2) development projects that are designed to support this principle should be based on clear and identifiable needs as determined by the recipient institutions themselves and agreed upon by all the groups that are implicated in the respective countries.
24. As mentioned above, this initiative will focus on public prosecutors' offices. Public prosecutors in the Pilot Countries were directly involved in the Preparatory Phase of this Project.⁸ All proposed activities in the Pilot Countries respond directly to needs identified together with the respective public prosecutors' offices. During the development of this Project, participants expressed great willingness to work on rule of law and security issues. Moreover, as a result of the Preparatory Phase of this Project,

⁸ The Occupied Palestinian Territories expressed an interest in being involved but have not been included, as the political and security situation makes participation difficult. Also, taking into account the current condition of many institutions in the Occupied Palestinian Territories, their participation would require additional funding.

there is now a strong and confirmed commitment by all participating governments to take part in this broad based regional Project.

25. Project partners also include noted national researchers, universities, representatives of NGOs with expertise in various aspects of citizen security and judicial reform, and governmental representatives from other agencies with a direct or indirect role in national and citizen security such as public defence institutions, court systems, and other ministries. A majority of these individuals and institutions have already been contacted and have expressed great interest and commitment in participating in this Project.
26. Accordingly, a national advisory team ('NAT') will be established in each Pilot Country. These will consist of national decision makers and stakeholders in the area of citizen security. Through their participation, the programme will ensure that activities are in line with national priorities and have the full support of a group of high level national stakeholders. Extensive exchange with CSOs throughout the Project will ensure broad support and ownership by the public.

D. Process Followed in the Project Identification and Formulation

27. The main starting point for this initiative was the implementation of activities in the area of rule of law and modernisation of the judiciary under the UNDP regional Programme on Governance in the Arab Region ('POGAR'). This facilitated frequent contacts with NGOs and the judiciary of the countries involved. This exchange made it clear that most reform activities in the area of justice focus on areas such as commercial law and business regulations, or specifically address the work of judges, such as independence of judges or case management. Regional and national NGOs have noted that there are very few initiatives that deal with issues of citizen security.
28. After the need to deal with more and more pervasive changes of the security environment in the Arab Region was identified and recognised, a comprehensive Preparatory

Assistance and Planning Phase was carried out over a 7 month period, which was partly funded by the UN Foundation.⁹

29. This Preparatory Assistance Project has brought together various regional and international actors in an effort to undertake in depth research and needs assessments to identify priority areas and needs for the fully fledged regional programme.
30. In June 2003, a meeting for prosecutors and other experts on judicial and security issues from the Arab Region took place in Beirut. This meeting brought together approximately 12 officials, mainly from Egypt, Jordan, Lebanon, Morocco and Yemen, and who are involved in public prosecution. During the meeting, activities that were designed to produce a firm base of knowledge on institutions dealing with security issues were discussed. It was proposed to carry out a comprehensive survey on the state of public prosecution in the Arab Region as well as several field studies during the Planning Phase in order to create a firm base of knowledge for conducting comprehensive needs assessments and analysis in preparation for the fully fledged regional programme described in this document.
31. In July 2003, a component on integrating Iraq was added to the ongoing Preparatory Project. This initiative formed part of an ongoing effort to integrate Iraq into the region. It was also designed to address the challenge of upholding the rule of law during the transitory period before the establishment of a new government.
32. During a December 2003 expert meeting, the finalized surveys and field studies were introduced and their outcome discussed by all participating institutions. The feedback was very positive, and Jordan, Morocco and Yemen in particular expressed great enthusiasm in working on the basis of the findings of the surveys during a comprehensive follow-up programme.

⁹ For further details on the preparatory assistance project and the development of the entire initiative, see the project document for the project: Promoting Good Governance and the Rule of Law in the Arab States: Implementing the Arab Human Development Report (Phase I, Planning Phase), which can be found at www.undp-pogar.org.

33. The next important event in the process of project identification and formulation was the Regional Conference and Donor Meeting, entitled *On Modernizing Public Prosecution (Niaba) Institutions in the Arab Region: Prospects and Challenges*. The Conference was hosted by the Moroccan Ministry of Justice in Marrakech, on 12-13 March 2004.¹⁰ The meeting facilitated discussion of the outcome of the research conducted during the Preparatory Phase, introduced this fully fledged regional initiative in further detail and produced a set of recommendations to be implemented through the regional programme.¹¹
34. The regional conference and donor meeting in Marrakech was the first of its kind, giving donors the opportunity to meet directly with prosecutors and other legal professionals from the Arab Region and to discuss their needs and different aspects of cooperation.
35. In addition, the survey on the state of affairs of the institutions of public prosecution did publish information that has never been published before and represents a real breakthrough in providing insight and knowledge on the state of affairs of public prosecutors in the Arab Region.
36. The conference also functioned as an important opportunity for legal professionals from the region to compare notes and exchange experiences and ideas.
37. The proposed Phase II programme relates to the most controversial but at the same time crucially important institutions for citizen security, namely that of the public prosecutor. The programme therefore represents a unique effort to improve respect of the rule of law in Arab society.
38. This Project will face a number of challenges. Public prosecutors are notoriously underfunded and are under pressure to perform independently, and according to a high standard, and which is still being accused of being merely a side-arm of the security apparatus. This Project has therefore taken an exceptionally thorough and substantive

¹⁰ For documentation on the regional conference on Modernisation of the Judiciary, 15-17 March 2002, Marrakech Morocco, see www.undp-pogar.org/judicial.

¹¹ Recommendations of the Conference On Modernizing Public Prosecution (Niaba) Institutions in The Arab Region: Prosepcts and Challenges, see Annex III.

process of needs assessment and advocacy in the identification and formulation of this initiative to ensure the feasibility of the proposed activities and a reasonable prospect for success.

