



United Nations Development Programme
Country: Republic of Moldova
Project Document

*Empowered lives.
Resilient nations.*

Project Title: "Strengthening Technical Capacities of the National Institutions for the Human Rights Protection and Promotion"

UNPF Outcome(s): 1.3: State bodies and other actors effectively promote and protect human rights, gender equality and non-discrimination, with particular attention to the marginalized and the vulnerable.

Expected UNPF Output(s): 1.3.2 – Relevant public authorities are able to mainstream human rights and gender equality into all key national strategies and policies and their implementation, including in budgeting
(Those linked to the project and extracted from the CPAP)

Expected Output(s): # 1: Strengthened capacities of the human rights, equality, governance and anti-corruption public institutions in performing their key functions;
 # 2: Strengthened capacities of the National Institute of Justice
(Those that will result from the project and extracted from the CPAP)


Implementing Partner: UNDP Moldova
Responsible Parties: National Institute of Justice, Ombudsperson Office, Equality Council


Brief Description

The overall objective of the project is to improve human rights protection and rule of law, including effective national implementation of European and international instruments in the Republic of Moldova, and in-line with the national priorities, strategies and plans. The project seeks to strengthen the capacities of public institutions, which have a mandate in the areas relating to human rights, criminal justice, governance and anti-corruption, in performing their key functions, and mainstreaming human rights based approach, equality, gender issues and inclusion in their work.

Programme Period:	2013 – 2017
Country Programme Component:	Justice and Human Rights
Atlas Award ID:	_____
Start date:	January 2015
End Date:	December 2018
PAC Meeting Date	_____

Total resources required	\$ 2,416,436.00
Total allocated resources:	_____
• Regular	_____
• Other:	_____
o MFA of Denmark	\$ 2,416,436.00
Unfunded budget:	_____
In-kind Contributions	_____

Agreed by the National Institute of Justice Director a.i.:  Mariana Pitic

Agreed by the UNDP Moldova Resident Representative a.i.:  Narine Sahakyan

I. SITUATION ANALYSIS

Discrimination, exacerbated by the dimensions of corruption and a weak system of administration of justice, affects individuals and groups throughout Moldovan society. Examples include ethnic (Transnistrian region, Gargauzian region, Taraclia district and Roma), sexual (LGBT) and gender (women), all of whom experience marginalization and unequal opportunity within a broad range of daily life, as well as in relation to the specific areas mentioned above. In addition, persons suffering from disabilities in various forms are similarly affected – and in one area, persons with mental disabilities in institutions of care, conditions affecting apparently amount to cruel, inhuman or degrading treatment.

All of this has been recognised at many levels, and find a clear expression e.g. in the recommendations issued to and accepted by Moldova during the Universal Periodic Review (UPR) process, leading to the (amended) National Human Rights Action Plan for the Republic of Moldova.¹

In addition to the public institutions, which actually bear direct responsibility in relation to treatment of such groups in daily life through their obligation to respect, protect and fulfil their rights, the oversight and complaint mechanisms, described below, play a central role.

In recent years, a number of institutions tasked with e.g. oversight and accountability have been established in Moldova (see below). In principle, the increasing number of institutions in this field is a positive indication of intentions towards increased accountability, oversight and monitoring in relation to key human rights and governance issues, and in ensuring the population with mechanisms of interaction with public institutions especially in cases of violations of even a wide scope of their rights. Many different challenges face these institutions, including e.g. a politicised climate affecting all public institutions; the absence of an embedded “human rights culture” and prevalence e.g. of discriminatory perceptions in society; and, more recently, regional instability tending to shift priorities away from justice and human rights and more in the direction of security and stability. It is of course beyond this programme to impact on or even systematically address these factors, and this means that even though the programme may achieve its stated outcome the overall impact on the life of the institutions may be limited. However, it is generally recognized that these mechanisms remain weak and in need of strengthening both institutionally (in terms of mandates, infrastructure and resources) and among their staff (in terms of professional capacity, especially when it comes to undertaking the specialized functions of these institutions), and this, therefore, forms the rationale for this component. In addition to this, there is an obligation in the law for the civil servants to take at least 40 hours of training per year.²

The Ombudsperson Office has been in operation since 1998. However, all the international missions have recognised that it needs to improve its management, organisational structure and processes, and the legislation should be amended according to the international standards and recommendations. The mission has also concluded that the National Preventive Mechanism (NPM), which is acting under the auspices of the Ombudsperson Office, is not fully functionally and financially independent. A new law on Ombudsperson Office and NPM was adopted by the Parliament at the beginning of April 2014.³ In relation to the Equality Council, the first ever comprehensive anti-discrimination law was adopted in Moldova in May 2012,⁴ and the members of the Council were elected by the Parliament in the first half of 2013. The Council started its operations in September 2013 and as a newly established institution requires its capacity building. The Constitutional Court of the Republic of Moldova (CCM) is the sole constitutional jurisdiction

¹ See overall Danida programme document, including table of UPR recommendations sorted; and National Human Rights Action Plan 2011-2014.

² Law on Public Officials and the Status of Civil Servant:
<http://lex.justice.md/viewdoc.php?action=view&view=doc&id=330050&lang=1>

³ A new law on the Peoples Advocate (Ombudsperson) has been adopted in Moldova on 03 April 2014:
<http://lex.justice.md/md/352794/>

The Law replaced the previous Law on the Parliamentary Advocates as of 17 October 1997. The titles of the positions and the institutions has been changed as well: Peoples Advocate or Ombudsperson instead of the Parliamentary Advocate, and Ombudsperson Office instead of the Centre for Human Rights. The titles Ombudsperson and Ombudsperson Office are used for the purposes of the project and are consistent with the gender equality principle employed by the UNDP.

