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STRENGTHENED RULE OF LAW AND RESPECT FOR HUMAN RIGHTS IN NEPAL

THIRD ANNUAL WORK PLAN
1 OCTOBER 2006 to 10 JUNE 2007

31 OCTOBER 2006

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DISCLAIMER

The author's views expressed in this publication do not necessarily reflect those of the United States Agency for International Development or the United States Government.

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PRELIMINARY TRAINING SCHEDULE	19

ACRONYMS

ADR	Alternative dispute resolution
ARDROL	ARD Rule of Law Project
CIAA	Commission for the Investigation of the Abuse of Authority
DANIDA	Danish International Development Agency
FNCCI	Federation of Nepalese Chamber of Commerce and Industries
JC	Judicial Council
JS	Judges Society Nepal
LCF	Local coordination forum
MOLJ	Ministry of Law, Justice, and Parliamentary Affairs
NGO	Nongovernmental organization
NJA	National Judicial Academy
NVC	National Vigilance Center
OAG	Office of Attorney General
PY	Project year

1.0 INTRODUCTION

The ARD Rule of Law Project (ARDROL) began its activities in July 2004. Its first work plan covered activities in (1) Strengthened Rule of Law and Respect for Human Rights and (2) More Transparent, Accountable, and Effective Governance. During the Project Year (PY) 1 October 2004 to 30 September 2005 (PY 04–05) and Project Year 1 October 2005 to 30 September 2006 (PY 05-06), ARDROL worked with a number of counterparts, including the Nepal Supreme Court, the Lalitpur District Court, the Patan Appellate Court, the National Judicial Academy (NJA), the Judicial Council (JC), the Special Court, the Commission for the Investigation of the Abuse of Authority (CIAA), the National Vigilance Center (NVC), the Office of the Attorney General (OAG), and a number of local non-governmental organizations (NGOs).

The work plan for the third PY, 1 October 2006 to 10 June 2007 (PY 06–07), will continue project activities in (1) Strengthened Rule of Law and Respect for Human Rights (*Rule of Law*) and (2) More Transparent, Accountable, and Effective Governance (*Anticorruption*).

1.1 RULE OF LAW

Improving the efficiency of the courts and reducing backlogs will continue to be a focus during PY 06–07. Project staff and both local and international consultants will work with judges and court staff on the following major activities planned for PY 06–07:

- Improving court archives
- Case management
- Court-referred mediation
- Training

During PY 06–07 the project will work with the NJA, the JS, and the JC. Following up on the training assessment workshops and questionnaire, the project will work with the NJA to develop a curriculum based on the results of the workshops and questionnaires. During PY 06-07 the JS with support from the project will provide assistance on drafting and finalizing public defender court regulations, conducting a national judges' convention and conducting a training program for women planning to take the judicial service exam. The citizens of Nepal generally regard the Nepali judiciary as corrupt and ineffective. The JC is charged with disciplining judges and enforcing the Code of Conduct of Judges. The JC has not been very effective in disciplining judges or enforcing the code. However, the JC is under pressure to step up its enforcement procedures, and ARDROL will be discussing with the JC plans to improve enforcement procedures.

Women, minorities, and low-income and marginalized members of Nepali society generally do not have access to legal services and representation and do not use the courts to resolve disputes. Even though Nepali women constitute more than 50% of the country's population, they are discriminated against and are routinely treated as second-class citizens. ARDROL is working with civil society to improve access to legal services for women, minorities and marginalized members of society.

During PY 04–05 ARDROL commissioned an assessment of Nepal's legal aid system. Following upon the recommendations in the assessment, the project plans to start a pilot public defenders project in Kathmandu Valley.

1.2 ANTICORRUPTION

During PY 04–05 and PY 06-06, ARDROL supported a number of programs with the goal of increasing public awareness of the cost and impact of corruption. During PY 06–07 ARDROL will focus on implementing the declarations from the five regional anticorruption programs and support the Local Coordination Forums which are charged with the implementation.

Support for public awareness programs that educate the public on CIAA and NVC activities in the battle against corruption will continue. Public service spots on the costs of corruption will be distributed and shown in cinema halls in Nepal.

During PY 06–07 the project will support training for the OAG. The project and OAG are planning three workshops on human rights, a forensics workshop and computer training for OAG staff.