E. Related Past and Current Activities

39. This Project was designed within the context of the UNDP Regional Bureau for the Arab States' ('RBAS') Programme on Governance in the Arab Region ('POGAR') and incorporates the outcomes of the Arab Human Development Reports. UNDP POGAR has been active in the area of judicial reform since 1999 and is working together with a variety of partners such as the World Bank, the Arab Lawyers Union, among others, on aspects of access to justice and the rule of law. The relevant programmes that the UNDP has been involved in include, but are not limited to, the following:
40. UNDP POGAR was responsible for carrying out the Preparatory Phase of this initiative and is also active in providing extensive legal training programs for legal professionals in the region, in relation to issues such as court administration, case management, judicial reform and e-commerce. In addition, UNDP POGAR has produced a number of research papers on topics such as the administration of justice and the independence of the judiciary in the Arab Region, and has been active in efforts to institute court automation.
41. Together with the Moroccan Ministry of Justice and the Legal Department of the World Bank, the UNDP organised the first regional Conference on Modernization of the Administration of Judiciary in the Arab States, which was held on 15-17 March 2002 in Marrakech, Morocco. This conference was attended by representatives of 19 Arab States as well as international experts and observers and, with 130 participants, was the largest ever such event to deal with judicial reform and related issues. The conference provided a forum for policy makers and judicial authorities to exchange experience and ideas and to build a regional network on the work of the justice sector.
42. The UNDP Bureau for Arab States has also been involved in the design and development of the regional project on Human Rights in the Arab Region together with the UN Office of the High Commissioner on Human Rights ('OHCHR') and the Arab Human Rights

Organization ('AOHR'). This Project addresses the situation of human rights in the Arab Region in the context of human rights treaties and laws and thereby focuses on an important aspect of citizen security in relation to good governance and access to justice.

43. The Project described in this document will be able to rely on ongoing, related activities in the areas of judicial reform and human rights and benefit from already existing networks and experiences. This will enable the identification of the most effective entry points for supporting institution building within the context of respect of the rule of law thereby minimizing the risk of duplication of efforts made or repetition of earlier mistakes.
44. The publication of the Arab Human Development Reports by the RBAS has been of great importance and influence on the objectives and activities of this Project. The first Arab Human Development Report calls for "*competent and well functioning public administrations, which many Arab countries lack. Reforming public administration is thus a central and urgent task for these countries (of the Arab Region); it lies at the core of the wider agenda of institutional reform.*"¹²
45. Through its focus on supporting governments in their efforts of institutional reform within the context of respect for the rule of law, this Project builds on the findings of the report and seeks to implement the recommendations that were further emphasized by the second AHDR.

II. OBJECTIVES AND STRATEGY

A. Programme and Project Objectives, Activities and Anticipated Results

46. The overall aim of this Project is to improve security systems in the Arab Region, within the context of respect for the rule of law, access to justice and protection of human rights, with particular emphasis on the Pilot Countries. It will do so by:
 - providing public prosecutors' offices with additional capacity and tools to function as true representatives of the people under a system that respects the rule of law;

¹² Arab Human Development Report 2002, at page 116.

- assisting in the establishment of closer relationships between government and civil society; and
 - creating a network of regional as well as international experts and development partners in the area of State and citizen security and access to law.
47. These improved systems will be more effective in the struggle against organised crime and terrorism, but will at the same time be able to ensure a higher level of personal security and freedom for citizens within the context of a system that respects the rule of law.
48. More specifically, the Project attempts to respond to the evolving human security needs in the Arab Region by addressing the following three Objectives.
- a. Objective 1: Increase the capacity and quality of State institutions, in particular public prosecutors' offices, with a view to increasing security and enforcing respect for human rights*
49. **Specific Objective:** The Project seeks to improve the human resources capacity as well as the capacity of working systems of public prosecutors with a view to mainstreaming human rights into work processes and to setting up sustainable training mechanisms.
50. **Details:** This will include specific capacity building activities within target institutions in the Pilot Countries, including selected public prosecutors' offices. These specific activities are based on in-depth needs assessments that were carried out during the Preparatory Phase of the Project and that were identified by a team of experts in the area of security and human rights.
51. The activities that will be carried out under this Objective include:
- developing and introducing training courses (including organising internships, international and regional exchanges, and training facilities);
 - developing manuals as well as information management facilities; and
 - focusing on selection processes and recruitment criteria for the profession of public prosecutors.

52. The training courses that are envisaged will focus on issues such as the applicability of international treaties in a domestic context, international cooperation in the application of international instruments against terrorism, transnational organized crime and corruption.¹³ The training courses will also seek to ensure that State officials are in a position to satisfy their obligations under particular international instruments, such a United Nations Security Council Resolution 1373, which provides that each Member State of the United Nations must issue regular reports to the Counter-Terrorism Committee in which efforts relating to counter-terrorism are detailed.
53. In addition, workshops and meetings will be organised with a view to providing an overview of the various Convention-based mechanisms currently in force. This will encourage law enforcement officers from the region to cooperate in an effective manner in criminal matters, and to discuss their applicability on the national and regional level. Finally, training in relation to international instruments against terrorism, transnational organized crime and corruption will take place on the national as well as regional level. The United Nations Office for Drugs and Crime (the 'UNODC') will be a partner in providing training activities that will address a number of these issues.
54. Ensuring that public prosecutors are aware of issues such as the applicability of international treaties in a domestic context is a vital aspect of this Objective. Indeed, governments often ratify international treaties without actually making any effort to ensure that their provisions are respected. By way of example, the ILO Freedom of Association and Protection of the Right to Organize Convention (1948) has been ratified by a number of States, and yet public protests have often been declared illegal in contravention of this Convention's provisions.¹⁴ It is only if the legal professionals of such a country are well informed and aware of the fact that the ILO Convention

¹³ For example, the UN Counter Terrorism Committee ('CTC') established in accordance with the provisions of United Nations Security Council Resolution 1373 (on threats to international peace and security caused by terrorist acts) and the United Nations Convention against Corruption ('CAC'), at <http://ods-dds-ny.un.org/doc/UNDOC/GEN/N01/557/43/PDF/N0155743.pdf?OpenElement>. The CTC is made up of all 15 members of the Security Council. It is designed to monitor the implementation of resolution 1373 by all States and is designed to increase the capability of States to combat terrorism (for more information on the CTC, see www.un.org/Docs/sc/committees/1373/).

