

# Toolkit

## Strategic Transformation through e-Justice



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Design and Layout: LS graphic design

# Who is this Toolkit For?

This Toolkit is designed for UNDP Country Offices and Regional Hub staff. The first two sections - Future Directions and Actions for UNDP Leadership of E-Justice Transformation - are the concluding sections of the “E-Justice: Digital Transformation to close the justice gap” paper.

This toolkit is designed to address the paper’s recommendations by providing UNDP staff with concrete, practical tools to use as they initiate e-justice projects or respond to requests for support from national partners, courts or other institutions.

The tools are a series of checklists, worksheets and guidelines that UNDP staff can use when working on e-justice. In some cases, these will only be used internally, giving a UNDP staff member a set of questions or criteria to raise with partners or donors. In some cases, the tools outline minimum conditions that the UNDP may require if it is going to support a project. In other cases, the tool might be shared with the partner as a basis for collaborative design. Tools 8 and 9 focus on the knowledge development of e-justice teams and can be readily shared with project partners.

Overall, this toolkit aims to:

- Harness the potential of e-justice as a tool for strategic transformation
- Bring a common foundation to UNDP e-justice projects
- Map out a process for e-justice projects that focuses on human rights, equality and inclusive justice outcomes
- Support UNDP staff to identify risks and assess project potential

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# Future Directions

E-justice is an area of development activity that can meaningfully advance UNDP's strategic priorities and make a real difference in people's lives while also combatting systemic exclusion and discrimination. E-justice transformation includes how people access justice, how legal professionals do their jobs and how the legal system is situated in society. Each e-justice initiative is an opportunity for meaningful system change. To realize these possibilities, e-justice initiatives must be carefully, though quickly, developed to seize the current opportunity to lead development-centred transformation.

The examination of trends in e-justice reveals how dramatically and quickly technology is transforming the administration of justice. Legal systems that are not transforming are unable to benefit from global trends in modernized, accountable and accessible justice. As the case studies show, UNDP has successfully facilitated e-justice that integrates development and human rights with programming and operational needs, though often contained to a region or Country Office. Harnessing and expanding this expertise is the operational challenge that e-justice presents both for UNDP itself and for the national partners it works with.

The sudden onset of the global COVID-19 pandemic in 2020 revealed the particular vulnerability of justice systems that have not adapted to new technology and new ways of delivering services. Periods of pandemic lockdown expanded the collective imagination about how legal services can be delivered. What seemed impossible, or unnecessary became first a temporary fix and then a new way of working. The pace of change during the pandemic accelerated, with a related increase in comfort with experimentation. There is a new appetite for digitalization.

The current climate of rapid change is disrupting service delivery and creating opportunities for innovation; however, these innovations must be scrutinized to ensure that this change does not undermine the quality of justice for those most in need. In the context of improving justice delivery, this is an opportunity for UNDP to provide support to rights-based justice services that prioritize justice outcomes for all, including those left behind.

Meeting this lofty goal will require attention to the skills, processes and implementation of e-justice to foster and scale-up innovative approaches. UNDP is poised to respond to requests for new hardware and software by bringing a thoughtful and rigorous approach that integrates human rights and rule of law priorities and that builds on past lessons in terms of project feasibility and sustainability. What was once seen as primarily the acquisition of new computers and servers is now properly understood as the re-design of processes rooted in an understanding of how people use systems. The hardware and devices are only the final stage of implementation.

UNDP's e-justice capacity and credibility across its Global Policy Units, as well as in its Regional Hubs and Country Offices, is based on the combination of its expertise in technology, in development practices and in substantive rights protection. It is well positioned as the largest provider of justice support in the UN system. It provides the partnership platform for justice support in crisis settings through its Global Focal Point. Not only does UNDP have experience with e-justice projects, but it also has the geographic and institutional structure to lead e-justice transformation.

As e-justice becomes a more significant focus globally, UNDP can lead strategic transformation to modernize and make more accessible the justice systems people rely on when they are most vulnerable. Deciding to lead on e-justice requires that the UNDP crystallize the lessons it has learned, articulate a coherent commitment to system change and empower its staff and donors to centre human rights, rule of law and equality in its e-justice projects. Its past e-justice initiatives demonstrate that it has the ability but not a consistent focus on strategic e-justice transformation. By formalizing its approach to e-justice, UNDP can strengthen its internal practices, establish requirements for UNDP support of e-justice and cultivate rights focused commitments from national partners, donors and technologists. This will require clear, at times courageous, actions to build internal capacity, focus on system change, and design projects that protect human rights and the rule of law to ensure accessible justice that leaves no one behind (LNOB).

# Actions for UNDP Leadership of e-Justice Transformation

## SYSTEM CHANGE

### Action: Articulate system change goals to link enthusiasm for efficiency with essential rights protections

Explore the potential to use e-justice as a strategy that integrates operational improvements with inclusivity and accessibility improvements. Coordinate different justice system actors, governments, and UN agencies to focus on e-justice as a pioneering and disruptive strategy for justice reform and rights protection. Link e-justice to ancillary systems that rely on similar public access, confidence and transparency including e-governance, constitution making and legal identity.

### Action: Build project budgets focused on inclusivity not technology

Bring a holistic view to system change by rejecting the exclusive focus on efficiency and cost savings. Require justice quality measures, rather than efficiency measures. Require that any savings generated by an e-justice initiative are reinvested into services to make justice truly accessible by all.

Be realistic and transparent with national partners and with donors about the whole budget, including eventual hardware upgrades and ongoing staff training and software costs, even after the conclusion of the donor-funded work. Resist the pressure to offer quick spends or immediate results that compromise the quality of justice outcomes.

### Action: Help justice systems prepare for future crisis and ongoing change

Recognize the risks and likelihood of crises – political, climate, economic, pandemic – as a predictable fact of modern service delivery. Prepare those working in the legal sector, including judges and decision-makers, for the inevitability of future disruptions. Make use of the Chief Digital Office supports, like its digital readiness assessment, to understand the national capacity for digital transformation and the Global Centre, Singapore to support internal and national partner teams to lead development focused e-justice projects. Support education on both the new technologies and on system change. Provide a coherent foundation in e-justice that lets legal professionals understand technical and substantive aspects of new technologies and feel comfortable navigating change.