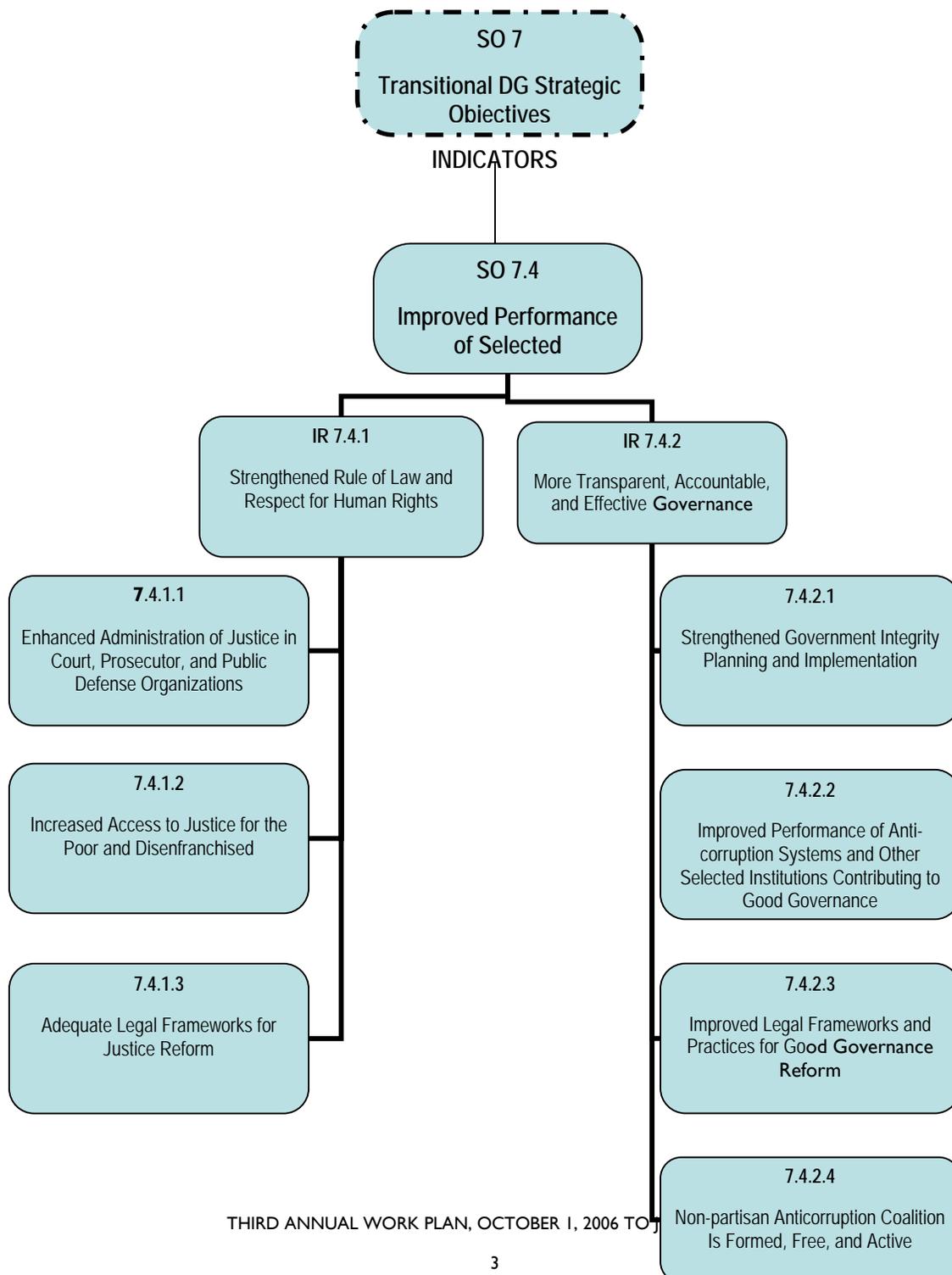
NVC has developed three videos about corruption that will be aired on Nepali television with financial support provided by the project.

1.3 GRANTS

The project's grants program began in early PY 05-06. Implementation will continue through PY 06-07 and will include monitoring and review of compliance with grant requirements, grants review workshop and closing out the grants program no later than April 2007.

2.0 RESULTS FRAMEWORK AND PERFORMANCE INDICATORS

STRENGTHENED RULE OF LAW AND RESPECT FOR HUMAN RIGHTS IN NEPAL RESULTS FRAMEWORK



2.1 PERFORMANCE INDICATORS

The USAID mission in Nepal has set out the following indicators for its Democracy and Good Governance Strengthened program.

S07 IR 7.4.1 Strengthened Rule of Law and Respect for Human Rights

Indicator: Expert panel assessment of whether rule of law is strengthened.

7.4.1.1 Enhanced Administration of Justice

Indicator: Average number of months from incarceration to judgment.

7.4.1.2 Increased Access to Justice for the Poor and Disenfranchised

Indicators: (1) Number of indigents, lower caste/ethnic minorities, and women receiving free, professional, public defense/alternative dispute resolution (ADR)/legal services

(2) Percentage of polled citizens' demonstrated knowledge of basic legal rights.

