UN Development Programme
Egypt - Cairo

Award ID: 00044541
Award Title: Support legal Aid & Dispute settlement in Family Courts
Start Year: 2008
End Year: 2017
Implementing Partner (Executing Agency): National Execution

Responsible Party (Implementing Agent): EGY Ministry of Justice
Revision Type: Substantive Revision 9

Budget (US$) as of Last Revision on 03-June-2015

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Brief Description:
The purpose of this substantive budget revision is to:
1. Extend the project until December 2017 as per the attached annexes (Annex 1: project rationale; Annex 2: budget)
2. Reflect the contribution from the Swedish International Development Cooperation Agency (SIDA) in the amount of USD $509,824.02 under the umbrella of the UN Joint Programme on “Social Economic and Legal Empowerment of Egyptian Women”

Agreed by: H.E. Counselor Ahmed El Zend
Minister of Justice
Ministry of Justice

For the Implementing Partner:

For the Government Coordinating Agency:
H.E. Ambassador Sherif Refaat
Assistant Minister of Foreign Affairs for International Cooperation
Ministry of Foreign Affairs

For the United Nations Development Programme:
Ms. Naglaa Arafa
Officer-in-Charge
UNDP Egypt
I. Project Description and Rationale

In the framework of the Egyptian government’s strategy, the Ministry of Justice (MOJ) has been keen on removing all impediments which may have hindered justice over the past years. In pursuing this strategy, MOJ established specialized courts to support the notion of the specialized judge in many important areas (e.g. economic, environmental, etc.), including Family Courts.

Thus, the first step towards a structural judicial reform was to support specialized courts. Hence, Law No. 1/2000 regulating certain Litigation Procedures in Personal Status Matters was promulgated; followed by Family Court Law No. 10/2004. Due to the increase in the number of litigants before family courts, in parallel with the increased number and complexity of lawsuits, MOJ had to create unconventional solutions to enhance the flexibility of the system through which justice services are provided to citizens. Consequently, MOJ decided to establish more Family Courts. According to the latest statistics, there are 226 family partial courts currently, to which 226 family Dispute Settlement Offices (DSO) are affiliated. In addition, a number of psychologists and social workers are working in these circuits. As a result, the percentage of settled family disputes rose to over 45% and DSOs managed to amicably settle 20% of the disputes brought before them. It is worth mentioning that in most lawsuits brought before these circuits, the litigant is a woman.

Hence, a Cooperation Protocol was signed with UNDP under the title “Support to Legal Aid and Disputes Settlement in Family Courts covering the period from April 2008–December 2015.

Under this Protocol, MOJ determines all project activities and designates employees from the General Department for Specialized Courts to work at the Legal Aid Offices (LAO) and DSOs. These employees should be responsible for providing free legal service which includes legal advice and guidance to litigants. This service is considered a strong outset to help poor and marginalized families to follow the correct path to get their rights in the shortest possible time.

On the other hand, the project provides logistical support to all activities carried out by MOJ, namely: Establish LAOs and develop DSOs in family courts; train LAO and DSO staff as well as family court judges; activate international expertise sharing frameworks to benefit from experience in judiciary mediation and family dispute resolution and increase access to swift justice; raise legal awareness among litigants of the important role played by LAOs and DSOs in family courts; and support and enhance the basic infrastructure needed for automating all litigation procedures in Family Courts and prosecutions.

Finally, the Operational Unit for Development Assistance (OUDA) within the Ministry of International Cooperation (MIC) is responsible for implementing and monitoring the procedures followed for spending the funds allocated for each budget item.

So far, (32) LAOs were established and (15) DSOs in Family Courts were upgraded. Furthermore, (17) training courses and workshops were held by MOJ National Center for Judicial Studies (NCJS) for family court judges as well as LAO and DSO staff. Additionally, (2) external study visits were made to France, during which participants were introduced to successful models of LAOs and DSOs and made aware of the important role of mediation in settling family disputes.