⁴ <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=343361>

authority of the country. CCM guarantees the supremacy of the Constitution, ensures the check and balance principle in the State and safeguards the accountability of the State before the citizens. As the highest tribunal ensuring the supremacy of law and protection of human rights and fundamental freedoms, Constitutional Court is undergoing constant processes of modernization, seeking to improve its activity and strengthening its role in the society. Several studies on the legislation related to the CCM are drafted as part of the Justice Sector Reform Strategy⁵ and CCM's competence might be enlarged providing possibility for individuals to submit complaints to the Court. The Strategy also envisage the professional capacity building of the CCM's staff persons.⁶ The National Anticorruption Centre was founded in 2002, but underwent major reform in 2012 following amendments to the national legislation.⁷ Capacity enhancement should address both the reactive and the preventive dimensions of the institution's work and, in addition to human rights training, may also need material assistance e.g. in terms of specially adapted software. The CPRD independent monitoring mechanism is required as an effect of Moldova's ratification of the UN Convention on the Rights of Persons with Disabilities in 2010, requiring the establishment of a national institutional focal point.⁸ However, the progressive implementation of the Convention was initiated only in 2013. Therefore, the mechanism is not yet officially recognized but exists as an initiative of a group of NGOs since 2013 and they are making their first steps on the CRPD monitoring. The process of its institutionalization is under discussion with the Government and Parliament. The Ombudsperson in Psychiatry was selected jointly by the Ombudsperson Office, Parliament, Ministry of Health, UNDP and OHCHR in 2012 as a pilot; the position has been institutionalized by the Ministry of Health in 2014. The Parliamentary Human Rights Commission must ensure local outreach, situation monitoring, and how to engage with other stakeholders e.g. to have special cases brought forward and taken from case to policy levels, as well as to monitor the implementation of the National Human Rights Action Plan, revise and promote human rights related draft laws. The National Legal Aid Council has been in operation since 2008 providing legal aid to those in need on national level, including children, people with a low income, people from vulnerable groups. The Council carries out a range of tasks relating to monitoring of the legal aid quality and reporting, is organising training courses for the legal aid lawyers and is collecting disaggregated data on legal aid.⁹ Line Ministries, other state institutions such as National Centre for Personal Data Protection, UNDP, other UN Agencies in Moldova, CoE in Moldova staff and partner civil society organisations will be eligible to benefit with the project's training where and when necessary and relevant to further strengthen development capacities of these institutions and implementation of the knowledge while working with the State institutions and civil society.

These institutions are themselves national stakeholders, both independently and, where relevant, in their interaction with the Ministries under which they are established and function. In addition, e.g. the Parliament would have a key role to play in relation to them, e.g. by defining their mandates, absorbing their reporting etc.

II. STRATEGY

Promotion and protection of human rights and equality, strengthening justice and development of democratic governance is at the core of the UN work in Moldova. In these areas, the UN is aiming to ensure that difficult and complex reforms aiming to strengthen government institutions and the justice sector remain on track, and that support is provided to move from policy and legislative formulation to practical implementation. Therefore, the United Nations-Republic of Moldova Partnership Framework 2013-2017 (UNPF)¹⁰ highlights the need for continuous support in promoting democratic governance, justice, equality and human rights. A particular focus on

⁵ Action Plan for the Implementation of the Justice Sector Reform Strategy for the years 2011-2016: Actions 6.1.1.-6.1.3.: http://justice.gov.md/public/files/file/reforma_sectorul_justitiei/srsj_pa_srsj/PA_SRSJ_adoptaten.pdf

⁶ Action Plan for the Implementation of the Justice Sector Reform Strategy for the years 2011-2016: Actions 6.1.4.: http://justice.gov.md/public/files/file/reforma_sectorul_justitiei/srsj_pa_srsj/PA_SRSJ_adoptaten.pdf

⁷ <http://cna.md/en/history>

⁸ CRPD, Art. 33

⁹ <http://www.cnaigs.md/ro/strategii-si-planuri>

¹⁰ <http://www.un.md/publicdocget/42>

strengthening capacities of the State institutions is reflected in the Outcome 1.3: *State bodies and other actors effectively promote and protect human rights, gender equality and non-discrimination, with particular attention to the marginalized and the vulnerable*. Thus, the project falls in line with the UNPF objectives and will contribute to the achievement of the planned results within the current cycle of the UN – Republic of Moldova cooperation. This provides the rationale for the UNDP to explore the opportunities for providing sustainable development assistance in this area in order to contribute towards ensuring a proper human rights and equality environment in the Republic of Moldova.

Strengthening of the Ombudsperson Office, including the National Torture Preventive Mechanism, as well as other national human rights institutions such as the Equality Council, is one of the key Government's objectives on the way of the European integration. Thus, strengthening capacities of the Ombudsperson Office is one of the objectives of the Justice Sector Reform Strategy Pillar VI¹¹ and the Government's Action Plan 2011-2014 "European Integration: Liberty, Democracy, Welfare".¹² In addition to this, the Republic of Moldova committed within the EU Visa Liberalisation Action Plan¹³ to adopt of comprehensive anti-discrimination legislation, as recommended by UN and Council of Europe monitoring bodies, and to ensure effective protection against discrimination. Further, a comprehensive list of specific actions was included to the National Human Rights Action Plan 2011-2014¹⁴ in order to establish and build capacities of the national anti-discrimination enforcement body, the Equality Council.

Therefore the project is seeking to support the implementation of the relevant human rights reforms, plans and commitments, in order to ensure that the capacities of the national human rights institutions are strengthened, so that they are able to perform their key functions on the human rights monitoring, reporting, promotion and protection.

III. PROJECT SUMMARY BUDGET

The project is funded by the Danish Ministry of Foreign Affairs within its Republic of Moldova Human Rights & Democracy Programme. The timeframe for the overall programme, of where this project is one of two components, covers the period January 2015 – December 2018, with an estimated budget for of DKK 14,499 thousands (estimated as \$ 2,416,436.00). Synergies with other Programme Components and with other projects and initiatives¹⁵ will be sought to increase the results and to use the available funding effectively.

In addition to the above estimated budget, UNDP Moldova and NIJ will make in-kind contributions to the project. The UNDP's in-kind contribution will consist in the provision of logistical support and the NIJ's in-kind contribution will consist in the provision free of charge venue for training courses and office space for Experts/Advisor and project implementation team.

¹¹ http://justice.gov.md/public/files/file/reforma_sectorul_justitiei/srsj_pa_srsj/SRSJen.pdf

¹² <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=337937>

¹³ <http://www.gov.md/doc.php?l=en&id=3397&idc=447>

¹⁴ <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=339395&lang=1>

¹⁵ The project will seek synergies with the Programme's Component 1 in terms of working with the Ombudsperson Office, prosecutors and the National Institute of Justice, with the OHCHR's EU funded antidiscrimination project in terms of working with the Equality Council, with the drafted Capacity Building of the Human Rights Institutions Project proposed for funding to the MFA of Norway in terms of working with the Centre for Human Rights and the Equality Council, with the "Strengthening Rule of Law and Human Rights Protection in Moldova" funded by the MFA of Austria in terms of working with the Constitutional Court of the Republic of Moldova, and with the other projects and initiatives identified during the preparatory stage of the implementation phase, as well as during the project implementation.