7.4.1.3 Reduction in Crimes of Human Trafficking, Torture, and other Violations of Human Rights

Indicators: (1) Percentage of population aware of abuse modalities, enforcement standards

(2) Increased number of prosecutions and percentage of convictions in human rights areas

7.4.1.4 Improved Legal and Budget Apportionment Frameworks for Justice Sector Reform

Indicators: Milestone scale of key policy/regulatory reform process, including:

- *Increased budget for judiciary (as percentage of national budget)*
- *Criminal Procedures Code Reform*
- *National Public Defense System Law; revised LSGA (ADR provisions).*

Approved S07 IR 7.4.2 More Transparent, Accountable, and Effective Governance

Indicator: Expert panel assessment of whether national government integrity planning processes and accountability/controller/anticorruption systems are enhanced

7.4.2.1 Strengthened National Government Integrity Planning and Implementation

Indicator: Favorable evaluation of government accountability standards and practices in conformity to new UN and regional anticorruption convention standards

7.4.2.2 Improved Performance of "Anticorruption Systems" and other Selected Institutions Contributing to "Good Governance"

Indicators: (1) Number of cases from the CIAA sent to trial and documented in attorney general reports

(2) Number of cases adjudicated by special anticorruption tribunal resulting in improved performance

(3) Assessment of state controller systems.

7.4.2.3 Improved Legal Frameworks and Practices for Good Governance Reform

Indicators: Milestone scale for reforms/HMGN practices in "good governance and anticorruption" areas, resulting in:

- *Increased citizen access to public information*
- *"Sunshine laws"*

- *Ratification and adherence to international anticorruption conventions.*

7.4.2.4 Non-partisan Anticorruption Civil Society Coalition is Formed, Free, and Active

Indicator: Number of initiatives carried out by the coalition.

ARD recognizes that the USAID/Nepal mission will be reporting to Washington on the above indicators and will attempt to provide the necessary information for reporting to Washington.

ARD proposes to use the following indicators for local analysis in the performance and management of the activities laid out in this work plan.

2.2 ARD PERFORMANCE INDICATORS

SO 7: IMPROVED PERFORMANCE OF SELECTED INSTITUTIONS	
IR 7.4.1: Strengthened Rule of Law and Respect for Human Rights	IR 7.4.2: More Transparent, Accountable, and Effective Government
SO Level Indicators	SO Level Indicators
1. Expert panel assessment of whether rule of law is strengthened	1. State of Nepal and ministry ranking on Transparency International indices
Lower Level Indicators	Lower Level Indicators
1. Decrease in average amount of time (no. of months) from detention to judgment	1. Expert panel assessment of whether national government integrity, accountability and anticorruption systems are enhanced
2. Number of indigents, lower caste/ethnic minorities, and women receiving free professional public defense	2. Favorable evaluation of government accountability standards and practices in conformity with new UN and regional anticorruption convention standards
3. Percentage of polled citizens demonstrating knowledge of basic legal rights	3. Number of cases from CIAA sent to trial and documented in the annual report of CIAA
4. Number of prosecutions and percentage of convictions in human rights, corruption, and environmental crime cases	4. Number of cases adjudicated by the special anticorruption tribunal
5. Milestone scale of key policy/regulatory reform processes	5. Number of midlevel and senior officials (1) prosecuted for and (2) convicted of corruption
	6. Availability of information on government budgets and programs at the national, district, and local levels
	7. Number of transparency and anticorruption initiatives carried out by the civil society coalition

Upon completion of baseline data acquisition, these performance indicators will be adjusted accordingly to reflect new findings and priorities. ARD's performance monitoring plan, as presented in the activity timeline found in section 4.0, contemplates ongoing data collection across all program activities, with special data verification activities taking place quarterly. Data will be presented on an annual basis to USAID, disaggregated according to women, children, social caste, ethnic groups, regions, and other considerations.

3.0 NARRATIVE PRESENTATION OF MAJOR ACTIVITIES

3.1 ACTIVITIES TO STRENGTHEN RULE OF LAW AND RESPECT FOR HUMAN RIGHTS

A. ACTIVITIES WITH NEPAL COURTS:

1. ACTIVITY: Streamline and strengthen the management capacity of the judiciary

During PY 05–06, the project continued to work on strengthening the management capacity of the judiciary. The Project supported a case information program at the Supreme Court that organized and briefed the information in approximately 17,000 case files so that the judges could more quickly decide the cases. The Project supports the development and installation of case tracking software and archiving software at the Lalitpur and Special Courts.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Computer training for Supreme Court, Lalitpur District Court, Special Court, Patan Appellate Court and Parsa District Court staffs.
- Data entry into case tracking software and archiving software for Supreme Court, and Lalitpur District Court.