### Action: Examine legislative parameters

Examine the regulations and legislation that applies in the e-justice context. Articulate a coherent reform agenda amongst project partners that integrates law reform into modernization efforts, including in the context of transitional, informal, and community-based justice. Examine the privacy protections and data security requirements in existing and new legislation. Propose legislative reform that incorporates the highest standards in e-justice, particularly in the context of artificial intelligence, data ownership and privacy protections.

## HUMAN RIGHTS SCRUTINY

### Action: Continually scrutinize e-justice initiatives to assess human rights implications

Bring a rigorous rights protection analysis to the design, implementation and ongoing monitoring of e-justice. Focus project partners on rights protection throughout project implementation. Conduct a risk assessment of the potential for and impact of breaches of privacy, theft, sale or misuse of personal, sensitive data at the start of e-justice project design. Regularly raise questions about and scrutinize the impact of technology or digital processes on:

- People with precarious legal identity (refugees, internally displaced persons, transgender, trafficked)
- People belonging to identity and political minority groups (linguistic, religious, racial, cultural)
- People who face systemic safety risks (women, LGBTI+, transgender, children, migrants, persons with disabilities)
- People who are identified as marginalized or have historically been excluded

### Action: Conduct robust gender analysis of e-justice

Articulate actionable gender outcomes in the design process. Require disaggregated data collection that examines women's access to justice, identification of systemic discrimination, and evidence for law reform and institutional transformation. Require UNDP supported e-justice to be designed to use inclusive gender identity concepts and to protect against discrimination based on gender identity. Require multiple gender markers in court forms and data collection tools, even where the implementation of those functionalities may await changes in domestic law. Ensure robust gender analysis to facilitate inclusive transformation.

### Action: Integrate internal accountability frameworks into e-justice projects

Assess the impact of technology on people within the justice system who have limited agency, are subject to lawful or unlawful limitations on their legal capacity or have limited access to advocates (prisoners, pre-trial detention, witnesses, persons with disabilities). Include a complaints or reporting procedure within the e-justice project to allow human rights defenders, civil society and others to identify rights abuses or exclusion arising from the digitalization. Support national partners to iteratively address issues identified by system users. Encourage financial support for a human rights institution to independently monitor a national institution's e-justice project. Support national human rights institutions to build capacity in the digital sphere and provide rights-based policy advice.

**ENSURING ACCESS TO JUSTICE FOR ALL**

**Action: Examine e-justice to identify those who are excluded or left behind**

Examine the infrastructure gaps (electricity, internet, geography) that will result in differential access. Design a multiplicity of access points to ensure equality of access despite infrastructure gaps. Identify groups of users who are excluded whether structurally or because of the cost, connectivity, access to devices, digital literacy, comfort or cultural barriers to new technologies.

**Action: Proactively provide accommodations and adaptive tools**

Assess the ease of access or use by people with literacy barriers (linguistic or technological). Integrate free, easy to use adaptive technologies and accommodations that support persons with disabilities and linguistic minorities to receive independent access to legal services.

**Action: Transition carefully, and slowly, ensuring continuity of justice for all**

Maintain analog services for an extended transition period to ensure continuity of access for everyone. Divert extra staff time and system resources to provide dedicated services for those unable to use digital tools.

**PROTECTING RULE OF LAW**

**Action: Focus e-justice initiatives on people-centred, not system-centred, transformation**

Actively balance the enthusiasm for efficiency outcomes against the quality of justice outcomes for the most vulnerable in society. Reject a substantive / operational split by including parameters for responsible technology usage into law reform initiatives to protect access to justice and the rule of law.

**Action: Strengthen judiciaries**

Keep the independence of judges and advocates as a primary concern in e-justice initiatives. Prioritize and monitor the anti-corruption impact of digitalization. Anticipate that the elimination of analog processes will be met with resistance from those who benefit from the lack of accountability and transparency in existing process. Provide training and transition procedures to build the skills of legal professionals so that the expertise of senior justice professionals (judges, lawyers, prosecutors) is retained.

**Action: Protect the data**

Scrutinize the data on which digital technologies, particularly machine learning or artificial intelligence (AI) systems, are built, alert to embedded bias. Require human oversight of machine learning and data infrastructure. Ensure all case and personal data is isolated from government control, completely segregated from health or social service records, and protected from improper use or sale. Require confidentiality systems, policies and security protocols to protect people's rights to privacy.

## STRATEGIC PROJECT DESIGN

### Action: Cultivate sustained buy-in from senior leaders

Cultivate senior level commitment and engagement from the judiciary and the political decision makers, starting with the Chief Justice and ministerial staff. The commitment and directives of these leaders will be essential to manage resistance to change and to see the project through setbacks. Bring civil society, academics, legal aid systems and bar associations into the early design of projects to establish partnerships, align training and learn about the needs of the people they work with. Build the appetite and capacity for transformation with a phased implementation. Establish feasible and sustainable expectations and timelines. Avoid promising complete fixes for complex systems.

### Action: Design with a user-centred, iterative process

Design projects with long timelines that allow for multiple iterations. Start with a small pilot and plan to learn and evolve. Introduce small, simple examples early as a strategy to prepare the system for change.

Really understand the existing process before proposing new solutions. Map out the business process, listen to multiple levels of staff and decision makers to understand how a system actually operates, to find the opportunities for transformation. The most successful e-justice projects are changes in the process, not in software or devices.

Start with a user-centred design process that listens and learn from how people experience the justice system. Users include members of the public, as well as those who are not yet using the system, due to systemic barriers or lack of confidence in the system. When assessing overall project purposes, the needs of those who work in the system are secondary to public users.

### Action: Build Sustainable Development Goals (SDG) targets and human rights obligations into the project outcomes and data collection

The design of an e-justice project is the best window to bring the full range of human rights and rule of law priorities into the project. Integrate SDG indicators and targets as well as human rights, gender equality and rule of law criteria into the program design and procurement documents. Require contractors and programmers to demonstrate how their digital solution will track or advance SDG and human rights priorities. Establish project governance to reinforce rule of law and human rights frameworks, in line with UNDP Social and Environmental Standards.