The Project, in collaboration with the Ministry of Communications and Information Technology (MCI) and the Public Prosecution, contributes to the establishment of the basic infrastructure required for improving networking between family courts, family prosecutions, LAOs, DSOs, and the Judicial Information Center.
Thus, MOJ and UNDP therefore agreed to extend the project to be implemented in (8) Family Courts. This plan is based on two main pillars, as follows:

**Pillar A:** Activate the role of Legal Aid Offices in Family Courts  
**Pillar B:** Upgrade and Support Dispute Settlement Offices in Family Courts

The Project Action Plan consists of a number of activities (under the two previous pillars), namely: Introduce adequately-equipped LAOs in family courts; Strengthen the mediation function of DSOs; Provide training courses to build the capacities of the judiciary system staff in family courts; Enhance the basic infrastructure needed for automating litigation procedures in family courts; Improve networking with Nasser Bank to facilitate access of litigants (especially women, the poor, and the illiterate) to their financial rights (alimony) granted to them by virtue of the court judgments.

This project gives high priority to women since statistics revealed that women are the litigants in the majority of lawsuits brought before family courts.

## II. Expected Results

Judicial reform is the cornerstone of human development. It is concerned with improving the judicial system and achieving a qualitative shift in the administrative structures of courts through developing capacities of court employees and equipping courts with necessary equipment, tools and technological devices. By doing so, judicial reform aims to enhance citizen's access to justice and improve quality of service delivery in a manner that saves effort, time, and money; hence achieving swift justice.

With the new project extension, the project aims to achieve the following results:

- Marginalized and vulnerable groups, especially women, are empowered to attain their rights. This will be achieved through establishing more LAOs providing family court litigants with a free service of legal advice and guidelines.
- Swift justice principle is realized through developing family DSOs to strengthen their mediation role between family court litigants.
- The national project for automating all litigation procedures is supported through facilitating electronic networking between family courts, family prosecutions, and the Judicial Information Center.
- Women litigants are empowered to obtain their alimony in the shortest possible time using all possible ways. This will be achieved through electronic networking between all LAOs and Nasser Bank branches nationwide, under full supervision of MOJ and Ministry of Social Solidarity.
- Capacity of judges and State employees working within LAOs and DSOs is developed through the assistance of the best national legal experts, who introduce sound legal frameworks of litigation procedures in family courts.
- Best practices for the management of LAOs are put in place through learning from the comparative experiences of the pioneer countries in this field.
- Litigation efficiency in Family Courts is raised through using automated systems, eliminating bureaucracy of the current manual system.

**Project Strategy**
In line with Egypt’s policy directives, and in light of MOJ 2016/2017 Vision and Strategy and the outcomes resulting from the establishment of LAOs and Family DSOs, MOJ developed an action plan aiming at upscaling the establishment of LAOs and upgrading DSOs in the remaining family courts, i.e., 268 Family Courts nationwide.

Furthermore, this action plan aims to enhance capacities of family court judges and the staff of LAOs and DSOs, which will be achieved by conducting training courses and workshops on relevant topics to be held by national judicial judges and under full supervision of NCJS, and organizing study visits to countries with successful experience in applying LAO systems and effectively using mediation in settling family disputes.

In addition to participating in the E-Government National Project, as one of the State’s national goals over the coming years, a protocol was concluded with the Public Prosecution and MCIT to facilitate electronic networking within the litigation apparatus (networking between family courts, prosecutions, DSOs, and the Judicial Information Center) as well as between said apparatus and Nasser Bank in order to enable women litigants in Family Courts to get their alimony granted to them by virtue of court judgments. In this framework, the two parties agreed to introduce LAOs in (8) Family Courts (i.e., North Cairo Primary Court, Giza Primary Court, Alexandria Primary Court, Tanta Primary Court, Banha Primary Court, Damanhour Primary Court, Zagazig Primary Court, and Minya Primary Court). Under this Protocol, (6) Family DSOs should also be developed in the selected courts, namely: North Cairo Primary Court (Shoubra and Sahel), South Cairo Primary Court (Hadayek Helwan DSO), Damanhour Primary Court (Itay El-Baroud Court Complex), Kafr El-Sheikh Court (Kafr El-Sheikh Bandar and Markaz DSO,), Minya Primary Court (Minya Bandar DSO), and Qena Primary Court (Qena Markaz and City DSO). The Project Extension Plan will be implemented in these courts.