IV. PROJECT COMPONENTS AND ACTIVITIES

The overall objective of the project is to improve human rights protection and rule of law, including effective national implementation of European and international instruments in the Republic of Moldova, through the strengthening institutional capacities of key actors in relation to justice and vulnerable groups. Human rights based approach, equality, gender issues and inclusion, will be mainstreamed throughout the project implementation within every project's component.

The project seeks to strengthen the capacities of public institutions, which have a mandate in the areas relating to human rights, criminal justice, governance and anti-corruption, in performing their key functions. As indicated above, these institutions include the Human Rights Centre (Ombudsperson Office) and the National Torture Prevention Mechanism, the Equality Council, the Ombudsperson in Psychiatry, the National Anti-Corruption Centre, the Parliamentary Human Rights Commission, the National Legal Aid Council, the upcoming Monitoring Mechanism on the CRPD implementation, the National Institute of Justice, and the Constitutional Court. In addition to this, key ministries (Health, Social Protection and Education) will be involved in order to strengthen the "governance" and "human rights" components. This should be viewed in light of the fact that these ministries are key for the implementation of and reporting on a good part of international human rights recommendations, and at the same time as their staff persons were not properly trained yet to perform such kind of work.

Outcome 2		The capacity of criminal justice and national institutions strengthened	
Outcome indicator 2		Basic rights of individuals in Moldova are systematically monitored and addressed as a result of the enhanced capacity of national institutions to effectively fulfil their mandates and perform their functions, demonstrated through their engagement with other national and international stakeholders.	
Baseline	Year	2014	Institutions' staff have no special training in key NI functions; preliminary assessment (to be verified by systematic training needs and capacity assessment) indicates that national institutions lack capacity and therefore do not apply their mandates most optimally. National Institute of Justice carries out some training in human rights for justice sector actors.
Target	Year	2018	Staff of national institutions in Moldova possess professional competence in relation to key NI functions and are able to engage with other stakeholders. National Institute of Justice well consolidated and recognized as the key institution in Moldova for training in human rights for justice actors.

The project is designed according to the estimated needs of targeted institutions as assessed through individual consultations during formulation, in stakeholder meeting¹⁶ and taking into consideration the recent legislative reforms and the foundation of new institutions.

Accordingly, it is organised within the following two Activities in order to achieve the stated overall component outcome and, ultimately, the programme objective:

¹⁶ See annexed notes from stakeholder meeting

1) Strengthening capacities of the human rights, equality, governance and anti-corruption public institutions in performing their key functions

Output 1		Institutional capacity developed in monitoring and implementation of human rights standards in key national institutions (NI)	
Output indicator 1		<p>Number of staff members in participating institutions completing training programme in key NI functions, in line with identified training needs and capacity assessment and agreed with their respective institutions, hereby capacitated to act as focal points for further training within the group of institutions.</p> <p>Individual institutional support for participating institutions provided, following completion of staff training and in proportion to number of staff trained, aimed at enhancing the institutional consolidation and sustainability in terms of utilising the training of staff.</p>	
Baseline	Year	2014	<p>Staff members in participating institutions have no specific systematic training in NI-functions.</p> <p>NIs in Moldova receive very limited government funding for carrying out their functions, and only few institutions receive minor external/donor funding to support their core activities.</p>
Target	Year	2018	<p>45 persons completed training programme.</p> <p>Institutions participating in the training will have obtained funding for various forms of institutional support, enabling them to benefit fully and sustainably from the training of their staff.</p>

The project's first and major Activity consists of the design and implementation of a systematic training/coaching programme for core staff of the above-mentioned institutions. The aim will be to enhance their capacity to perform effectively in relation to their core functions and mandates. This includes, but is not limited to, the monitoring and documentation, case handling, data and findings' analysis, reporting, advocacy, human rights based approach application, mainstreaming equality, inclusion and gender issues, policy making and the legislative process; and focus on the interaction with other stakeholders such as civil society, media, Parliament, State bodies, the general public, victims of violations, and the international community (donors, UN, EU and CoE mechanisms). Strategic planning and programme design will also be addressed. Key processes such as those relating to law and policy reform and implementation in general and in particular to the UPR, reporting to the human rights bodies and the National Human Rights Action Plan implementation process, where these institutions have a key and distinct role to play, will be in focus.

1.1. Training needs and capacity assessment

The needs of targeted institutions were assessed through individual consultations during the project formulation through meetings with the institutions, stakeholder meeting¹⁷ and taking into consideration the recent legislative reforms and the foundation of new institutions. At the same time, a thorough training needs assessment of the targeted institutions staff will be performed at the beginning of project implementation. The results of the assessment will be used to decide on the design of the training programme for the staff of the targeted national institutions, and to decide on the required type and placing of advisory support, given this will influence the Terms of Reference.

In addition to this, the NIJ's capacity and training needs assessment will be performed in order to assess which type of capacity building is needed/requested. The NIJ's capacity development plan will be developed based on the needs assessment.

The UNDP capacity development facility will be decided upon when the needs assessments and proposal for capacity development is completed, including development of terms of references

¹⁷ See annexed notes from stakeholder meeting, March 2014.

(chief technical assistance/CTA or short-term consultants) and deciding upon whether a CTA should be placed with NIJ or UNDP.

Depending on the results of the training needs assessment, the main responsibility for the various aspects of planning and implementation of the training may be tasked with an international Advisor recruited for this purpose. His/her placement at the National Institute of Justice (see Activity 2 below) may further enable this institution to serve as the institutional platform for anchoring of the programme and, in turn, benefit from the expertise provided and utilise it for their own enhancement of capacity of key justice stakeholder. This is another area where synergy between Components 1 and 2 of the overall programme will be ensured.