### Action: Build-up expert, sustained UNDP resources, as well as national partner resources

Maintain equal focus on the justice and development goals as on the technology goals when allocating resources to e-justice projects at the Country Office level. E-justice projects require time and resources to understand and scrutinize the implications of new technology. Staff with specialized human rights and justice sector expertise need support to cultivate the technical expertise to understand and responsibly shape e-justice. Include data analysis expertise in the project design to ensure that justice sector data can be extracted to inform policy decisions. Without a sustainable plan for data analysis with realistic budget and staffing, the data will not be effectively used.

### Action: Ensure data remains publicly owned

Raise the issue of data and technology ownership early in the planning process. Require exclusive and transparent ownership of processes and data in line with human rights standards as a requirement throughout the project. Explore avenues to develop and program dedicated technology solutions instead of opting for off-the-shelf solutions with proprietary constraints and long-term updating costs.

**Action: Collect and analyze data**

Generate, maintain and analyze aggregated data about the impact of justice services and e-justice changes. Require regular, direct access to aggregated data in the early pilot and testing stages. Cultivate a commitment to standardize metrics across project partners and ancillary users to build a comprehensive, aggregated dataset. The cross sectoral application of e-justice data to advance gender equality and prevent human rights abuses is critical to achieving the broader goals of justice system transformation. Develop and maintain active data monitoring and analysis within UNDP as well as within the beneficiary project team. Establish mechanisms for sharing analyses and transferring key lessons across institutions, to other countries and through UNDP teams.

**Action: Shape the donor experience**

Involve donors in the design process, building a realistic understanding of the outcomes, timelines and risks. Involve donors in mid-project strategic learning processes, distinct from project evaluations, focused on technical assessments, iterations and improvement with open discussion of failures and experimentation. Time communications around different phases of the project, rather than waiting until project or funding cycle completion. Include strengthening team capacity as a concrete output in donor messaging to highlight the value of long-term investment.

**BUILD UNDP CAPACITY**

**Action: Build expert UNDP staff teams empowered to assert rigorous, human rights-based frameworks**

Cultivate staff capacity within UNDP Country Offices and within the national partners. Create sustainable positions that attract and retain e-justice expertise. Support staff eager to learn and experiment with new ideas. Encourage innovation and sharing of practices across UNDP teams. Offer sustained, secure assignments on technology projects, both in the national partners and within the UNDP, to avoid the pattern of the private sector poaching experts trained with development funds.

Include a UNDP Project Manager who holds the vision for the project with equal emphasis on the technology and the rights frameworks. Gaps in internal project management create inconsistencies in the substantive rights protection priorities and undermine donor and national partner confidence in the long-term vision. As the demand for e-justice increases and UNDP activates digitalization as an enabler of its strategic priorities, a related investment in the technology acumen of its rule of law and human rights staff is necessary.

**Action: Cultivate agile expertise on digital transformation throughout human rights and rule of law teams**

Institute regional and Country Office sharing opportunities, recognizing the considerable learning curve many staff face when starting on a technology-based project. Find interactive ways for UNDP staff to learn from each other. Cultivate data analysis and interpretation expertise within Country Offices or Regional Hubs to capture and integrate data generated through e-justice initiatives to inform related social services, democracy-building, and evaluation efforts.

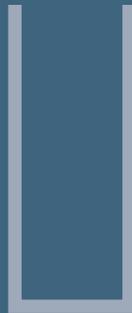
Harness the potential of the UNDP, as the biggest UN provider of rule of law assistance, by building a robust learning culture with senior level expertise in e-justice implementation. Involve senior UNDP staff in the design and piloting of e-justice to both shepherd the project through staffing or political transitions and to replicate or scale projects in other Country Offices.

**Action: Learn from failures**

Share data and invite external scrutiny of system performance during implementation, with a commitment to make changes where needed. Establish a learning culture that supports staff and national partners to identify risks throughout the implementation process. Celebrate the benefits of iterative experimentation and lessons learned.



TOOLKIT





# TOOL 1

## Preconditions for e-Justice Worksheet

This tool is designed to be used by Country Office staff prior to responding to national partner requests or proposing new e-justice projects. It identifies preconditions to sustainable, rights-based e-justice projects and helps Country Offices to track progress on UNDP and readiness and the readiness of the relevant national institutions.

STRATEGIC ACTIONS ADVANCED BY THIS TOOL	
System Change	✓
Human Rights Scrutiny	✓
Ensuring Access to Justice for All	✓
Protecting Rule of Law	
Strategic Project Design	
Build UNDP Capacity	✓