¹⁴ Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), see www.ilo.org/public/english/standards/norm/whatare/fundam/foa.htm.

constitutes positive law, will they be able to appreciate that, in such a situation, the government's actions are actually illegal.

55. The development of information management facilities will lead to the introduction of IT systems such as databases, online libraries and networks. It will also include introducing sustainable training mechanisms for the use of such systems, such as basing a designated trainer in pilot offices to review procedures and to provide training in new and optimized work processes. We also intend on developing a comprehensive handbook for judicial professionals on application of international instruments and related reporting requirements and to promote the development of professional networks. Case studies will discuss topics including, but not limited to, extradition, mutual legal assistance, law enforcement cooperation, transfer of criminal proceedings, protection of witnesses, exchange of information, joint investigations, and conflicts of jurisdiction.
56. One illustration of the need to improve access to information, networking and knowledge management systems came to light through the survey carried out during the Preparatory Phase. According to the information that was collected during the survey, in many countries, police often have access to information that is much more sophisticated than that which is available to public prosecutors, and typically do not share such information. The fact that prosecutors do not have adequate information sharing networks not only has a negative impact on the quality of their investigation capabilities but also makes it very difficult for them to monitor and even supervise the work of the executive that has been recommended by the United Nations in the Guidelines on the Role of Prosecutors.¹⁵
57. The activities organised in the context of Objective 1 will be based on the needs identified in collaboration with the Pilot Countries and will be based on the outcome of the surveys that were carried out during the Preparatory Phase of this Project.

¹⁵ "Prosecutors shall perform an active role in criminal proceedings, including institution of prosecution and, where authorized by law or consistent with local practice, in the investigation of crime, supervision over the legality of these investigations, supervision of the execution of court decisions and the exercise of other functions as representatives of the public interest", Guidelines on the Role of Prosecutors, Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August to 7 September 1990, U.N. Doc. A/CONF.144/28/Rev.1 at 189 (1990), paragraph 11, www1.umn.edu/humanrts/instree/i4grp.htm.

58. Particular attention will also be given to the selection process and recruitment criteria for public prosecutors in each of the Pilot Countries. Indeed, in many Arabic countries, the position of prosecutor is an entry-level position which does not require any prior professional experience, and is therefore often considered as being merely a stepping stone towards becoming a judge. Very few prosecutors actually remain in their positions for a significant amount of time and many often note that little effort is made to improve the working conditions of public prosecutors. Development efforts in this area generally focus on the work of courts and the training of judges. This is an area which requires much needed attention in order to improve the quality of services provided by public prosecutors.
59. Activities under Objective 1 will also be carried out in public prosecutor offices in the Pilot Countries, as well as on the national level. In addition, they will benefit from the existence of other related programmes in the region through the exchange of experience and information.
- b. Objective 2: To increase interaction between public prosecutors and the public, to increase the perception that the judicial system is a positive force in resolving disputes between individuals, and also between the individual and the State, and that it provides security while respecting the rule of law.*
60. **Specific Objective:** The Project seeks to increase awareness in society of the role of public prosecutors as independent guarantors of the legality of judicial proceedings. The general public should be made as aware as possible of the role that public prosecutors are supposed to play as representatives of the citizen and guardians of human rights. The more aware the general public is of this, the more likely it is that it will be in a position to monitor the work of the public prosecutors and demand that they fulfil their role. The purpose is to encourage the general public to make use of the judicial system to its benefit, i.e. as an independent institution that increases citizen security under a system of that respects the rule of law.
61. To date, CSOs engaged in this area have found it difficult to find appropriate partners in government to work with on issues relating to citizen security. Due to this lack of

institutional cooperation, their work has often been limited to very specific short-term campaigns or *ad hoc* support for individual cases, rather than a more sustained engagement in institution building within the context of respect for the rule of law. Activities under Objective 2 address this issue through providing opportunities to establish and strengthen relationships between CSOs and public prosecutors' offices.

62. **Details:** In the Arab Region, the public does not consider that the judiciary – including the prosecution – fulfils a useful role. Public prosecutors are considered to form part of the executive, or even the police. Courts are at best considered to be incompetent institutions that never lead to satisfactory results, or at worst as institutions that represent the interests of a privileged few. The judicial system is almost never relied upon as an institution that is dedicated to the fight against crime, or as a just arbiter which can be relied upon to resolve disputes
63. Activities under Objective 2 therefore seek to raise awareness in society regarding the positive role that a functioning and capable public prosecutor's office can play in society. It also seeks to create mechanisms through which civil society will be able to channel its demands to public prosecutors. Activities will include a number of roundtables and workshops, which will be organized in cooperation with selected national NGOs. Topics to be addressed by these roundtables will correspond to prevailing priority areas as identified by each Pilot Country. Possible topics include, but will not be limited to, women and the law, juvenile prosecution, security and terrorism, media and the law.

c. Objective 3: Support the creation of regional and international networks of different stakeholders involved in issues of State and citizen security

64. **Specific Objective:** The third Objective focuses on the regional aspects of the Project and will ensure that all activities in the Pilot Countries are properly supported by a wider regional network and that all results will be disseminated throughout the region.
65. The Project will also focus on building a true regional network going beyond the Pilot Countries to ensure that it will benefit the whole Arab Region. This includes actively supporting the fourth recommendation of the Marrakech Conference, which is to “*promote Arab-International Cooperation in drawing up policies to curb growing*

criminal activity”¹⁶ through the establishment of a regional centre. Following the Marrakech Conference that took place in March 2004, the Jordanian Government offered to host a Regional Centre on Criminal Justice in Amman.¹⁷

66. **Details:** In the Arab Region, where development standards differ dramatically from other regions,¹⁸ it is essential that efforts be made to enhance regional cooperation and enable the exchange of information, ideas, expertise and experiences. The establishment and strengthening of regional networks will support such cooperation within the region as well as with organizations in other regions.
67. The creation of a regional centre would also function as a regional focal point for cooperation with international partners in relation to international conventions and instruments, such as the work of the Counter-Terrorism Committee. In this respect, the Centre would function as a knowledge base and training centre for issues related to international conventions and would thereby be of great assistance to the countries in the region with regards to international reporting requirements to institutions such as the Counter-Terrorism Committee.
68. The establishment of a regional centre will further build on the information collected during the Preparatory Project. The centre will also be linked to a larger set of networks and organisations that are dedicated to the rule of law, which will serve to create a much wider community. Through this setup, a true virtual resource centre could be built that would not only make available to the public much-needed information but it would also serve as a forum through which interested parties could communicate and exchange ideas on issues relating to the role of public prosecutors in particular, and respect for the rule of law in general. Such a virtual forum would foster international and regional communication, thereby exposing regional stakeholders to the international debate. The regional centre would make all its information available in Arabic.