If the decision on contracting the Advisor is recommended, then his/her role in respect of this Activity will consist in the overall design and coordination of the training programme, assisting in drafting ToRs for trainers, working with the selected trainers on the elaboration of curriculum and training materials for their respective sessions, e-courses and further coaching/consultancy, evaluating trainees progress, sessions and trainers, and in general ensure coherence throughout the course flow. The ToR for the Advisor can be further adjusted based on the recommendations of the assessment. For the moment the ToR is seen to include the task to ensure that all aspects relating to the planning and implementation of the training courses, including e.g. the identification of key resource institutions and lecturers, design of course modules and supporting materials in collaboration with the experts, and ongoing dialogue with the participating institutions. This would not only ensure the quality and continuity necessary for, in particular, Component (Development Engagement) 2 as a whole, but will also serve as a key resource for mainstreaming of human rights in the NIJ's training curricula for judges and prosecutors at the initial as well as at the continuous levels. This would enable the NIJ to benefit from the programme, and in turn be capacitated to enhance the professional competence of the justice institutions in line with the programmes' objectives. This will also ensure the building of strong synergies with Component (Development Engagement) 1 of the Programme implemented by CoE in terms of strengthening capacities of the Ombudsperson Office and prosecutors. The Advisor will play a linking and coordination role between the Programme Components in this respect.

1.2. Strengthening capacities of the targeted institutions through training course programme and application of the knowledge received

The training courses will be conducted for three years, two groups of trainees of minimum 25-30 persons will be trained during this period, so that in total minimum 45 and up to 60 staff persons from different institutions are trained by the end of the project. Each training course will consist of weekly thematic sessions organised during the one year and a half period, with assignments between the sessions and follow up work.¹⁸ In addition to this, one study visit abroad in each "semester" will be organised for trainees in order to expose them to the international experience and practices related to the issues and processes studied during the training course.

Participants should be identified and endorsed by their respective institution's management, subject to an application procedure involving the decision of the Project Board in consultation with the Advisor. This should be done with a view to ensuring their ability to benefit fully from the training and, in return, contribute towards the overall course process within the trainee group, as well as that of the institution in return to absorb their acquired skills and knowledge and provide for the sharing of this within the institutions. Ultimately, their ability to function as key resources in Moldovan society in general, and in the broader human rights field in particular, should also be kept in view.

The facilitators will be a mix of Moldovan, regional and international experts in the various fields, with an emphasis on their ability to share key relevant expertise and, not least, practical expertise with the participants in an interactive manner. In this aspect, the project will seek synergies with Component 1 of the Programme implemented by CoE in order to draw on the international experts into the training activities where possible and relevant. The Advisor and the Coordination Working Group (see part VI. Management Arrangements for more details) will play a linking and coordination role between the Programme Components in this respect ensuring that the experts

¹⁸ See implementation plan

involved into the Component (Development Engagement) 1 can also be available to work within Component (Development Engagement) 2 and vice versa. During Component (Development Engagement) 1 experts' visits to Moldova in connection with the training, their capacity should be used as well to assist the individual institutions in various ways, as outlined below under Activity 1.4.

The approach involved will be based on the training of all staff persons involved from the targeted institutions in one issue or process at a time, thus building the capacities of all the relevant staff of each institution. The organisation of the training course will be structured in the following way:

- 1) The administration of targeted institutions is selecting and delegating training participants taking into account gender balance and minorities participation;
- 2) Delegated staff of targeted institutions, which is working in the similar departments, is united in the groups (e.g., one group of staff from Communication departments, one group of staff from legal departments etc.), and training sessions are organised in these groups in order to build the understanding and the role of the corresponding departments in the studied issue or process;
- 3) Staff from different departments of the same targeted institutions are grouped (e.g. staff of the Ombudsperson Office, staff of the Equality Council etc.) and final training session(s) organised in order to build clear roles, responsibilities and cooperation communication lines within each individual institution regarding the studied issue or process;
- 4) Provision of feed-back and advice to the management of the targeted institutions about the strengths and weaknesses of the staff and about further organisation of work regarding the studied issue or process.

The experience shows that the best educational activities should address three aspects of the learning process: knowledge, skills and attitudes. Addressing all the three components is allowing achieving a competency-based learning. While attitudes and knowledge are addressed during the training sessions, the skills can be only developed with the practical exercises. In our case, this can be done with the implementation of the knowledge received on practice within the daily work of the involved staff persons of the targeted institutions. Therefore, the training sessions will be supplemented with the in- and post-training follow-up activities performed by the contracted trainers. The follow-up activities will include, where relevant, the following:

- Giving tasks for participants between the sessions, so that they can try to implement the knowledge received on practice and come back to the following session with the new experiences and questions about the implementation;
- Staying in on-line contact with the participants (see activity 1.3. below) in between the sessions, so that participants can address the trainers further question and take part in the group discussions;
- To draft with the training participants a map/scheme of responsibilities and cooperation within each participating institution on the training specific issues and/or processes;
- Follow-up coaching and consultancy after the end of thematic training sessions, so that participants and the management of the targeted institutions can continue be in contact with the trainers for at least 2 months more and benefit with their consultations and advice; the trainers may be also required to further coach selected staff in case of a need.

1.3. Institutionalisation of the on-line training courses and broadening their impact

The elaboration of thematic e-courses based on the curricular and materials produced for the off-line training courses (see activity 1.2. above) will ensure that the knowledge produced is kept and can be shared further, that the curricular and training materials can be easily updated and enriched. In this respect, e-courses are unique contemporary tools which have a long-lasting multiplication effect potential. The application of internet-based tools will allow ensure sustainability of the training course, to keep and share the knowledge products produced, and ultimately institutionalise and allow further teaching through the NIJ and/or other interested entities following the end of the project.

The elaborated on-line course can be further used to train a wider group of interested persons, including staff persons of the public institutions, journalists as well as staff of NGOs and activists. Although journalists, NGOs and activists are not target groups for the project, they, as well as the other actors (e.g. universities) can benefit with the e-courses. This will also contribute to the effective use of the resources and targeting a wider group of persons, which is bringing additional added value to the project and the whole Programme.

In this respect the project is also aiming to draft the curricular and training materials in at least Moldavian/Romanian, Russian and English to make it accessible for persons belonging to linguistic minorities in the Republic of Moldova, including but not limited to those living in Gagauzia (predominantly populated by Gagauzians), Taraclia district (predominantly populated by Bulgarians) and Transnistrian region (with mixed Moldavian, Ukrainian, Russian population), Chisinau and Balti municipalities (with mixed population) etc. The multi-linguistic approach will also help to promote and share the e-courses with those interested abroad, both from the West and East of Moldova.

In addition to this, the positive aspects of the e-courses include the following: they can be accessed anywhere through the Internet, including in the regions and rural areas; the e-course participants have a privilege to select a convenient time for the participation in the e-course; e-courses do not require renting the premises for training and covering travel and accommodation costs and printing out training materials. Thus, the training costs can be considerably reduced following the initial investment to the elaboration of the e-courses, and they will furthermore bring positive sustainable environmental effects.