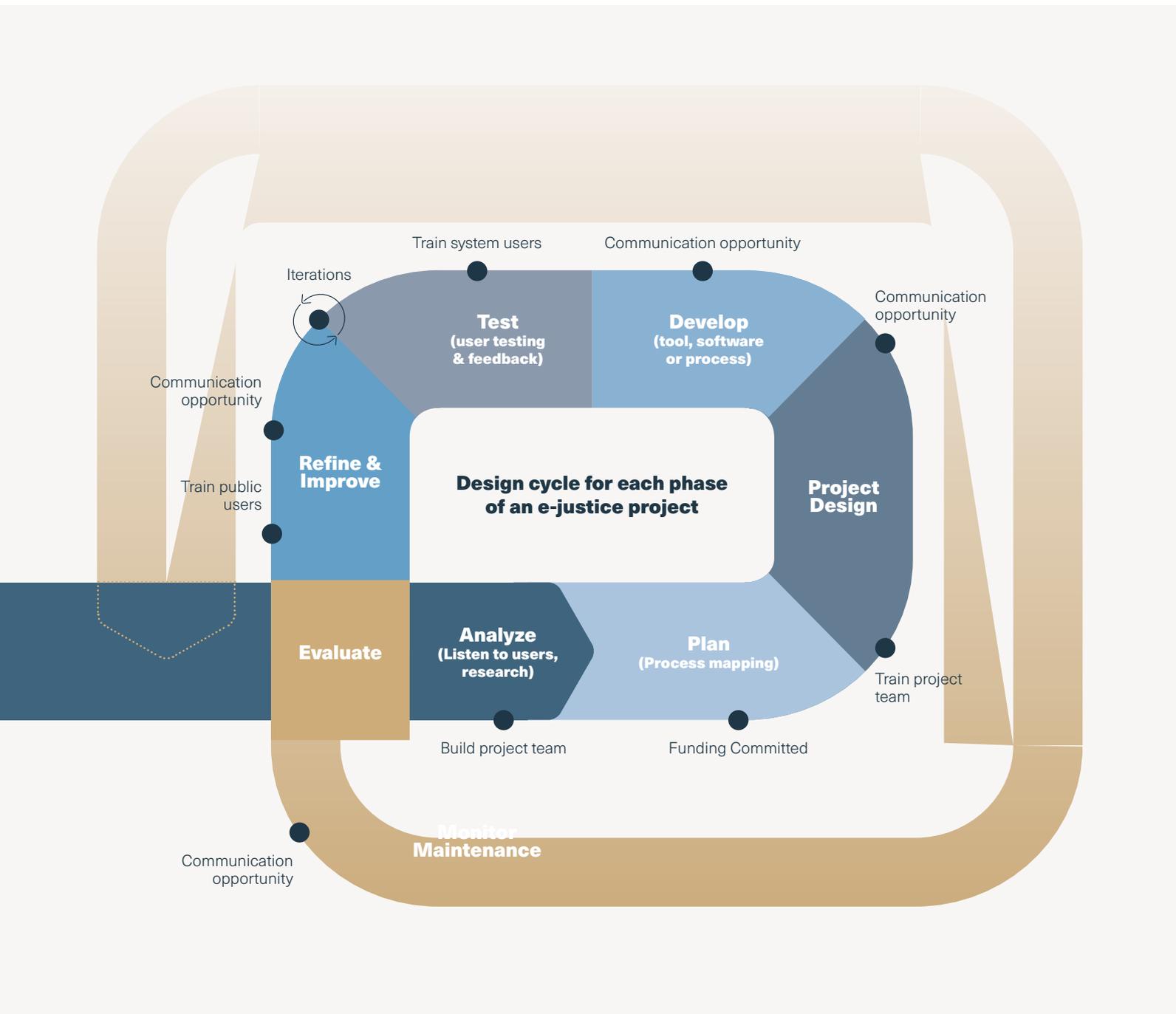
Precondition	Assess				Ideas and opportunities (Note ideas or other projects that can enhance this precondition)	Progress (Track progress on this precondition)	Ready checkbox
	Completed	Underway	Planned	No action			
(Not every precondition has equal relevance for every e-justice project)							
Common understanding of digital tools across UNDP team							
Common understanding of digital tools across national partner team							
People-centred analysis of the need							
LNOB analysis							
Gender analysis							
Human rights risk analysis							
User data available							
Articulation of justice quality outcomes							
SDG targets identified							
Digital readiness of national partner (CDO)							
Senior leadership engaged (judges, legal institutions)							
Review of relevant national legislation							
Assess internet and electricity infrastructure							
Long-range timeline							
Data security legislation and protocols in place							
Additional Preconditions for Specific Technologies							
AI / Machine learning							
Access to input data to scrutinize for bias							
Virtual Courts							
Data security legislation and protocols							
Guidelines for use of personal devices and accounts							
Assessment of internet / electricity availability							
Assessment of community venues as access points							

# 2

## TOOL 2 Design Cycle

This tool is intended to give an overview of a design process for e-justice projects highlighting the opportunities for ongoing user testing, communications and training. The blue dots indicate typical places for UNDP involvement in an e-justice project. For larger, complex projects, UNDP staff may be involved more frequently.

STRATEGIC ACTIONS ADVANCED BY THIS TOOL	
System Change	✓
Human Rights Scrutiny	
Ensuring Access to Justice for All	
Protecting Rule of Law	
Strategic Project Design	✓
Build UNDP Capacity	