¹⁶ Recommendations of the Marrakech Conference, at Annex 5.

¹⁷ See letter dated [DATE].

¹⁸ Arab Human Development Report (2002).

69. This aspect of the Project directly addresses one of the main concerns of the Arab Human Development Report: a deficit of knowledge in the Arab Region that stands in the way of sustainable development.¹⁹

70. Activities under Objective 3 will include:

- Conducting research and providing material to assist Arab countries to draw-up policy for curbing growing criminal activity and addressing the prevention of international crime in concert with the international community;
- Providing support to the establishment of a regional centre by drawing up a road-map and assisting in the construction and implementation of the centre's plans;
- The creation of various regional databases and networks designed to disseminate information on judicial systems in the region as well as updates on progress made during activities in the Pilot Countries;
- Organising regional workshops and conferences, publication of training materials and other programme material, creating a website; and
- Providing information and support in relation to international cooperation and universal instruments against terrorism, transnational organized crime and corruption such as the CTC and the CAC.

d. Outputs

71. The outputs of the Project will include, but will not be limited to:

- A framework for strategy papers for each Pilot Country, each of which will identify the main findings of the surveys and country specific issues;
- National strategy papers for each country identifying the main objectives and areas to be addressed by the Project, based on the recommendation of the National Advisory Teams;²⁰
- National workplans for the National Pilot Teams with a view to establishing a national training mechanism and organising a series of roundtables;
- National workplans for each pilot office specifying in detail all activities over a period of 24 months including reviews of work processes, development of new software, training modules for prosecutors office staff and others;
- Training materials for new prosecutors;
- The creation of a website;
- Software for public prosecutor offices;

¹⁹ See Arab Human Development Report (2002), at page 2.

²⁰ See Annex I of this Project Document for an explanation of the Programme Structure.

- Local progress reports from each pilot office to be submitted periodically;
- National progress reports from the National Pilot Teams;
- Regional progress reports to be prepared by the Programme Management Office on a yearly basis;
- Training courses for legal professionals in relation to international instruments against terrorism, transnational organized crime and corruption including development of a handbook;
- In-depth evaluation upon the completion of Phase II; and
- A final report identifying persistent needs and giving recommendations for future activities including multiplication of efforts in other countries in the region.

72. At the regional level, the outputs from the Project will:

- Assist governments and non-governmental participants to expand institutions in the context of respect for the rule of law;
- Support multilateral and bilateral donors in making recommendations and making funding decisions for work in this area;
- Generate publicity and raise awareness; and
- Establish good practice 'benchmarks' for public prosecutors to serve as precedents for other countries to consider.

e. Success Indicators

73. During the Preparatory Phase of the Project, in-depth research was carried out on the state of public prosecutors' offices in five Arab countries (including the three participating countries Jordan, Morocco and Yemen). A questionnaire relating to all aspects of the work of public prosecutors' offices from a theoretical, legal and institutional standpoint was prepared by the administrators of the Project and completed by the participating countries. In addition, a field study was carried out for the purpose of collecting data and shedding light on the state of affairs, needs and requirement of public prosecutors' offices.

74. The questionnaire consisted of a series of questions that were combined into eight sections:

- The structure of the judicial system;
- Data regarding the different public prosecutors' offices;

- The jurisdiction and powers of public prosecutors;
- Rules of criminal procedures;
- The rights of defendants and victims in criminal proceedings;
- Statistical organizations;
- Development projects for the prosecution system; and
- National, criminal studies and references.

75. The field study aimed at:

- Identifying the current and emerging challenges facing public prosecutors in the five Arab countries. The study adopted a historical approach in order to trace the development of these institutions and identified the gaps between the growing demand and the deficit in supply in the work of public prosecutors during the last quarter of the 20th century;
- Identifying and analyzing the legal instruments organizing the work of prosecutors. The analysis focused on the diversity of legal instruments and how this affects the work of prosecutors;
- Identifying the multiplicity of units and divisions in the prosecutorial institutions (specialized prosecutors – State security, etc.);
- Analyzing the rules of criminal procedures from the perspective of human rights;
- Conducting a descriptive analysis of the work of prosecutors through field visits to the five countries; and
- Analyzing the impact of certain practices on the behaviour of citizens and on their relationship with prosecutors. This should be backed by empirical evidence.

76. Through the above, the survey provided a clear indication as to the quantifiable and procedural aspects of the work of public prosecutors, such as the number of cases being presented to courts over a certain period of time, the structural set-up of the prosecutors' office, etc.

77. These surveys and benchmarking exercises will allow us to directly measure the success of the Project through comparing data on the role of the offices of prosecution before, during and after the Project is executed.

78. Each participating country will introduce success indicators from the survey to their national workplans at the outset of the Project and will include these indicators into their reporting.