Both national and international training experts will play a crucial role in the organisation of training courses and elaboration of e-courses. Their key roles and responsibilities will include, but will not be limited to, the following:

- To prepare training curricula on specific topic, training materials in at least one language (Moldavian/Romanian, Russian and/or English) split into training sessions;
- To draft the materials taking into account the specifics of the target groups: staff persons from different departments, including law, policy, analyses, education and awareness raising, and communication will be involved;
- To draft curricular and materials for the e-course, as a dynamic training curricular, for its sustainability, and further institutional anchoring within the NIJ and/or other institutions;
- To conduct the off-line training for several groups of participants composed:
 - o Firstly, of staff persons from the same departments of different institutions – in order to build their departmental understanding, role and commitment to the implementation of the issues/processes studied;
 - o Secondly, of all staff persons from different departments of the same institutions – in order to realise the roles and responsibilities within the specific issues and processes and to build effective and productive communication and cooperation lines within the institutions involved;
- To organise follow up to the training:
 - o Between the sessions and after the training to work individually with the groups of training participants from each of the participating institutions;
 - o To draft with the participants a map/scheme of responsibilities and cooperation within each participating institution on the training specific issues or processes;
 - o To be available for the participants on-line in order to answer additional questions, provide after the training consultations and advice for at least two months after the end of the training.

Experts will combine both off-line and on-line methods of work, which will be especially important for the continuous engagement and follow up activities with the international experts. International experts will need to travel to Moldova for the conduction of the off-line training sessions and will continue to their on-line follow up work from abroad.

1.4. Supporting carrying out key functions of the National Institutions

In addition to the training/coaching itself, the institutions participating should be able to access smaller amounts of funding for their individual institutions for activities, which can be justified as prerequisites for implementing the training results most effectively. This will be done proportionally to and contingent upon successfully supporting their staff in taking part and completing their training directly covering the agreed costs and services by the project.

The proposed training funding should support initiatives suggested by the staff of national institutions, who is benefitting or have benefitted from the training courses in order to facilitate their further capacity development. UNDP will develop a Guidelines with clear criteria for the use of the funding, which will be submitted to the Project Board for adoption. Support will be given in a priority manner for the implementation of innovative and/or reform initiatives, are for the implementation of functions, which are also advancing human rights of persons belonging to the vulnerable, minority or marginalised groups in the Republic of Moldova. The support should not be used for visits or training abroad, and it should complement the strategies and work plans of the national institutions whose staff have benefitted from training, no matter whether this training has been funded under the present programme or by another programme. The management of the funding will be flexible and decisions on funding expedient (e.g. within three weeks). The funds will be managed and administered by UNDP with the assistance of the Funding Committee (the composition of the Committee will set up in the Guidelines and it will also include the participants of the training courses on the rotation manner) to ensure high utility rate, smooth and quick administration and implementation. UNDP will report annually to the Project Board on the funding provided.

Institutions will submit justified proposals with major plans, developed in consultation with the Advisor, and subject to accountability measures from the part of the Project Board. At the same time, the Programme will be implemented in a flexible manner to be able to respond to the ad-hoc and/or unforeseen developments, which may require involvement of the targeted institutions with the implementation of the knowledge received.

A key element in relation to this work is, furthermore, to actively draw upon the international expertise brought to Moldova and made accessible to the national institutions. This means, for instance, that the aim will be to connect a group of key relevant international experts to the programme on an ongoing basis, to allow themselves to familiarise well with the Moldovan context and the daily life and challenges of the institutions. When coming to teach in the programme they will therefore, in addition to engaging with the participants and strengthening their capacity to act as focal points in their respective institutions, furthermore circulate among the institutions in order to provide further assistance to their staff and management. This will serve the purpose of linking the two activities (training programme and individual institutional support) much more closely together into one coherent intervention.

The project will seek synergies with the Component (Development Engagement) 1 of the Programme implemented by CoE in order to draw on the international experts into the coaching and follow-up activities where possible and relevant. The adviser will play a linking and coordination role between the Programme Components in this respect, as well as will lead the screening and needs assessment for the institutions in order to ensure the most effective use of the provided funding.

All in all the three project Activities under this Development Engagement taken together will ensure that the training programme, in itself through the training sequences as well as by way of its further institutionalisation as well as by facilitating international expertise to the institutions, serves as the "backbone" for what is in reality a much more comprehensive and targeted capacity building process. While maintaining a common focus it will still allow the institutions to have their specific material needs addressed as well in a manner which provides an alternative to other forms of project and programme support which would be a challenge for some of the smaller institutions in particular to absorb.

2) Strengthening capacities of the National Institute of Justice

Output 2		Capacity of the National Institute of Justice developed to ensure institutionalization of training in human rights standards and criminal justice, and implementation hereof	
Output indicator 2		National Institute of Justice functions as the ongoing anchoring platform for training activity and other joint institutional support in human rights and NI functions for the NIs, e.g. e-library; curriculum with resource materials; network/resource group of staff in participating institutions established; human rights training for justice sector enhanced	
Baseline	Year	2014	No joint facilities of support and/or cooperation for the institutions and no comprehensive or joint training facility for institutions staff. Some training activity in human rights carried out at the National Institute of Justice.
Target	Year	2018	Facilities provided, with the National Institute of Justice capacitated to serve as the anchor for the ongoing capacity building and networking among the NIs in Moldova, and in terms of provision of high quality human rights training within the justice sector institutions.

The National Institute of Justice (NIJ) is envisaged as playing a key role in relation to the implementation of the whole programme. The NIJ is uniquely positioned to bridge both components of the programme in terms of involvement of the target groups as specialised educational institution, hosting the Coordination Working Group (see part VI. Management Arrangements for more details) meetings, training sessions, including for the training described above, and also in relation to capacity building under Component 1, and will host other programme related events. The Institute would not only provide an office space for the Component 2 and serve as a logistical platform for the training, but as well ensure the anchoring of the programme to ensure its sustainability during and beyond the programme duration. Having the NIJ as a centrally placed institution at the intersection between the two programme components, strongly involved in both, will provide opportunities for close synergy and interaction between the two Programme Components, especially in relation to engagement with the Ombudsperson Office, prosecutors and the National Institute of Justice itself, as well as with the training activities conducted under Component 1.