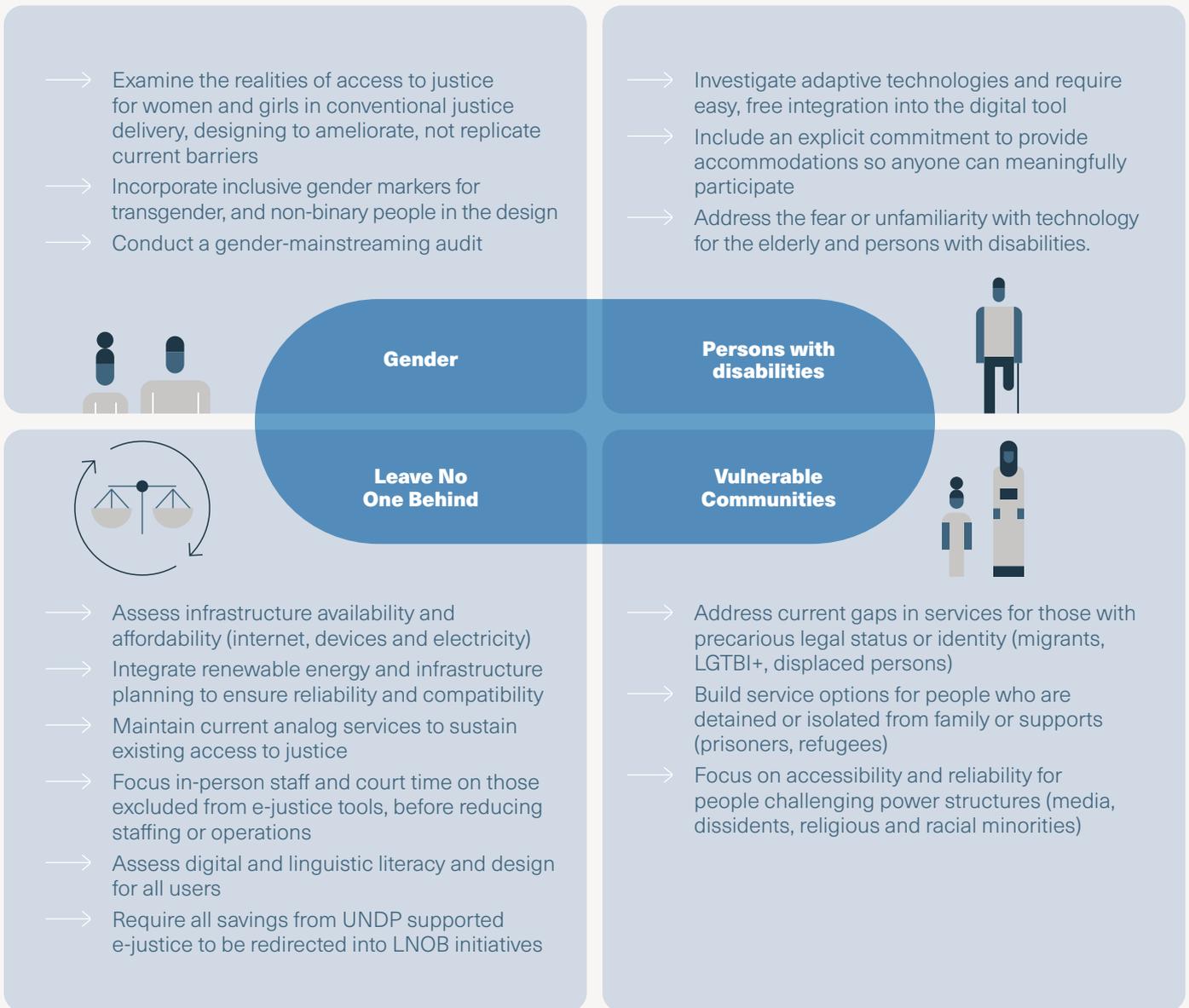
# 3

## TOOL 3 Inclusive Design

This tool is designed to help UNDP staff and national partners embed a commitment to equality and access to justice into the design process itself by bringing an inclusive lens.

### STRATEGIC ACTIONS ADVANCED BY THIS TOOL

System Change	✓
Human Rights Scrutiny	✓
Ensuring Access to Justice for All	✓
Protecting Rule of Law	✓
Strategic Project Design	✓
Build UNDP Capacity	✓



# 4

## TOOL 4 Design Checklist

STRATEGIC ACTIONS ADVANCED BY THIS TOOL	
System Change	✓
Human Rights Scrutiny	✓
Ensuring Access to Justice for All	✓
Protecting Rule of Law	✓
Strategic Project Design	✓
Build UNDP Capacity	

**This tool is designed to be used by UNDP staff in the design process. Each of these are areas where UNDP can raise project requirements or support project partners to integrate responsible and rights-based practices. These might also be monitoring or communications tasks for UNDP or donors.**

	Design Criteria	✓
System Change	Are SDG targets integrated into project monitoring?	
	Does the e-justice project collect data aligned to international standards?	
	Is there a built-in process for sharing system data with other institutions without breaching user privacy and within legal requirements?	
	Is there a training and change management plan for system users?	
	Is user feedback collected, with a framework for refinement?	
	Is user data protected by law?	
Human Rights Scrutiny	Has a human rights risk assessment been done?	
	Does the project have an internal human rights monitoring mechanism?	
	Does the e-justice project protect against racial or identity-based bias?	
	Is the machine learning process monitored and validated against inclusive metrics?	
	Is court system data segregated from government data?	
	Are there security protections to prevent misuse of data by court staff, technology developers or government agencies?	
	Does the project include support for national human rights institutions?	
Ensuring Access to Justice for All	Does the e-justice project support or enhance equality?	
	Does the e-justice project support public understanding of justice?	
	Is it built on a widely used or accessible technology or platform?	
	Does it integrate with user-centred devices or platforms?	
	Does it use accessible, or adaptable platforms?	
	Does it meet the needs of historically underserved communities?	
	Does the e-justice project use inclusive gender markers, including trans and non-binary genders?	
	Does it address geographic and technological barriers to access?	
	Does it maintain analog systems for those who cannot use digital tools?	
	Is public training and support available?	

Protecting Rule of Law	Does the e-justice project protect user privacy?	
	Are there adequate privacy and security protections?	
	Is data secure from both hacking and unauthorized viewing?	
	Does it facilitate cross profession information sharing (including protection of solicitor-client privilege)?	
	Does the e-justice project help to identify and eliminate corruption?	
	Is the algorithm design and source data transparent and available for scrutiny?	
	Does the project improve media and public access to court processes?	
Strategic Project Design	Does the e-justice project anticipate and plan for changes in technology usage?	
	Is the project timeline and budget realistic to sustain e-justice transformation?	
	Does the design team have gender, identity and ability diversity?	
	Is the e-justice project multi-platform and open source?	
	Is the technology or software publicly owned and controlled?	
	Is there an iterative design process based on feedback and early data?	
	Is migration, support, renewal built into the platform?	
	Is the data retention process clear?	
	Is user data protected by law?	
Build UNDP Capacity	Does it collect data aligned to domestic and international standards?	
	Can UNDP access data on quality of justice outcomes and impact of system transformation?	
	Is a UNDP Project Manager part of development and monitoring team?	

# 5

## TOOL 5 Procurement Checklist

This tool is designed to be used by UNDP staff when reviewing or commenting on the project procurement documents to facilitate integration of rights and equality concerns. Using this checklist as a guide, contracts with private sector developers or partners can include rights protection and rule of law requirements. Not every question will apply in every context. Asking these questions can help to keep the focus on justice outcomes as well as court efficiency or cost savings.

### STRATEGIC ACTIONS ADVANCED BY THIS TOOL

System Change	✓
Human Rights Scrutiny	✓
Ensuring Access to Justice for All	✓
Protecting Rule of Law	✓
Strategic Project Design	✓
Build UNDP Capacity	

	Design Criteria	✓
Privacy and Data Security	Does the tender require safeguards against hacking and unauthorized access?	
	Does the tender require differentiated levels of access?	
	Does the tender require data segregation from other public or private data repositories?	
	Does the tender require that all data, forms and process are owned by the court?	
	Does the tender require that all data, forms and process are owned by the court?	
	Does the tender require that there is a backup storage system, with equivalent security, in the event of technology, power or operational disruption?	
	Does the tender require the technology provider to integrate SDG-linked metrics and human rights monitoring?	
Access to Justice	Does the tender require that the platform is available to the public at no cost?	
	Does the tender require that the technology is accessible from a range of devices?	
	Does the tender require integration with existing, commonly used technologies or platforms?	
	Does the tender address upgrades and minor modifications at no or reasonable cost?	
	Does the tender require that the technology and services can be offered in different languages?	
	Does the tender require the technology to interface with adaptive technologies for persons with disabilities?	
	Does the tender require gender inclusive language in the design and interface?	
	Does the tender require tracking of costs savings through the implementation and maintenance phases, to support the redirection of all savings to LNOB activities?	
Project Evolution	Does the tender require collection of public user data or experiences of the justice system?	
	Does the tender require a design team that includes women, ethnic and cultural minorities and persons with disabilities?	
	Does the tender require inclusive implementation and user testing of the technology including women, ethnic and cultural minorities and persons with disabilities?	
	Does the tender process require early sharing of data and facilitate involvement of project partners, UNDP and donors in an iterative development process?	
Human Rights Protections	Does the tender require that any AI or machine learning processes must be disclosed and explained to both system users and the public?	
	Does the tender require that the technology provider must disclose the data set that any AI or machine learning components are based on to, among others, a judicial review group?	
	Does the tender include provisions for a human rights risk analysis or review?	
Rule of Law	Does the tender require separate access and secure firewalls between police, government, court staff, judges and lawyers?	
	Does the tender require the technology provider to be transparent about ownership and data protections to support public confidence in the justice system?	