B. Beneficiaries

79. The beneficiaries of the Phase II programme include, but are not limited to, the following institutions are organisations:
- The pilot offices of public prosecutors in the Pilot Countries will be the most immediate beneficiaries, as public prosecutors in these offices will, on an individual level, receive modern systems, up to date information, training, etc, that will allow them to better understand and satisfy their roles as public servants;
 - The general public in the Pilot Countries will benefit from this Project, as public prosecutors will be encouraged to represent the interests of the public and to uphold the rule of law;
 - Public prosecutors' offices in other Arab countries will benefit through participation in regional activities and networking and information sharing;
 - Participating institutions and organizations (such as national experts, representatives of government institutions, the media, professional associations, as well as other CSOs involved) will also benefit from additional information and greater ties with public prosecutors' offices;
 - Legal professionals from the Arab Region and their respective governments will benefit as they will be provided with support in relation their obligations under particular international instruments, including United Nations Security Council Resolution 1373, which provides that each Member State of the United Nations must issue regular reports to the Counter-Terrorism Committee in which efforts relating to counter-terrorism are detailed;²¹ and
 - Participating countries will also benefit in that they will be more successful in their fight against organised crime and terrorism and will provide citizens with a sense of increased security from external as well as internal threats. At the same time, legal professionals working in the institutions, both government and civil society, of the Pilot Countries will benefit from training, a better functioning system at work and improved regional networks.
80. Over the medium term, the population of the Arab Region and specifically of the participating Pilot Countries will benefit from improved systems of state security and enhanced respect for human rights, the rule of law and access to justice.
81. On a more general level, peace, stability and effective legal institutions are necessary characteristics for generating economic growth. The effect in the long run would therefore be to create an environment that would be attractive for foreign investment.

²¹ See *supra* at paragraph 52.

C. Programme Strategy and Risk

82. **Strategy:** The overall strategy of this Project is to support the development of improved citizen security within the context of respect for human rights and for the rule of law through the modernization of institutions involved in public prosecution in the Arab Region.
83. Supporting and emphasizing the importance of these civil institutions for contributing to citizen security also addresses the deficit in good governance identified in the Arab Human Development Reports and aims to implement their recommendations.
84. Benefiting from UNDP's integrated, regional approach towards good governance through POGAR, the Project will build networks between key players in the criminal justice sectors and individuals and institutions that have been trying to enhance the rule of law and foster good governance in the region.
85. This would be the first attempt to forge such alliances on a regional basis and the first systematic region-wide attempt to deal with common state security issues in the context of respect for the rule of law, access to justice and the upholding of human rights.
86. This Project touches upon many sensitive political issues and would be impossible to implement successfully without the firm commitment of all stakeholders. Fully cognizant of this, UNDP launched a comprehensive Preparatory Project during Phase I to acquire a firm basis of knowledge on the functioning of different judicial systems in the region and to identify the specific needs that should be addressed in this phase of the Project. The Preparatory Programme also sought and obtained the views of government officials and institutions concerning the value of such a programme. Officials from several Justice Ministries in the Pilot Countries were very receptive, and the relevant branches of their administration, as well as public prosecutors' offices are fully committed to being involved in the programme.
87. This fully fledged regional Project seeks to move beyond the regional, more general working level of the Preparatory Phase to a much more in depth approach. This will be

achieved through focusing on the implementation of a small number of activities that will be specifically tailored in order to have a real impact on actual work processes.²²

88. In addition, programme partners will be working within a framework of regional exchange and feedback to ensure continuous support for their national and local activities. The Pilot Countries reflect different characteristics of the Arab Region and will serve a fitting example, reference point and model for other Arab countries. The regional activities that will be carried out in the course of the programme, as well as a purpose built Arabic language website, will provide a forum for regional exchange in this respect. This, in addition to the publications that will be published in the context of the Project, will assist other countries in their efforts to respond to the changing security situations in their countries, while at the same time ensuring respect for the rule of law and access to justice.
89. **Risks:** Dealing with rule of law and security issues touches upon one of the most sensitive elements of governments. Therefore, although all participating governments have confirmed their interest and commitment to the Project on numerous occasions, their full cooperation will depend on the security situation in the respective countries.
90. Through the involvement of various stakeholders during Phase I certain expectations were raised concerning the implementation of the Phase II programme. As of yet, full funding for Phase II has not been obtained and there is a risk that the implementation of Phase II will be delayed, which could lead to losing momentum as well as making. Delayed implementation may also create the need to revise certain aspects of the details of Phase II.

D. Value Added of Joint UN Intervention

91. The RBAS, through its regional governance programme POGAR, is involved in the areas of security, justice and human rights throughout the Arab Region. It has established substantive relationships with various governmental branches and has created a wide network of international and regional experts. In addition to bringing solid institutional

²² For the Schedule/Workplan of the Project, see Annex II.

relationships and broad-based credibility to the current Project, the UNDP will function as a neutral stage for policy analysis and discussion concerning the Project.

92. The UNDP, through its wide ranging institutional relationships, will encourage the involvement of a number of United Nations partners such as the Office of the High Commission for Human Rights ('OHCHR') and the UNODC, both of which have extensive specialized expertise in areas related to state and citizen security. These organizations will play important advisory roles in the Project.
93. UNODC is also one of the main partners of the UN Counter Terrorism Committee. During the last two years, it has familiarized lawmakers and law enforcement officials from over 80 countries with the provisions of Security Council Resolution 1373, as well as with the obligations provided for in international anti-terrorism instruments. UNODC has substantial experience in the strengthening of institutional structures and mechanisms which has enabled States to satisfy their obligations under the relevant international instruments, and has provided advice on international cooperation mechanisms through mentorship programmes. UNODC will be a strong partner in this Project with regards to training, exchange of knowledge and expertise as well as international exchange and networking.

E. Value Added from NGO and Civil Society Partnerships

94. The Arab Organization for Human Rights ('AOHR') was founded in 1983 and is a regional organization devoted to the promotion and protection of human rights in the Arab Region in accordance with international standards.
95. Located in Cairo, Egypt, the AOHR has branches and affiliated organizations in a number of countries in the region as well as four chapters that function among Arab communities in Austria, Canada, Germany and the United Kingdom. The AOHR is an independent organization and is not involved in partisan political affairs. It is funded through the sale of its publications, and through contributions from its members, who are Arab citizens and organizations.