The work under this Activity will be structured in the following way:

- 2.1. Developing the capacities of the NIJ in the provision of the up to date training services for the key targeted public institutions on the effective exercise of their functions for the effective national implementation of the human rights standards and recommendations:
 - a) Organisation of premises at the NIJ for the seminars: renovation of the training and project office premises, equipment with the furniture, video and audio equipment, including for the teleconferencing purposes;
 - b) Elaboration of curricular and educational materials for the training course (see Activity 1 above); this will be done in close consultation with the Advisor and training course resource persons, e.g. lecturers/facilitators;
 - c) Organisation of seminars for the targeted public institutions.
- 2.2. Developing the capacities of the NIJ in the provision of the up to date training services for future judges and prosecutors and other actors of the judiciary sector, ensuring curricular correspondence with the substantive and procedural international and national law; mainstreaming of the international and regional human rights instruments and standards, including on gender equality, equality and non-discrimination, racism, intolerance and hate speech, anticorruption and professional ethics, into the curricular:
 - a) Study visit to the peer institution(s) on the organisation of the contemporary training for judges and prosecutors and the requirements for the training programmes;

- b) Revision and/or drafting of the initial and continuous curricular for justice professionals;
- c) Updating and/or drafting of relevant initial and continuous training manuals and materials for future justice professionals;
- d) Piloting of the updated initial and continuous curricular and materials.

2.3. Application of internet-based technologies for the NIJ's training purposes:

- a) Elaboration of on-line (distance) training courses for judges and prosecutors taking into account international best practices, and carrying out ToT for trainers and staff persons on on-line training courses;
- b) Establishing of tools for on-line participation in the training seminars for NIs and other relevant NIJ activities, which can be used both in Moldova and with peer institutions abroad.

As mentioned above, the project aims to put all the drafted curricular and training materials on-line, so that participants can further work both on-line and off-line in-between the session. This will be done for the revised existing NIJ's training courses for judges and prosecutors.

2.4. Support to the establishment and capacity building of the NIJ's Legal Resources and Information Centre in order to provide the targeted public institutions, prosecutors and judges with the relevant updates and analysis on the national and international legal frameworks, methods of their application on practice:

- a) Enriching library and development of e-library for judges, prosecutors and NHRIs with human rights information in key applicable languages for Moldova and the region in a strong synergy with the Component 1 of the programme through the Advisor and the Coordination Working Group;
- b) Capacity building of the staff in communication and for the provision of information and analytical services for judges and prosecutors.

2.5. Assistance with the alignment to the EU standards and requirements for the peer justice professionals training institutions.

The Republic of Moldova is going on the way of the EU integration and the Association Agreement is expected to be signed during the summer 2014. Therefore the work on the implementation of the EU standards will be continued, as elaborated on in the overall programme document. NIJ will be one of the institutions, which will need to align its rules and procedures to the EU standards. In addition to this, the dissemination of the EU Court of Justice jurisprudence and the standards and practices of the prosecutors' offices and judicial institutions in Europe will be necessary. The Project will support the NIJ on the way of these reforms. This work will also be implemented in coordination with the Component 1 of the programme through the Advisor and the Coordination Working Group.

V. ANNUAL WORK PLAN

Years: January 2015 – December 2018

	EXPECTED OUTPUTS <i>And baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME		
			2015	2016	2017
<p>Output 1: Strengthened capacities of human rights, equality, governance and anti-corruption public institutions in performing their key functions</p> <p>Baseline: B1. No systematic training programme in the functions of National Institutions (NIs), and little access to relevant international expertise for these institutions, resulting in limited institutional capacity; B2. NIs in Moldova receive very limited government funding for carrying out their functions, and only few institutions receive minor external/donor funding to support their core activities;</p> <p>Indicators: I1. Number of trainees trained; I2. Institutionalisation of training courses within the NIJ and/or other institutions; I3. Number of staff initiatives funded by the project;</p> <p>Targets: T1. Minimum 45 staff in institutions and relevant Ministries having completed a comprehensive training; T2. Courses institutionalised within the NIJ and/or other institution; T3. At least 10 initiatives funded and implemented.</p>	<p>1.1. Training needs and capacity assessment: - Training needs assessment of the targeted institutions performed; - NIJ's capacity and training needs assessment performed; - Advisor contracted (if it is decided following the assessments).</p> <p>1.2. Activity Result: Strengthened capacities of the targeted institutions through training course programme and application of the knowledge received: - Contracting experts/trainers; - Elaboration of curricular and training materials; - Organisation of training courses; - Organisation of follow up activities.</p> <p>1.3. Activity Result: Institutionalisation of the on-line training courses and broadening their impact: - Translation of the curricular and training materials; - Elaboration of e-courses.</p> <p>1.4. Activity Result: Implementation on practice of the knowledge received by staff of the targeted National Institutions: - Elaboration and launching of the Knowledge Implementation Support Scheme; - Collection and evaluation of the proposals/initiatives received; - Funding and implementation of the selected proposals/initiatives.</p>				
<p>Output 2: Strengthened capacities of the National Institute of Justice</p> <p>Baseline: B1. Courses are not periodically updated; B2. No joint facilities of support and/or cooperation for the institutions.</p>	<p>2.1. Activity Result: Strengthening capacities of the NIJ for the training sessions for targeted National Institutions: - Renovation of training and project office premises; - Organisation of seminars at the NIJ premises.</p>				

<p>Indicators: I1. Number of updated and/or drafted training courses; I2. Existence of equipped facilities for cooperation with peer institutions and for on-line (distance) training courses;</p> <p>Targets: T1. All training courses are updated; T2. Facilities equipped for cooperation with peer institutions and for on-line (distance) training courses.</p>	<p>2.2. Activity Result: Strengthening capacities of the NIJ in training judges and prosecutors: - Study visit to a peer institution(s); - Revision and/or drafting of the initial and continuous curricular; - Updating and/or drafting of relevant initial and continuous training manuals and materials; - Piloting of the updated initial and continuous curricular and materials.</p> <p>2.3. Activity Result: Application of internet-based technologies for the NIJ's training purposes: - Elaboration of on-line (distance) training courses for judges and prosecutors; - Establishing of tools for on-line participation in the training events with peer institutions.</p> <p>2.4. Activity Result: Establishment and capacity building of the NIJ's Legal Resources and Information Centre: - Procurement of books, e-books and periodicals; - Staff training in the provision of communication and related analysis services.</p> <p>2.5. Activity Result: Alignment to the EU standards and requirements for the peer, justice professionals training institutions: - Provision of the consultancy of the EU standards and requirements; - Assistance with the alignment to the EU standards and requirements; - Training on the EU Court of Justice jurisprudence; - Training on the standards and practices of the prosecutors' offices and judicial institutions in Europe.</p>				
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VI. MANAGEMENT ARRANGEMENTS

The project will be implemented under the National Implementation Mechanism (NIM). This means that the project beneficiary (National Institute of Justice) will be responsible for the decision-making and implementation of Project activities, while UNDP will provide quality assurance, project inputs and support services. The National Institute of Justice will act as the Senior Executive (National Coordinator) and will represent the interests of the Government of Moldova and be responsible for the overall implementation of the Project. A Project team will assist the project beneficiary in the implementation of the project.