# 6 TOOL 6 Donor Timeline

This tool is designed to identify key places in an e-justice project when UNDP can engage with the donor in the design, monitoring and project milestones. Shaping the donor experience using this timeline will engage the donor in long-term funding cycles that support iterative learning, sustainable technology, tolerance for risk and project improvement.

STRATEGIC ACTIONS ADVANCED BY THIS TOOL	
System Change	✓
Human Rights Scrutiny	
Ensuring Access to Justice for All	
Protecting Rule of Law	
Strategic Project Design	✓
Build UNDP Capacity	✓

**Communicate Progress, not Completion**  
 Throughout an e-justice project, communicate progress, including setbacks, and learning from user data about successes and failures. Engage the donor as a funding partner committed to meaningful, sustainable transformation by communicating project progress, not just post-project evaluations or reports.

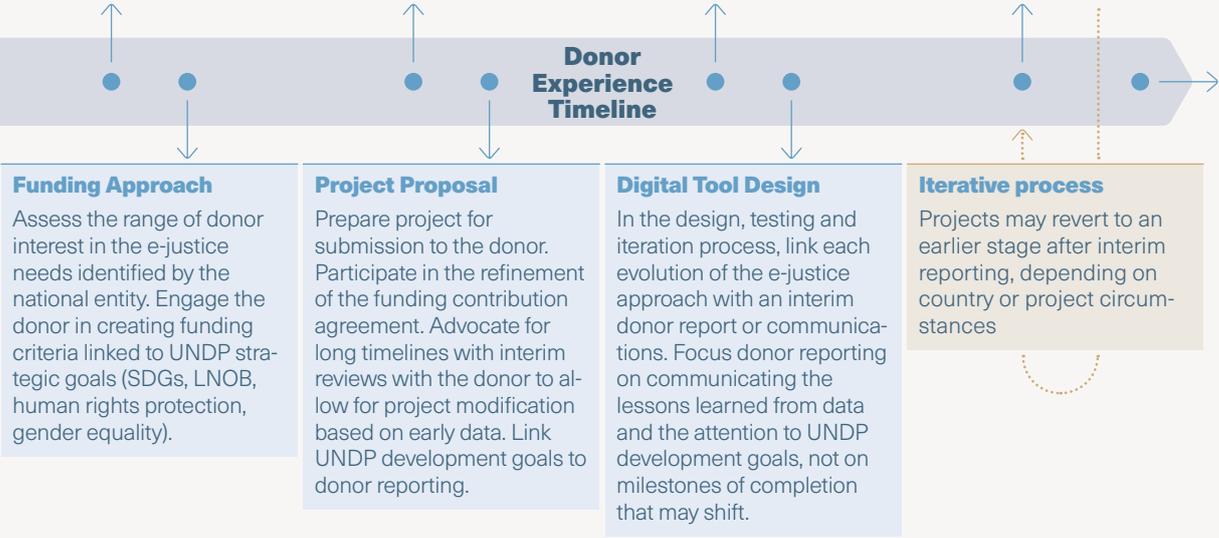
**Readiness Assessment**  
 Involve potential donors in events, launches and discussions about the needs and potential of e-justice generally. Cultivate donor understanding of the long-term needs. Educate the donor about UNDP development priorities for e-justice transformation, particularly the reinvestment of savings into LNOB efforts, human rights monitoring and SDG tracking.

**Project Design Process**  
 Share user data and inclusive design results with the donor prior to submitting project proposal. Invite donor participation in the identification of project impacts.

**Procurement**  
 As included in the contribution agreement, ensure that donor and UNDP requirements for human rights, rule of law and equality provisions are included in the procurement process.

**Interim Reporting**  
 Prepare funder reports that share highlights in the development of project team capacity, the change management process with system leaders and the feedback and modifications related to vulnerable users. Be transparent about delays and realistic about project outputs, building trust in the project team.

**Phased Final Reporting**  
 Link phases of final reporting to donors to the needs assessment and case for support for the next phase. Involve the donor in the development and planning for future funding cycles.



**Long-Term Commitments, Short-Term Cycles**  
 Cultivate long term commitments to e-justice that takes 10-15 years, based on short-term funding cycles of 2-3 years. This balances the donor interest in accountability with realistic expectations of project completion and impact.



# TOOL 7

## SDG-Linked Metrics

This tool is designed to help identify how e-justice projects link to SDG targets. Some of these are relevant for most e-justice projects (SDG 16) while others will be more appropriate for projects focused on national institutions like courts and or e-justice focused on civil society or human rights institutions. This list is only a starting point.

STRATEGIC ACTIONS ADVANCED BY THIS TOOL	
System Change	✓
Human Rights Scrutiny	
Ensuring Access to Justice for All	
Protecting Rule of Law	
Strategic Project Design	✓
Build UNDP Capacity	

### SDG TARGETS POTENTIALLY RELEVANT TO E-JUSTICE PROJECTS



#### SDG 1 No poverty

- 1.3 Access to social protection services
- 1.4 Equal access to economic resources, land ownership, inheritance, etc.