96. Through cooperation with the Arab Lawyers Union, the Tunisian League for the Defense of Human Rights and as a result of support received from the UN OHCHR, the AOHR established the Arab Institute for Human Rights in 1989. In 1993, the Institute was awarded the UNESCO Human Rights Education Award. Also, in cooperation with the Arab Lawyers Union, the AOHR established a network made up of around 31 human rights NGOs throughout the Arab Region. The AOHR has been active in the area of access to law, and in relation to human rights and the judiciary. It has undertaken several national as well as regional surveys in this field and will provide input on specific areas of concern in a national and regional context.
97. The AOHR will be an important partner in the Project. With its vast experience in the region, the organisation will not only identify important issues for inclusion in the surveys but it will also be able to evaluate the outcome of the surveys in the context of its national and regional intelligence. Furthermore, through its large regional network the AOHR, will be able to identify additional civil society partners on a national level.
98. The internship initiative is another aspect of the Project that will create more opportunities for the direct involvement of individual members of society in the Project. Indeed, through the exposure they will receive in the context of the Project's many activities, the interns will obtain first hand experience into the work of the government.
99. Other programme partners will include noted national researchers, universities, representatives of NGOs with expertise in various aspects of citizen security and judicial reform, and governmental representatives from other agencies with a direct or indirect role in national and citizen security such as the public defense institutes, the court system, and other ministries. The majority of these have already been contacted and have expressed high interest in participating in the Project.

F. Charitable Purposes Justification for UNF

100. This Project is exclusively charitable as it focuses entirely on defending human and civil rights as secured by law, which will lead to increasing peace and security.

III. PROGRAMME MANAGEMENT AND IMPLEMENTATION

A. Management and Administration

101. UNDP intends to carry out the Project by developing its regional governance programme and in consultation with national, regional and international partners in government and civil society. This will include the direct involvement of the UNDP POGAR Regional Coordinator as Technical Advisor on a part-time basis.
102. POGAR has a coordination office in Beirut and one staff member in New York. By making use of POGAR's existing set-up, the Project will be more cost efficient, as there will be no need to incur costs for the setting up of separate offices. In addition, it will increase integration with ongoing UNDP efforts in the region as well as the benefits of headquarter presence for donor reporting and agency relations.
103. A programme management office ('PMO') will be set up for the implementation and coordination of programme activities. The PMO will have one full-time Technical Adviser ('CTA'), one full-time Project Manager and one full-time assistant.
104. An international advisory group ('IAG'), comprised of representatives of the various programme partners such as UNODC Vienna, UN OHCHR, UNICEF, UNDP, the World Bank Legal Department, the AOHR, the Arab Center for Independence of the Judiciary, the Arab Center for the Rule of Law, the Arab Institute for Human Rights, as well as representatives of the various donor countries and institutions, etc., will monitor and provide advice on the workings of the programme and will make recommendations in relation to follow-up activities.²³

B. Inputs

105. The total duration of the programme is 36 months..

²³ For more information on the Programme Structure, see Annex I.

C. Reporting

106. Semi-annual, unaudited financial utilization reports, annual progress reports, annual certified or audited financial statements and final project reports and audited financial statements will be provided by UNDP to UNFIP in accordance with existing memorandum of understanding ('MOU') or Basic Implementation Agreement ('BIA') as applicable with UNFIP. UNDP will be responsible for submitting all required reports.

D. Monitoring and Evaluation

107. The logical framework and workplan in Annex I link the outputs of the Project to a time plan and will serve as a baseline for monitoring progress. Participating pilot offices will draft progress reports that will be presented to the national advisory teams and the project management team. All pilot offices will meet on a regular basis in their respective countries for the purposes of monitoring, exchange and feedback. At the end of Phase II (implementation) a national evaluation meeting will bring all national partners together to evaluate the outcome of the programme and to discuss follow-up activities. Frequent visits and email exchanges between the technical advisor and pilot offices will also serve as a monitoring and feedback mechanism.
108. Although it will be possible to monitor progress through successful implementation of programme activities, measuring qualitative improvement against specific indicators with regards to issues such as Human Rights mainstreaming into work processes within public prosecutors' offices will pose a significant challenge. However, in order to provide a full account of the outcome of the programme it is foreseen that a thorough evaluation will be undertaken. This evaluation will take place after the end of Phase II (implementation) over a period of three months. The evaluation foresees that extensive interviews will be held with all parties involved, i.e. participating pilot offices, national pilot teams as well as national advisory teams. In addition, members of civil society with interest in and knowledge of the workings of the pilot offices, such as specific NGOs or lawyers, will be interviewed in relation to any changes and progress made as a result of the programme.
109. The 2002 Arab Human Development report has drawn attention to this situation by emphasizing the need for the existence of systems of good governance: "*Reforming*

public administration is also a central and urgent task for Arab countries. Governments need to perform their functions as providers of public services and enforcers of contracts, in an effective and transparent manner.”²⁴

²⁴ Arab Human Development Report 2002, at page 8.

ANNEX I - Programme Structure

The Project will have **five main organs**:

- (1) The **Project Management Team** ('PMT') will be made up of one regional or international Chief Technical Advisor (CTA), a project manager, as well as assistant and external experts. Its major tasks will be to:
 - Set up and run the programme office;
 - Supervise and manage work of external experts;
 - Support and monitor programme implementation in the three participating countries.
 - Organize regional events; and
 - Prepare a strategy framework for each of the Pilot Countries, based on the results of the surveys of the Preparatory Phase.

- (2) The **International Advisory Group** ('IAG') will be made up of international and regional experts as well as high-level representatives from the Pilot Countries. The main tasks will be to:
 - Discuss and decide on the strategy framework and the national strategy papers;
 - Provide technical feedback and international exchange; and
 - Lobby for international support.

- (3) A **National Advisory Team** ('NAT') will be appointed for each Pilot Country. The NATs will be composed of high-level representatives from the Pilot Countries, e.g. representatives of particular ministries. The main tasks will be to:
 - Facilitate relations with other parts of the government such as ministries of interior;
 - Discuss and decide on the strategy framework and the national strategy papers; and
 - Provide political support.