Project Board: The focal point of the project management architecture is the Project Board. The Board is the overall authority for the Project and is responsible for its initiation, direction, review and eventual closure. Within the confines of this Project, the Board is the highest authority.

The Project Board represents at managerial level the interests of the following roles and the respective organizations:

- **Project Executive** (National Coordinator) – National Institute of Justice will be the project national coordinator that will have the overall ownership over the project results and will chair the Project Board. National Institute of Justice will represent the project beneficiary, which has the overall coordination responsibility in the specific areas of justice sector reform;
- **Senior beneficiary** – National Institute of Justice, the Ombudsperson Office, Equality Council, Constitutional Court, National Anticorruption Centre, National Preventive Mechanism, CPRD independent monitoring mechanism, Ombudsperson in Psychiatry, The Parliamentary Human Rights Commission, National Legal Aid Council, Ministry of Health, Ministry of Education, Ministry of Labour, Social Protection and Family, civil society;
- **Senior supplier** - project donors: Ministry of Foreign Affairs of Denmark, UNDP, NIJ.

Board members will be senior managers and will have the authority and responsibility for the commitment of resources to the project, such as personnel, cash and equipment. The Project Board will 'manage by exception', meaning Board members will be regularly informed of the Project progress but will only be asked for joint decision making at key points in the Project implementation. All the other matters will be decided by the project team on a daily basis in due consultations with the UNDP Moldova.

The **Project Board** is appointed to provide overall direction and management of the Project. It is responsible for ensuring that the project remains on course to deliver products of the required quality to meet the expected outcomes defined in the Project Document. Furthermore, the Board is accountable for the success of the Project and has responsibility and authority for the Project within the instructions set by UNDP programme management. The Project Board approves all major plans and authorizes any major deviation from agreed Project work plans. It ensures that required resources are committed and arbitrates on any conflicts within the project or negotiates a solution to any problems between the project and any parties beyond the scope of the project. The dates of the Project Board meetings will be proposed by the Coordination Working Group and are communicated in advance to the Project Board members, including the Ministry of Foreign Affairs of Denmark so that the Ministry can decide about its participation. The Project Board meetings should be organised at the same day both for the Component (Development Engagement) 1 and the Component (Development Engagement) 2 of the Programme.

Project Manager: It is the responsibility of the UNDP Project Manager in cooperation with the Chief Technical Advisor (CTA or Advisor) to plan, oversee and ensure that the Project is producing the right outputs, at the right time, to the right standards of quality and within the allotted budget. The main tasks of the Project Manager include:

- Overall planning for the whole project;
- Motivation and leadership of the Project staff;
- Supervise the Project;
- Liaison with UNDP Programme Management;
- Fund management, allocation, coordination;
- Reporting progress to the Project Board;

- Project quality management;
- Work with other agencies of the UN Country Team – in particular in the framework of the UN Team Group on Human Rights, Gender and Justice -- and other relevant stakeholders, to maximize impact of the action.

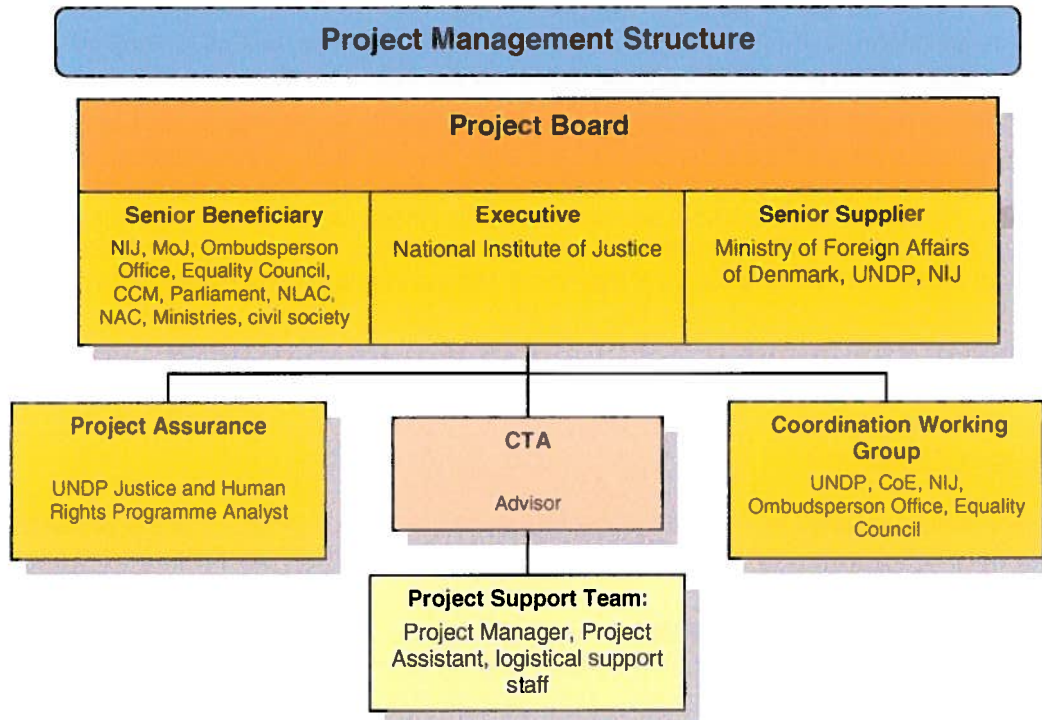
Project Assurance: Assurance is a key element of the PRINCE2 management method, upon which the Project Management Arrangements are based. 'Assurance' is essentially an independent audit function, whereby the Project Board is able to monitor progress against agreed work plans. The Project Assurance role supports the Project Board by carrying out objective and independent project oversight and monitoring functions. This role ensures appropriate project management milestones are managed and completed. The Project Assurance is the responsibility of each Project Board member. On behalf of UNDP the function is delegated to the UNDP Justice and Human Rights Programme Analyst. The National Coordinator may appoint its representative(s) to carry out the project assurance role on behalf of the project executive.