Resource requirements:

- This activity will require the efforts of the project staff and local IT consultants working in collaboration with court staff and judges.
- This activity will require financial support from the project

2. ACTIVITY: Logistical support

During PY 05-06, the Supreme Court completed its Information & Communication Technology Plan which is the master plan for computerizing the judiciary. The Supreme Court purchased computers, installed networking for the computers and developed a simple case tracking program. The Project supported a data entry program in which data from the 17,000 cases was entered in the computer system.

During PY 05-06 the Project supported improvements at the Patan Appellate Court and provided the court with computer equipment, office furniture, meeting room furniture, drapes and carpeting and supported refurbishing the Court's meeting room.

Photographic documentation of Nepali courts infrastructure continued during PY 05-06 which included designing brochures and pamphlets and preparing a video for TV. The goal is to increase financial resources for the courts.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Assessment of the Information & Communication Technology Plan, current computer and software systems and training program and recommending changes and improvements.
- Provide support for hiring a MIS Director to oversee the assessment and implementation of the assessment's recommendations.
- Roll out a public relations campaign to publicize the conditions of the courts for the purpose of increasing allocation of resources to the judiciary.
- Develop a reference library for the Special Court and Lalitpur District courts.
- Provide computers and software for the Supreme Court.

Resource requirements:

- A local public relations firm will continue to provide assistance for the public relations campaign.
- The other tasks will be supported by the local staff and local consultants.
- This activity will require logistical and financial support from the project.

3. ACTIVITY: Strengthen justice sector appointment, promotion, and recruitment systems

During the project year, the Supreme Court of Nepal completed an "Office & Management Survey" that reviewed and recommended changes in staffing and duties. The project provided financial support for a workshop at which the Survey's findings and recommendations were presented.

The Survey's findings and recommendations and the comments from the workshop have been sent to the government for approval.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- *No activities are foreseen due to approaching project completion.*

Resource requirements:

- None

4. ACTIVITY: Develop a scientific central archive system for the courts

During PY 05-06, the project completed archiving at the Special Court, Lalitpur District Court and Patan Appellate Court and began archiving activities at the Parsa District Court in Birgunj and Supreme Court. Archiving activities include training the staff on the procedures covered by the Archiving Manual developed by the project. After training, the staffs purged files of outdated documents, returned files borrowed from government agencies, cleaned and repaired files, organized the files and stored the files in specially-designed boxes. The project provided file boxes, shelving and supplies.

During PY 05-06, the project staff working with IT consultants developed and installed software for tracking archived files at the Special Court and Lalitpur District Court.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Complete the archiving at the Parsa District Court and Supreme Court.

Resource requirements:

- Completing the archiving at the Supreme Court and Parsa District Court will require the efforts of the project staff working in collaboration with Supreme Court staff and judges.
- This activity will require logistical and financial support from the project.

5. ACTIVITY: Institutionalize the legal aid program for indigent and disadvantaged groups

During PY 05–06 international consultant Stephen Mackenzie held a number of meetings followed by a workshop with legal aid providers and interested parties to discuss legal aid in Nepal. Mr. Mackenzie recommended (1) a pilot legal aid project for Kathmandu Valley, (2) stipendiary lawyers be assigned to the pilot project and (3) that a Public Defenders Board be organized to oversee the public defenders' program. On a return trip Mr. Mackenzie further defined the pilot project, drafted standards for public defenders and an implementation plan/timeline for the pilot project. He also provided the Judges Society Nepal with a draft of court rules for public defenders that the JS will modify to fit Nepal requirements.

Tasks, benchmarks, and activities for PY 05–06 include the following:

- Finalize the court rules and standards for public defenders
- Organize the pilot project with offices, furniture and equipment provided and lawyers appointed as public defenders
- Develop a certification process resulting in a cadre of trained lawyers to represent indigent defendants.
- Implement training for the certification.

Resource requirements:

- This activity will require the efforts of the project staff and both international and local consultants working in collaboration with the Supreme Court, the Nepal Bar Association, and local NGOs.
- This activity will require financial support from the project for the furniture and computers.