- (4) A **National Project Team** ('NPT') will be located in each of the Pilot Countries. The main tasks of each of the NPTs will be to:
 - Prepare a strategy framework in conjunction with the external experts and the International Advisory Group;
 - Prepare the respective national strategy papers in conjunction with the external experts and the Regional Advisory Group;
 - Determine a workplan for country activities;
 - Prepare a workplan for each of the LPTs;
 - Coordinate and support the implementation of the activities in the pilot offices;

- Implement national activities such as civil society roundtables; and
- Monitor work of local pilot offices, collect reports, etc.

(5) The **Local Pilot Teams** will be located in the local pilot offices of the Pilot Countries. The main tasks will be to:

- Prepare a workplan in conjunction with the NPT;
- Execute the activities decided upon in the workplan at the local level; and
- Prepare reports as required.

The Project will be implemented in three phases:²⁵

- In the **first phase** (eight months), the IAG, NATs and the NPTs will be established. Based on the results of the surveys of the Preparatory Phase, they will determine the detailed activities on the country and regional level and select participating national pilot offices in each country.
- In the **second phase** (twenty-four months), the activities determined in Phase I will be implemented, including the development of 'Train-the-Trainers courses' and software for prosecutors' offices (**Objective 1**).

At the same time national activities will be developed and implemented in order to increase the interaction between the prosecutors' offices and citizens, including civil society roundtables, advocacy activities, etc. (**Objective 2**).

Moreover, the establishment of a regional center will be supported, a webpage will be developed and regional networks will be established and provided with support (**Objective 3**).

- In the **third phase** (four months), a regional conference will be organised (**Objective 3**) and the information and know-how acquired over the course of the first two Phases of the Project will be transferred to a regional institution.

Throughout the implementation of the project, progress reports, manuals, training plans, etc., will be developed and distributed.

²⁵ For more detail on the Project's Implementation Plan, see Annex II.

ANNEX II - Implementation Plan

Workplan Phase I

Activity	Month							
	1	2	3	4	5	6	7	8
Set up project management office	x							
select international advisory group	x							
Hold start up w./shop with IAG and Ext experts		x						
External experts prepare framework for strategy for each Pilot Country	x	x						
Select National Advisory Teams		x						
Select National Project Teams		x						
Establish workspace for the National Project Teams			x					
Hold national meeting with CTA, NATs, NPTs to determine objectives and selection criteria for pilot offices				x				
Establish workspace for the LPTs				x	x			
National meeting to determine workplans for individual LPTs						x		
National meeting to determine workplan for NPT							x	
National meeting to introduce final workplans (with the participation of the CTA)								x
Distribution of workplans to IAG								x
Set up website		x	x					
Outputs:								
Framework for strategy								
National strategy papers with objectives								
LPOs workplan								
NPT workplan								

Workplan Phase II

Activity	Quarter							
	1	2	3	4	5	6	7	8
Implement programme activities of the LPTs	x	x	x	x	x	x	x	
Implement programme activities of the NPT	x	x	x	x	x	x	x	
Roundtables		x		x		x		
Develop training of trainers courses	x	x						
Carry out training of trainers			x	x	x	x		
Publish training materials			x			x		
Hold national progress meetings with CTA, NATs, NPTs		x		x		x		
Prepare progress reports		x		x		x		
National progress meeting				x				
Prepare final report							x	
National wrap-up meeting (NATs, NPTs, LPOs)							x	
Evaluation								x
Maintain website	x	x	x	x	x	x	x	x
Outputs								
Implementation of workplans								
Progress reports								
National training plan								
Training materials								
Software								
Optimised working procedures								
Trained trainers for national training for new prosecutors								
Trained trainers for LPOs training								

Workplan Phase III

Activity	Month			
	1	2	3	4
Publications	x	x		x
Regional conference to present outcome of programme			x	
Transfer of programme knowledge (website, etc.) to regional institution				x
Final report				x

ANNEX III

Overall Objectives	Objective	Output	Activities	Indicators
<p><i>To increase citizen security in the Arab Region with particular emphasis on the Pilot Countries, within the context of good governance and the rule of law, through focusing on the capacity of institutions relevant for issues of citizen security</i></p>	<p>1. Increase the capacity and quality of State institutions with a mandate to achieving security and enforcing respect for human rights (such as public prosecutors)</p>	<p>Improvement of human resources as well as working systems within the public prosecutors offices in the three Pilot Countries</p>	<p>1.1. preparation of a framework for Strategy for each NATs based on the outcome of the surveys and addressing main policy questions and issues in each Pilot Country</p> <p>1.2 carry out NAT meetings to determine main objectives to be addressed by programme activities in each Pilot Country and produce national strategy paper</p> <p>1.3 prepare workplans for NPTs and LPOs</p> <p>1.4 carry out activities in the attorney general's office as per the workplans including 3-4 training courses and 3-4 roundtables per Pilot Country</p> <p>1.5 carry out activities in the prosecutors offices as per the workplans including proposal for new softwares, changed processes and training module for continuous training for office personnel (incl. prosecutors, clerks, etc.)</p>	<p>1.1.1 NAT members identified and proposed to Advisory Group</p> <p>1.1.2 Framework for Strategy prepared and proposed to each NAT</p> <p>1.1.3 NATs determine main objectives to be addressed by programme activities in each Pilot Country</p> <p>1.1.4 national strategy paper produced and agreed to</p> <p>1.1.5 NPTs and LPOs identified and offices set up</p> <p>1.1.6 National workplans prepared</p> <p>1.1.7 Activities carried out as per national workplans including indicators for progress and success</p> <p>1.1.8 Progress reports prepared every six month and submitted to NPO and regional project management office</p> <p>1.1.9 Final report prepared and disseminated to stakeholders</p> <p>1.1.10 evaluation after each project activity</p> <p>1.1.11 final evaluation within the participating LPOs</p> <p>1.1.12 increased capacity and quality of participating offices has led to better working conditions of local staff and in turn led to quicker turn-around time while dealing with cases, etc.</p>