The project is a part of the wider Programme funded by the Ministry of Foreign Affairs of Denmark. The Programme consists of the Component (Development Engagement) 1 implemented by the CoE, and the Component (Development Engagement) 2 implemented by UNDP (the actual Project). Therefore a **Coordination Working Group** will be set up as part of the Project Assurance. The Group will consist of the UNDP, CoE and NIJ representatives, as well as the Advisor, involved in the Project implementation to insure coherence of the overall Programme implementation and to ensure synergies between the Components 1 and 2 and the complementarity of the actions taken within the both Components (Development Engagements).

UNDP will carry out monitoring and assessment of risks, as well as provide narrative and financial reporting to project donors on a regular basis as determined by specific agreement. UNDP follows international standards in the implementation of project and programmes according to the UNDP results Management Guide (<http://content.undp.org/go/userguide/results>)

The implementation of the project activities will be supported by a project team. The proposed composition of the project team is: Advisor, Project Manager, Project Associate and other logistical support staff; their duties and responsibilities shall be reflected in their terms of reference. The project staff will be placed in the NIJ's premises and will require the necessary ICT equipment to ensure functionality and operability of the project, including computers, UPSs, photocopy machine, phones, fax, etc. The project team will have a possibility to take part in the staff development activities in Moldova and abroad, which are relevant and necessary for their effective performance and project implementation.

UNDP Moldova Country Office will support the implementation of the project through: provision of in-kind contributions (support, materials, car), soft assistance in project management, assistance in recruitment of staff and project start-up activities, in procurement of goods and services; advocacy and support for national counterparts in additional fund-raising for project activities, monitoring and evaluation of the Project implementation and project audit (in case needed) according to UNDP rules and procedures.



VII. MONITORING FRAMEWORK AND EVALUATION

In accordance with the programming policies and procedures outlined in the UNDP User Guide, the project will be monitored through the following:

Within the annual cycle

- On a quarterly basis, a quality assessment shall record progress towards the completion of key results, based on quality criteria and methods captured in the Quality Management table below.
- An Issue Log shall be activated in Atlas and updated by the Project Manager to facilitate tracking and resolution of potential problems or requests for change.
- Based on the initial risk analysis submitted (see annex 1), a risk log shall be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.
- Based on the above information recorded in Atlas, a Project Progress Reports (PPR) – semi-annual and annual – shall be submitted by the Project Manager to the Project Board through Project Assurance, using the standard report format available in the Executive Snapshot.
- A project Lesson-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project.
- A Monitoring Schedule Plan shall be activated in Atlas and updated to track key management actions/events.

Annually

- **Annual Review Report.** An Annual Review Report shall be prepared by the Project Manager and shared with the Project Board. As minimum requirement, the Annual Review

Report shall consist of the Atlas standard format for the QPR covering the whole year with updated information for each above element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level.

- **Annual Project Review.** Based on the above report, an annual project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. This review is driven by the Project Board and may involve other stakeholders as required. It shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes.

VIII. LEGAL CONTEXT

This project document shall be the instrument referred to as such in Article 1 of the SBAA between the Government of Moldova and UNDP, signed on October 2, 1992 and the amendment of the same of July 5, 1997.

Consistent with the Article III of the Standard Basic Assistance Agreement, the responsibility for the safety and security of the executing agency and its personnel and property, and of UNDP's property in the executing agency's custody, rests with the executing agency.

The executing agency shall:

- a) Put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;
- b) Assume all risks and liabilities related to the executing agency's security, and the full implementation of the security plan.

UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of this agreement.

The executing agency agrees to undertake all reasonable efforts to ensure that none of the UNDP funds received pursuant to the Project Document are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.

The following types of revisions may be made to this project document with the signature of the UNDP Resident Representative provided that he is assured that the other signatories of the project document are in agreement with the proposed changes:

- a) Revisions in, or addition of, any of the annexes to the project document;
- b) Revisions which do not imply significant changes in the objectives, outputs or activities of the project, but are caused by the rearrangement of inputs agreed to or by cost increases due to inflation; and
- c) Revisions which re-phase the delivery of agreed project inputs or increased expert or other costs due to inflation.

Changes to be introduced should be discussed and agreed on up by members of the Project Board.

Annex 3 Risk Log

RISK LOG¹⁹

Project Title: Strengthening Technical Capacities of the National Institutions for the Human Rights Protection and Promotion				Award ID:		Date: 08 August 2014			
#	Description	Date Identified	Type	Impact (I) & Probability (P) Scale: 1 (low) – 5 (high)	Countermeasures / Mngmt response	Owner	Submitted, updated by	Last Update	Status
1	Regular parliamentary elections and appointment of a new government, changes in the management of the partner institutions	11.06. 2014	Political	Delays in project implementation related to the Government reshuffling. P = 3 I = 3	The activities shall be started with the organisations which will not experience changes in the management. To work with mid-level staff, since they are most unlikely not to be reshuffled; to involve as much staff as possible to ensure long institutional memory.	Project executive	UNDP		
2	Lack of qualified consultants	11.06. 2014	Organisational	Delays in hiring plans and advancement of project implementation P = 2 I = 3	Develop specific outreach campaigns and motivation schemes to attract qualified national and international individuals.	Project executive	UNDP		
3	Staff turnover in State institutions	11.06. 2014	Organisational	Delays in project implementation and lack of institutional memory in the State institutions P = 2 I = 2	Changes will be embedded into the officially approved rules, procedures and plans and e-courses elaborated to ensure the institutional memory and sustainability.	Project executive	UNDP		
4	Low receptiveness of the State institutions employees on the implementation of new knowledge received	11.06. 2014	Organisational	Reduction in the project's results sustainability P = 2 I = 2	Engage in continuous dialogue with the management of the target State institutions on the performance of trained employees. Provision of incentives for the implementation of knowledge received.	Project executive	UNDP		
5	Political instability and/or	08.08.	Political	Delays in project	Engage in a dialogue with the	Project	UNDP		

¹⁹ By the time of submission this will be replaced by a more comprehensive Risk Assessment and Mitigation framework, including a "Plan B" in case e.g. the Ombudsman is not appointed.