#### SDG 3 Good health and well-being

- 3.5 Strengthen prevention and treatment of substance abuse
- 3.6 Ensure universal access to sexual and reproductive health care services



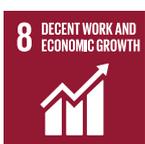
#### SDG 4 Quality education

- 4.5 Eliminate gender disparities, and ensure equal access for the vulnerable, persons with disabilities, indigenous peoples in education at all levels



#### SDG 5 Gender equality

- 5.1 End discrimination against all women and girls everywhere
- 5.1 Eliminate all forms of violence against women and girls
- 5.3 Eliminate practices like child, early and forced marriages and female genital mutilation
- 5.5 Ensure women's full and equal participation in and opportunities for leadership of political, economic and public life
- 5.6 Ensure universal access to sexual and reproductive health and rights
- 5A Give women equal rights to economic resources, property, financial services and inheritances
- 5B Enhance the use of technology for the empowerment of women
- 5C Enhance and enforce legislation to promote gender equality and empowerment of all women and girls at all levels



#### SDG 8 Decent work and economic growth

- 8.5 Achieve full and productive employment and decent work for all women and men, young people and persons with disabilities
- 8.7 Eradicate forced labour, modern slavery, human trafficking and child labour
- 8.8 Protect labour rights and promote safe and secure working environments



### SDG 9 Industry, Innovation and Infrastructure

- 9C Increase access to information and communications technology and universal, affordable access to internet



### SDG 10 Reduced inequalities

- 10.2 Empower and promote inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status
- 10.4 Adopt fiscal, wage and social protection policies
- 10.5 Improve the regulation of global financial markets
- 10.7 Facilitate orderly, safe, regular and responsible migration



### SDG 11 Sustainable cities and communities

- 11.1 Ensure access to adequate, safe and affordable housing and basic services



### SDG 16 Peace, justice and strong institutions

- 16.2 End abuse, exploitation, trafficking and all forms of violence and torture of children
- 16.3 Promote the rule of law and ensure access to justice for all
- 16.5 Substantially reduce corruption and bribery in all forms
- 16.6 Develop effective, accountable and transparent institutions
- 16.7 Provide legal identity for all, including birth registration
- 16.10 Ensure public access to information and protect fundamental freedoms
- 16A Strengthen institutions to prevent violence, combat terrorism and crime



### SDG 17 Partnerships for the goals

- 17.3 Mobilize financial resources for developing countries
- 17.6 Enhance North-South and South-South cooperation on technology, innovation and knowledge sharing
- 17.9 Enhance international support for effective, targeted capacity building
- 17.16 Enhance the global partnership for sustainable development
- 17.17 Encourage effective public, public-private and civil society partnerships
- 17.18 Increase availability of high-quality, timely and reliable data disaggregated by gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics



## TOOL 8

### Self Study on e-Justice

This tool is designed to give UNDP staff a list of articles, resources and definitions to expand their own understanding of technologies and digital tools in the legal context. This list can be shared with program partners and others looking to understand digital tools in the legal context.

#### STRATEGIC ACTIONS ADVANCED BY THIS TOOL

System Change	✓
Human Rights Scrutiny	
Ensuring Access to Justice for All	
Protecting Rule of Law	
Strategic Project Design	
Build UNDP Capacity	✓

#### SELF-STUDY READING LIST

**AI Case Study: Probabilistic Genotyping DNA Tools in Canadian Criminal Courts.** 2021. Jill R. Presser, Presser Barristers, and Kate Robertson, Markson Law. Law Commission of Ontario. Canada.

**Algorithmic Accountability for the Public Sector: Learning From the First Wave of Policy Implementation.** 2021. AI Now Institute, Ada Lovelace Institute, Open Government Partnership.

**Analysis on innovation in citizen security and human rights in Latin America and the Caribbean: A perspective from the public policies and institutional management.** 2020. UNDP Regional Centre for Latin America and the Caribbean.

**Charting the Interactions of Legal Tech and Civil Procedure.** 2020. David Freeman Engstrom and Jonah B. Gelbach. United States.

**Court Digitalization and Online Dispute Resolution: How Courts are Using Technology to Deliver More Modern Justice.** 2019. Lester Bird, Natalie Byrom, Jim McMillan, The Legal Education Foundation, National Center for State Courts, Pew Charitable Trusts and World Justice Project Report.

**Court innovations and access to justice in times of crisis.** 2020. Tania Sourdin, Bin Li, and Donna Marie McNamara. Health Policy and Technology Journal, 9(4): 447-453.

**Designing Digital Justice: Balancing the Technological Revolution and the Digital Divide.** 2020. Katie Brand.

**Digital Technologies for Better Justice: A Toolkit for Action.** 2020. Antonia Cordella and Francesco Contini. Inter-American Development Bank (IDB).

**Digital tools open the judiciary: A perspective from Argentina.** 2020. Pablo Hilaire. Medium. Argentina.

**Guidance to UNDP Country Offices on the privacy, data protection and broader human rights dimensions of using digital technologies to combat Covid-19.** 2020. UNDP.

**The Highest Aspiration: A Call to Action for Human Rights.** 2020. United Nations.

**Innovation, Resilience and Urgent Transformations towards Inclusive Justice in Latin America and the Caribbean.** 2020. Alvaro Herrero, UNDP.

**Emerging Technologies and Judicial Integrity in ASEAN: Judicial Integrity Network ASEAN.** 2021. UNDP.

**Justice Systems and ICT: What can be learned from Europe?** 2007. Marco Velicogna. Utrecht Law Review.

**Justice Trends 2: Automated Justice Get the Gist of the future for technology in justice.** 2018. Dennis D. Draeger, Shaping Tomorrow. Department of Justice Canada. Canada.

**Laying down the harmonised Rules of Artificial Intelligence (AI ACT) and amending certain union legislative ACTs.** 2021. European Commission.

**Measuring the Justice Gap.** 2019. World Justice Project.

**Non-Binding Guidelines on the Use of Social Media by Judges.** 2019. Global Judicial Integrity Network, United Nations Office on Drugs and Crime.

**ODR and the Courts: The Promise of 100% Access to Justice? 2016.** Hiil.

**Providing legal services remotely: a guide to available technologies and best practices.** 2021. Andrew Valentine and Sara Andrews et al. Open Society Justice Initiative; the Legal Empowerment Network

**Recommendations for Assessing AI Impacts to Human Rights, Democracy, and the Rule of Law.** 2021. Data & Society and the European Center for Not-for-Profit Law.

**Regulating AI: Critical Issues and Choices. 2021.** Nye Thomas, Erin Chochla and Susie Lindsay. Law Commission of Ontario. Canada.

**Still Waiting for Disruption,** 2020. Amreen Ashraf, Meredith Brown, et al. OCAD University and Calibrate Solutions. Canada.

**Study on the use of innovative technologies in the justice field: Final Report.** 2020. Dijana Spasojević. European Commission.