6. ACTIVITY: Strengthen Mediation and Encourage Consensus Building in the Justice System

PY 05–06 was filled with mediation related activities. In spite of curfews and bandhs the project was able to hold familiarization program for judges, court staff and members of the Nepal Bar Association in January. During the project year 80 judges, lawyers and businesspersons received 56 hours of training in mediation and are qualified as mediators. The project entered into an agreement with FNCCI to provide support for its mediation center and the center was opened in July. The JS drafted court regulations, guidelines and forms for court-related mediation that were approved by the Court. The project provided refurbishing, computer equipment, office equipment and office supplies for the mediation centers at the Supreme Court and Patan Appellate Court. A Nepal Mediators Society was organized. Pamphlets about benefits of mediation were designed and printed and will be distributed during the next year at meetings and made available at the courthouses, law offices and FNCCI offices.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Finish the work at the Supreme Court and Patan Appellate Court Mediation Centers and open them.
- Print and distribute the Court Mediation Regulations, Guidelines and Forms.

- Train the Trainers workshop for mediators who will become trainers.
- Monitor the Supreme Court, Patan Appellate Court and FNCCI mediation centers and resolve any problems that might develop
- Conduct a public relations campaign for building awareness of the benefits of court-referred and commercial mediation.
- *Organize and conduct a Settlement Week.*

Resource requirements:

- A consulting firm specializing in mediation will work with the courts on Train the Trainers and organizing and conducting Settlement Week.
- Project staff will monitor the mediation centers and assist with problems.
- Work with a local public relations firm to develop a campaign for building awareness
- This activity will require the efforts of the project staff working in collaboration with key judges from the Courts, Bar Association, and NJA.

7. ACTIVITY: Develop and implement court user's charter

During PY 05-06 the Supreme Court complete a Court User's Charter for the Nepali Courts and requested assistance in printing and posting the Charter in Nepali courts.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Support distribution of the Court Users Charter to all Nepali courts.

Resource requirements:

- This activity will require logistical and financial support.

8. ACTIVITY: Strengthen ability to enforce judicial decisions

During PY 05-06 suggestions and recommendations developed in workshops and internal meetings were forwarded to the Supreme Court and a working group organized to review the suggestions and recommendations. The project plans to again encourage the Supreme Court to hold a national workshop and to develop a program for enforcement of judicial decisions.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Provide support for a seminar for stakeholders on the recommendations of the Supreme Court for improving enforcement of judicial decisions.
- Help implement the Supreme Court's recommendations.

Resource requirements:

- The project will provide financial and logistical support as required.

9. ACTIVITY: Strengthen institutional capacity of the Special Court

During PY 05-06, the project contracted with the Kathmandu School of Law ("KSL") to do a baseline survey of 30 cases to determine the reasons for delay in decisions and the consequent build-up of the Court's backlog. Software for tracking the archived files was developed and installed. Project staff's review of the equipment and furniture provided to the Court showed that staff needs training in using the computer equipment and maintaining the equipment and software. The Court has requested assistance in developing a library of reference materials.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Pursue implementation of recommendations made by KSL in the baseline survey.
- Train the staff in computer operations and computer maintenance.
- Provide financial support for reference library

Resource requirements:

- Project staff, KSL and local consultant will work with the Court to implement the baseline survey recommendations
- Local consultants will provide the training in computer operation and maintenance.

B. ACTIVITIES WITH OTHER JUDICIAL SECTOR ACTORS

1. ACTIVITY: Strengthen institutional capacity of the Judicial Council (JC)

During PY 05-06, the Project had discussions with the Executive Secretary of the JC, Chief Justice of the Supreme Court, and members of the JC on developing programs and procedures for reducing corruption and improving judicial ethics. The political instability, the hostility to the king's autocratic rule and unpopular judicial appointments seemed to paralyze the JC and the Project was unable to get it to commit to any programs.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Continue efforts to get the JC to review justice sector ethics laws and policies.

Resource requirements:

- None foreseen.

2. ACTIVITY: Strengthen institutional capacity of the National Judicial Academy (NJA)

During PY 05–06 the project financed local consultants who worked with the NJA to finalize its strategic plan and its training assessment. The NJA also support the project's mediation activities by sponsoring training workshops. The project will continue to support the NJA's training activities. The project will provide limited support for development of a training curriculum.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Provide training equipment.
- Support development of a training curriculum.

Resource requirements:

- This activity will require the efforts of the project staff working in collaboration with the NJA, the Bar Association and the law faculties.
- The training equipment will require financial assistance from the project.

3. ACTIVITY: Strengthen institutional capacity of the Judges Society (JS)

During PY 05–06 JS drafted mediation regulations, guidelines and forms for court-related mediation and conducted a workshop for participants to comment. JS then spearheaded adoption of the regulations, guidelines and forms. JS began working on drafting court rules for public defenders. The JS with support from the project will provide training for women planning to take the judicial service exam. The planned National Judicial Conference of Nepali Judges was rescheduled for early CY 2007. The project has also agreed to provide JS with office equipment and to provide financial support for staff.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Support a training program for women taking the judicial service exam
- Support a national conference of Nepali judges.
- Support finalizing court rules and public defender standards for a public defenders program.
- Provide office equipment and staff support.