Overall Objectives	Objective	Output	Activities	Indicators
	<p>2. To increase interaction between the offices of the attorney general and public prosecutor and the citizen to increase recognition of the judicial system as a positive factor for resolving disputes among citizens and between the citizen and the state, providing security and ensuring adherence to the rule of law.</p>	<p>Initiate a process of change towards positive interaction between public prosecutors and the public</p>	<p>2.1 carry out activities in the attorney general's office as per the workplans including 3-4 civil society roundtables per Pilot Country together with national NGOs 2.2 ensure participation of national and regional CSOs in the Advisory Group</p>	<p>2.2.1 number of national and regional CSOs participating in the Advisory Group increased 2.2.2 incidents of media reporting on the work of public prosecutors has increased 2.2.3 short evaluation after each activity 2.2.4 progress reports (after each activity) and final report</p>
	<p>3. Support the establishment of an active regional network including the establishment of a regional research center that produces and disseminates knowledge and promotes and facilitates dialogue among partners concerned as a foundation for developing and implementing policy proposals</p>	<p>Increase communication between institutions of the state and citizens and between other stakeholders on the regional and national level by making information on issues of state and citizen security more widely available and by supporting regional links and encouraging dialogue between the different stakeholders</p>	<p>3.1 set up an advisory group composed of different representatives from government, academic, and civil society institutions, international organizations, etc. involved in state and citizen security issues 3.2 establish a regional research center for cooperation and coordination among Arab <i>niaba</i> institutions 3.3 Discuss lobbying strategies to raise interest and involve various relevant organizations and institutions in projects activities</p>	<p>1.1.1. Membership of the advisory group varied i.e. with members from different organizations and institutions 1.1.2. Regional Center established and working with support from countries in the region 1.1.3. multiplication of efforts demonstrated through additional countries in the regional interested in participating in follow-up activities 1.1.4. Donors interested in contributing to follow-up activities (Phase III)</p>

ANNEX IV
List of Abbreviations

AOHR	Arab Human Rights Organisation
CAC	United Nations Convention against Corruption
CSO	Civil society organisation
CTA	Chief technical adviser
CTC	Counter-terrorism Committee
IAG	International advisory group
LPT	Local pilot team
NAT	National advisory team
NGO	Non-governmental organisation
NPT	National project team
OHCHR	UN Office of the High Commissioner on Human Rights
POGAR	Programme on Governance in the Arab Region
PMO	Programme management office
PMT	Programme management team
RBAS	Regional Bureau for Arab States
UNDP	United Nations Development Programme
UNODC	United Nations Office for Drugs and Crime

Annex 5

Recommendations Of The Conference On Modernizing Public Prosecution (*Niaba*) Institutions In The Arab Region: Prospects And Challenges

Marrakech, 12-13 March 2004

Ministry of Justice, Kingdom of Morocco

1. Modernize Prosecution (*Niaba*) Concepts and Functions

- Examine the reasons and the principles which will constitute the basis for amending laws in Arab countries regulating litigation procedures and *niaba* institutions. Amendment will modernize the concept, role, and functions of *niaba* as a representative of society; defending it against growing criminal activity and protecting human rights of defendants and victims. Modernization of *niaba* institutions must be based on United Nations standards and guidelines on criminal justice and human rights.
- Engage experts from every Arab country seeking to modernize the functions of *niaba* in drafting, or assist the competent national authorities in drafting modern legislation of this nature.
- Conduct necessary studies taking into consideration the particular situation of each country. Studies should contain rules and standards for the creation of specialized *niabas*, particularly in the field of trans-national organized crime, which threatens the internal security of states and their economic, social, and political institutions. Studies must also be in line with the requirements of relevant international conventions, particularly, the UN Convention on the Prevention of Trans-national Organized Crime and its protocols, and the UN Anti-corruption Convention.
- Conduct studies that would draw up principles and methods for expanding the scope of *niaba* function. This includes the relationship of *niaba* with executive, legislative, and judicial powers on one hand, and cooperation and coordination among *niaba* institutions on the other hand so that *niaba* institutions can effectively practice their responsibilities.

2. Promote International Cooperation in Crime Prevention

- Provide support to *niaba* institutions in Arab countries to activate and enhance relationships of international cooperation in the prevention of trans-national organized crime.
- Activate and promote cooperation and increase knowledge by holding specialized training courses for this purpose and laying down appropriate programs for these courses. To this end, training courses and specialist symposiums should be held for the *niaba* personnel.

3. Enhance *Niaba* Human Resources and Operational Capacities

- Implement a training program for Arab *niaba* institutions whether in each individual State or for the Arab region. Training should be given to all *niaba* personnel; judges, law enforcement officers, crime experts, etc. Courses should address various themes to cover all the needs of Arab *niaba* institutions. There is a need to provide support for organizing and implementing the training courses so that they produce benefits and results in the near future.
- Draw up policies and technical studies for introducing information technology into *niaba* institutions, especially the creation of a national central system for crime-related judicial statistics to be placed, transparently, at the disposal of the scientific and legal research community. In addition, legal and judicial information banks should be established so that judges can easily obtain access to legal and judicial information, enhancing their capacity to make a timely and efficient decision. This will have a positive effect on the litigation process and alleviate problems of heavy caseloads and delay in case settlement with ensuing damage caused to the litigants' rights.

4. Promote Arab-International Cooperation in Drawing Up Policies to Curb Growing Criminal Activity

- Conduct a study to establish a regional Arab research center for cooperation and coordination among Arab *niaba* institutions for the purpose of conducting research and providing material to help Arab countries draw-up policy for curbing growing criminal activity and addressing the prevention of international crime in concert with the international community.
- Provide support to interested Arab countries to establish the center by drawing up a road-map for these countries and assisting them in building and implementation of the center's plans.

5. Cooperate with UNDP

- Participants from Arab countries urge UNDP to continue to provide technical support to Arab countries in cooperation and coordination with the UN Office for Drug and Crime Prevention, other countries, organizations, and financial institutions to enhance the potential of *niaba* institutional modernization, prepare an action plan responding to the needs and special circumstances of these countries, and put this plan into operation