**When Might Blockchain Appear in Your Court?** 2018. Di Graski and Paul Embley. National Center for State Courts. United States.

**Use of digital technologies in judicial reform and access to justice cooperation.** 2021. Hiil.

## DEFINITIONS OF COMMON TERMS

**Digitization** – converting existing processes and content from analog into digital formats. This includes developing online forms, portals to submit documents or access decisions that reflect the same court processes but are now available online.

**Digitalization** – use of digital technologies to change justice processes and business models. This captures the way that technologies allow for new ways of delivering or administering justice.

**Digital Transformation** – the cultural change in systems and institutions through digital technology. This includes user-centred design, technologies that allow employers and users to work differently. Digital transformation can facilitate shifts in legal culture towards more accountability, transparency and accessibility.

## COMMON CATEGORIES OF TECHNOLOGIES AND HOW THEY ARE USED IN COURTS

### Case Management

- Digital case files
- Multi-user access to single evidence, documents
- Case progression templates / deadlines
- Case storage and retrieval
- Generates case data

### Virtual / Remote Courts

- Video hearings
- Online dispute resolution by human decision-makers
- Video access for incarcerated litigants, vulnerable witnesses, experts, etc.

### AI / Machine learning

- AI integrated into court operations
- Online dispute resolution by automated decision-makers
- Pre-drafted judgement templates
- Bail, sentencing and calculation predictors for judges / lawyers
- Judgement (result) predictors for public users

### Public Access

- e-filing
- online forms

### Data / statistics

- Court data (time to trial, resolution rates)
- User data (inquiries, types of cases, case complexity, demographics)
- Justice needs (access to justice, unmet needs, human rights defenders)

### Apps

- Access to legal information and education
- Online referrals, chat-bots
- Direct publishing of plain language decisions through email, WhatsApp, websites
- Apps to track rights abuses
- Monitoring access to justice processes by human rights defenders



# TOOL 9

## Training Ideas for Internal and External Teams

This tool is designed to help identify training topics before, during and after a new e-justice project. Training is a critical part of a change management strategy, allowing people to hear about, learn and experiment with new processes and technologies before they are expected to adopt them. Some training can be delivered across a project team, bringing UNDP staff, national partners, donors and stakeholders together to create a common foundation in the digital tools. Other trainings can be delivered by professional groups or as part of an internal team’s capacity building.

STRATEGIC ACTIONS ADVANCED BY THIS TOOL	
System Change	✓
Human Rights Scrutiny	
Ensuring Access to Justice for All	
Protecting Rule of Law	
Strategic Project Design	✓
Build UNDP Capacity	✓

Training Topics, by category	
Comfort with Technologies	Data Security and Management
<ul style="list-style-type: none"> <li>Overview of new technologies</li> <li>Innovation in the legal sector</li> <li>Research and data retrieval techniques</li> <li>Blockchain in the legal sector</li> <li>Adaptive technologies for persons with disabilities</li> <li>Uses of specific technologies</li> <li>Open Source and Open Government</li> <li>Renewable energy and sustainable infrastructure options for reliable access</li> </ul>	<ul style="list-style-type: none"> <li>How data is stored and updated</li> <li>Data security risks and strategies</li> <li>Public versus private data</li> <li>Aggregation of data</li> <li>Data analysis</li> <li>Responsible sharing of data</li> </ul>
Risks in the Justice Contexts	Artificial Intelligence
<ul style="list-style-type: none"> <li>Human rights implications of each technology</li> <li>Importance of people-centred decision making</li> <li>LNOB risks</li> <li>Accessibility of internet, devices and infrastructure</li> <li>Gender and access to justice</li> <li>Pros and cons of integration with policing</li> <li>The digital divide</li> </ul>	<ul style="list-style-type: none"> <li>Overview of machine learning</li> <li>Understanding how algorithms learn</li> <li>Risks of bias and profiling in machine learning</li> <li>Different applications of artificial intelligence in the legal sector</li> <li>Online dispute resolution with hybrid AI systems</li> <li>AI in predictive judgements</li> </ul>
Design Processes	Change Management
<ul style="list-style-type: none"> <li>User-Centred Design Practices</li> <li>Iterative development of software and processes</li> <li>Process mapping</li> <li>Inclusive design</li> <li>Learning from failure: failure reports</li> </ul>	<ul style="list-style-type: none"> <li>Theories of behavioural change</li> <li>Resistance to change</li> <li>Strategies for skill and knowledge integration</li> <li>Managing fear within a workplace</li> <li>Nudge theory and behavioral insights</li> <li>Innovation in procurement processes</li> </ul>



## TOOL 10

### UNDP Capacity Building

**This tool is designed to identify ways for UNDP staff to share lessons learned, good practices, and ideas across the UNDP network of specialized teams, Country Offices and Regional Hubs.**

#### STRATEGIC ACTIONS ADVANCED BY THIS TOOL

System Change	✓
Human Rights Scrutiny	
Ensuring Access to Justice for All	
Protecting Rule of Law	
Strategic Project Design	✓
Build UNDP Capacity	✓

#### IDEAS FOR TECHNICAL AND PROJECT MANAGEMENT TEAM DEVELOPMENT

- Create cross functional teams
- Set up secondments on e-justice projects between Country Offices
- Designate regional level project managers able to integrate into a Country Office team
- Require external consultants to offer lunch time learning sessions or presentations on new technology issues for the Country Office team

#### IDEAS FOR DEVELOPING REGIONAL EXPERTISE

- Set up real-time, synchronous sessions to share experiences within the region
- Use the Global e-Justice Map to identify project expertise on similar projects
- Engage with UNDP specialized teams in the analyse/listen stage of the design cycle, before planning with the national partner or issuing the TOR
- Scale successful projects (ex. Mizan II) in other countries
- Take advantage of the expertise in successful projects' teams to build capacity

#### IDEAS FOR CAPACITY BUILDING WITHIN THE COUNTRY OFFICES

- Invite Country Office staff to identify areas of required skill and knowledge development related to e-justice, setting an agenda for training for the team
- Link staff contract cycles to the life of the project, providing incentive for expert team members to stay with the project
- Support and reward the development of digital and technical skills within the RoLHR focused teams
- Provide time for Rule of Law Focal Point to learn about the implications of e-justice through self-study or professional development



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