Resource requirements:

- This activity will require the efforts of the project staff and local IT consultants working in collaboration with the JS.
- Financial support for purchasing office equipment and hiring staff.

C. ACTIVITIES SUPPORTING MORE TRANSPARENT, ACCOUNTABLE, AND EFFECTIVE GOVERNANCE

1. ACTIVITY: Promote corruption awareness and prevention in Nepal

During PY 05–06 regional anti-corruption conferences were held in Nepalgunj and Dhangadhi¹ and local coordination forums (LCF) in each of the five conference locations were organized. A training workshop was organized for the members of the LCFs. The project supported development of two public service spots publicizing CIAA that have or will be distributed to cinema halls throughout Nepal. The project supported two workshops for training investigative journalists reporting on corruption in Nepal.

The project will support public awareness programs by the CIAA and NVC which highlight the activities of the two agencies. This support will be discussed in the activity sections for strengthening the agencies' institutional capacities. Support will be provided for CIAA's program to develop community education as a major agency activity.

Tasks, benchmarks, and activities for PY 06–07 will include the following:

¹ Other locations were Birgunj, Biratnagar and Pokhara.

- Continue to provide financial support for travel, hotel expenses and per diems for the monitoring panel in its monitoring of the LCFs.
- Support a program of community education

Resource requirements:

- Local resources should be sufficient to complete most of the tasks under this activity.
- The project will provide limited financial support to the LCFs and the monitoring panel.

2. ACTIVITY: Strengthen institutional capacity of the CIAA

During PY 05-06 the project worked with the CIAA to strengthen its institutional capacity. The project also provided financial assistance for acquiring lab equipment and furniture for the new CIAA building. The project supported publication of "Seven Special Court Decisions on Disproportionate Property" and "A Handbook on Investigation and Trial of Corruption Cases." CIAA staff members participated in an observation tour to Malaysia and Singapore.

The project will continue to support CIAA's ongoing program for building awareness of and support for its activities that includes publication of materials and electronic media events.

The project will support a survey of 5 years of CIAA activities. The survey will analyze the impact of CIAA prosecutions and other activities in order to plan and focus its future activities.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Support survey of 5 years of CIAA activities.
- Help the CIAA print and distribute bulletins on CIAA activities.
- Work with CIAA to implement the recommendations in the KSL baseline survey report.
- Provide training equipment

Resource requirements:

- Project staff and local consultants will provide financial support and other assistance.

3. ACTIVITY: Strengthen institutional capacity of the Office of the Attorney General (OAG)

Due to turnover at the OAG, activities in PY 05-06 were limited and the project was not able to move forward on the model pilot office project. However, the OAG's Strategic Plan was completed with the help of a consultant provided by the project. The Attorney General and Deputy Attorney General participated in the observation tour to Malaysia and Singapore.

OAG has requested project assistance for organizing workshops on human rights, forensics and computer training. It also requested the project to provided training equipment to be used for internal training.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Provide financial and logistic support for three workshops on rights of the accused and rights of victims.
- Provide financial and logistical support for a forensics workshop

- Provide training equipment

Resources required:

- Logistical and financial support for the workshops and training equipment.

4. ACTIVITY: Strengthen institutional capacity of the National Vigilance Center (NVC)

Due to turnover at the NVC, PY 05-06 activities were limited. The project was not able to continue with plans for assistance with software or training for financial disclosure statements. However, the Chief Officer and a staff member participated in the observation tour to Malaysia and Singapore. During PY 05-06 NVC's Strategic Plan was completed with the help of a consultant provided by the project.

NVC has filmed three public service spots about corruption and requested support for airing them on television. The activity is consistent with the project's commitment to a program of public awareness of the costs and impact of corruption.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Support showing the three public service spots on Nepali television.

Resource requirements:

- Financial support for showing the public service spots.

5. ACTIVITY: Support the Ministry of Law, Justice, and Parliamentary Affairs in drafting and publicizing laws and regulations

Project met several times during PY 05-06 with the Ministry to discuss harmonizing domestic anti-corruptions laws and policies with the UN Convention on corruption. At the conclusion of the meetings project staff suggested the Ministry provide a plan and budget for harmonizing the two. However, the project did not receive either a plan or a budget from the Ministry.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- *There is an apparent lack of interest by the Ministry of Law Justice and Parliamentary Affairs in pursuing the activity. Unless there is some expression of interest by the Ministry, the project will not have any activities.*

Resource requirements:

- None expected.

D. CROSSCUTTING ACTIVITIES

1. ACTIVITY: Promote equity and legal representation

During PY 05–06 the project completed awarding grants. Grantees filed public litigation interest on behalf of women and disenfranchised groups, provided legal aid to prisoners, women and disenfranchised groups, drafted legislation to amend discriminatory laws, worked to get the draft legislation adopted, and trained public prosecutors, court personnel and bar members in human rights, and gender issues.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Continue implementing the grants.
- Review and monitor the grantees for compliance with the grant award requirements.
- Conduct a grants review meeting.
- Close out the grants.

Resource requirements:

- The local staff will implement this activity.

2. ACTIVITY: Strengthen the capacity to prosecute environmental crimes

During PY 05–06 the project completed awarding grants. Grantees began activities to develop training programs and materials for prosecutors, judges and quasi-judicial offices on prosecuting violations of environmental laws. Grantees also filed public interest litigation seeking enforcement of environmental laws.

Tasks, benchmarks, and activities for PY 06–07 include the following:

- Continue implementing the grants.
- Review grantee activities and monitor grantees for compliance with the grant award requirements.
- Support printing additional copies of the manual on prosecuting environmental violations
- Close out the grants.

Resource requirements:

- The local staff will implement this activity.

E. ADMINISTRATIVE

1. ACTIVITY: Project close-out

The project is scheduled to close on 10 June 2007. Consequently project staff will begin closeout activities during the 2nd quarter.

Tasks, benchmarks, and activities for PY 05–06 include the following:

- Project close-out

Resource requirements:

- The local staff and ARD home office will implement this activity.

4.0 ACTIVITIES, TASKS, AND REPORTING TIMELINE

STRENGTHENED RULE OF LAW AND RESPECT FOR HUMAN RIGHTS IN NEPAL

First Annual Work Plan

Table 4.1 ACTIVITY AND TASK TIMELINE

	Q1									Q2			Q3		
	O	N	D	J	F	M	A	M	J						
	1	2	3	4	5	6	7	8	9						
Streamline and strengthen the management capacity of the judiciary															
• Computer Training				•	•	•	•	•							
• Data entry into case tracking software and archiving software for Supreme Court and Lalitpur District Court	•	•	•	•	•	•	•	•							
Logistical support															
• Support for hiring MIS Director				•	•	•	•	•							
• Assessment of Supreme Court's ICT Plan				•	•	•									
• Public relations campaign for improved resources for courts			•	•	•	•	•	•	•						
• Develop reference library for Special Court	•	•	•	•											
• Provide computer equipment for Supreme Court							•	•							
Develop a scientific central archive system for the courts															
• Archiving activities at Parsa District Court	•	•	•	•											
• Archiving activities at Supreme Court		•	•	•	•	•	•	•							
Institutionalize the legal aid program for the indigent and disadvantaged groups															
• Consultant to provide direction and planning							•								
• Finalize court rules for public defender	•	•	•	•											
• Implement Pilot Project in Kathmandu Valley					•	•	•	•							
• Develop a certification for lawyers representing indigents						•									
• Implement training for lawyers for certification						•	•								

	Q1			Q2			Q3		
	O	N	D	J	F	M	A	M	J
	1	2	3	4	5	6	7	8	9
RULE OF LAW ACTIVITIES – JUDICIARY									
Strengthen mediation and encourage consensus building in the justice system									
• Finalize and print mediation regulations, guidelines and forms	•	•	•						
• Finish and open mediation rooms at Supreme and Patan Appellate Courts	•	•	•						
• Preparation for Settlement Week			•	•					
• Settlement Week				•	•				
• Train the Trainers Workshop					•				
• Continue providing assistance to FNCCI Mediation Center	•	•	•	•	•	•	•	•	
• Monitor and assist Supreme and Patan Appellate Courts Mediation Centers				•	•	•	•	•	
• Conduct public awareness campaign	•	•	•	•	•	•	•		
Develop and implement court user's charter									
• Support distribution and display of Court Users Charter					•	•			
Strengthen ability to enforce judicial decisions									
• Support seminar on Supreme Court recommendations						•			
• Implement Supreme Court's recommendations						•	•		
Strengthen institutional capacity of the Special Court									
• Support implementation of Baseline Survey Recommendations			•	•	•	•			
• Training in the tracking software and other computer operations				•	•	•			
RULE OF LAW ACTIVITIES – OTHER JUDICIAL SECTOR ACTORS									
Strengthen institutional capacity of the Judicial Council									
• On going discuss with Council about judicial ethics and policies	•		•		•	•			
Strengthen institutional capacity of the Judicial Academy									
• Provide training equipment			•	•					
• Support development of a training curriculum				•	•	•			
Strengthen institutional capacity of the Judges Society									
• Support training program for woman for judicial service exam		•	•	•	•	•			
• Support a national judicial conference for Nepali judges					•				
• Finalize court rules and public defender standards			•	•	•				
ANTICORRUPTION ACTIVITIES									
PROMOTE CORRUPTION AWARENESS AND PREVENTION IN NEPAL									
			•	•	•	•			•

	Q1			Q2			Q3		
	O	N	D	J	F	M	A	M	J
	1	2	3	4	5	6	7	8	9
Strengthen institutional capacity of the CIAA		•	•						
• Financial support for LCFs and monitoring panel				•		•			
• Support a program of community education				•	•	•			
Strengthen institutional capacity of the CIAA									
• Financial Support for CIAA survey of activities			•	•	•	•	•		
• Support printing and distribution of CIAA bulletins				•			•		
• Work with CIAA to implement KSL recommendations from Baseline Survey		•	•	•	•	•	•		
• Provide training equipment				•					
Strengthen institutional capacity of the Attorney General's Office									
• Provide financial and logistical support for three workshops on rights of the accused and rights of victims	•	•							
• Provide financial and logistical support a forensics workshop		•	•						
• Provide training equipment			•	•					
Strengthen institutional capacity of the National Vigilance Center									
• Provide financial support for showing on TV three videos about the costs of corruption			•	•	•	•	•	•	
CROSSCUTTING ACTIVITIES									
<u>PROMOTE EQUITY AND LEGAL REPRESENTATION</u>									
• Implementation of grant activities	•	•	•	•	•	•	•		
• Review and monitoring for grant contract compliance	•	•	•	•	•	•	•		
• Grants Review Workshop			•				•		
• Final Grants Review							•		
<u>STRENGTHEN THE CAPACITY TO PROSECUTE ENVIRONMENTAL CRIMES</u>									
• Implementation of grant activities	•	•	•	•	•	•	•		
• Review and monitoring for grant contract compliance	•	•	•	•	•	•	•		
• Grants Review Workshop			•				•		
• Final Grants Review							•		
ADMINISTRATIVE									
• Project Close out						•	•	•	•

ANNEX ONE. ESTIMATED PROCUREMENT PLAN

ESTIMATED PROCUREMENT PLAN

Planned Equipment Procurement	User	Approximate Date of Procurement	Estimated Amount (\$)
Computer Hardware (to be described after Assessment)	Supreme Court	2 nd Qtr 2007	
Air Condition: Mediation center	Supreme court	4 th Qtr 2006	3,400
Computer and office equipment	Public Defenders Off	2 nd Qtr 2007	4,758
Furniture	Public Defenders Off.	2 nd Qtr 2007	12,665
Laptop Computer & LCD	Attorney General	4 th Qtr 2006	3,795
Laptop Computer & LCD	CIAA	1 st Qtr 2006	3,795
Training Equipment	NJA	4 th Qtr 2006	12,596
Books	Lalitpur District Ct	1 st Qtr 2007	2,500
Books	Special Court	4 th Qtr 2006	5,000
Shelving for Archives	Parsa District Court	1 st Qtr 2007	2,500
Printing copies of environmental prosecution manual	Forum for Justice	2 nd Qtr 2007	2,250

Note: The procurement schedule will be updated semi-annually to reflect the latest information and progress on the various activities. A semi-annual update will provide a more realistic picture of procurements and the costs related to those procurements.

ANNEX TWO. PRELIMINARY TRAINING SCHEDULE

PRELIMINARY TRAINING SCHEDULE

Planned Training Topics	Trainees	Trainer	Approximate Training Date
Computer Training	Court Staffs	TBD	4 th Qtr 06 & 1 st Qtr 07
Familiarization for Settlement Week	Supreme Court & Patan Appellate Court judges & staff	Carr Swanson Randolph	4 th Qtr 06
Familiarization for Lawyers for Settlement Week	Nepal Bar Association Members	Carr Swanson Randolph	4 th Qtr 06
Principles of Mediation	Labor Court & Debt Recovery Tribunal officials & staff	Project Staff	4 th Qtr 06
Mediation Train the Trainers	Mediators completing the ARD mediation trainings	Carr Swanson Randolph	1 st Qtr 06
Protecting Rights of Accused & Rights of Victims (3 workshops)	Public Prosecutors	Local resource persons	4 th Qtr 06
Forensics Workshop	Public Prosecutors	Local resource persons	4 th Qtr 06
Computer Training	OAG Staff	TBD	1 st Qtr 07
Training for Judicial Service Exam	Nepali Women	JS & local consultant	4 th Qtr 06 & 1 st Qtr 07
Anti-Corruption Community Education Train the Trainers	CIAA Staff	TBD	1 st Qtr 07

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