This phase of the project aims at achieving the following outputs:

1) Upscale the establishment of Legal Aid Offices and upgrade Dispute Settlement Offices:

a) Upscaling LAOs:
   - Form a committee comprising of MOJ representatives so that they can determine which courts need an LAO and which DSOs need upgrading. This committee should present its recommendations in this regard to the Assistant to Minister of Justice for the Affairs of Specialized Courts so that he can review them and grant his final approval on them.
   - Promote the establishment, furnishing and equipping of (8) LAOs in Family Courts in non-frontier governorates. The courts in which these LAOs will be established will be determined in light of the reports developed by the abovementioned committee and their establishment will be approved by the Assistant to the Minister of Justice for the Affairs of Specialized Courts.

b) Upgrading DSOs in Family Courts:
   - Upgrade and furnish (8) DSOs in family courts.

2) Support Capacity Development of Judicial Staff in Family Courts
   - Recruit a national expert in human resources (HR) to determine the training priorities for LAOs and DSOs staff training (without pay)
   - Hold workshops for family court judges, under full supervision of MOJ-NCJS.
   - Hold training courses for LAOs and DSOs staff, under full supervision of MOJ-NCJS.
Hold a panel discussion during which heads of Family Courts can share their experiences and discuss ways to strengthen the role of LAOs and DSOs within MOJ.
Hold courses that allow for exchanging international experience with relevant international agencies. In these courses, international experts and consultants would share their experience regarding the modern frameworks for strengthening the role of LAOs and DSOs as well as the role of legal mediation in the achievement of swift justice.
Exchange of international experiences with regards to the establishment of LAOs and upgrading DSOs, and how legal mediation could contribute to the achievement of swift justice.

3) Automating all procedures in order to improve performance in LAOs and DSOs in Family Courts
   - Contracting a specialized judge to conduct an overall study to tackle points of weaknesses and deficiencies in the documentary cycle in Family Courts (without pay)
   - Contracting a national IT consultant through MCIT to upgrade automation of litigation procedures in family courts.
   - Establishing a video conference unit in one of the courts in Upper Egypt (Luxor Court)
   - Monitoring and upgrading automation software in Family Courts and maintaining network, hardware and equipment.
   - Activating e-networking between family prosecutions, LAOs and DSOs and between the three entities and Nasser Bank, to facilitate paying alimony to litigants in family courts

4) Raising litigants awareness concerning the role of LAOs and DSOs in Family Courts
   - Publishing legal manuals on the role of LAOs and DSOs in Family Courts
   - Raising citizens awareness concerning the importance of the role of LAOs in cooperation with State parties concerned, such as MOI, MSS, MOT (through posters, press visits and Media interviews)

5) Establishing the Project Management Unit
   - The Minister of Justice will designate one of the Judicial Counselors to supervise, monitor and oversee all project activities without any remuneration.
   - Establishing the Project Management Unit by the recruitment of an Executive Assistant, an Administrative Officer, and a Legal Researcher.
   - The PMU will facilitate coordination of project board meetings and other monitoring meetings. Financial control will be performed by the Operational Unit for Development Assistance (OUDA) within the Ministry of International Cooperation (MIC).

III. Implementation Phases and Timelines

During the extension phase, the project will work on:
1. Developing the action plan, identifying the technical requirements and operational software through field case study.
2. Upgrading, training, and operating: providing selected courts with the required software and hardware and training staff on using and operating them.
3. Conducting seminars and training courses for judicial and administrative staff throughout the project duration (24 Months)
4. Conducting studies and providing necessary requirements to establish LAOs and upgrade DSOs
Implementation Modality:

- **Firstly: Responsibilities of MOJ:** The project will be implemented under full supervision of MOJ. MOJ will provide the project with premises at the Ministry and will ensure issuance of administrative and regulatory decisions helping in reaching the project goals.

- **Secondly: Responsibilities of UNDP:** UNDP will provide the logistical support needed to carry out the activities decided by MOJ, including establishing, upgrading, equipping offices, as well as providing the logistical support only for the purpose of conducting training courses, workshops, and international knowledge-sharing missions to be determined by MOJ. Activities will also include resource mobilization from other donors, with the prior approval of MOJ, MOFA, and MIC, as well as handling operational expenses, salaries of the project management unit staff.

- **Thirdly: Responsibilities of OUDA:** The Operational Unit for Development Assistance (OUDA) within the Ministry of International Cooperation (MIC) shall be responsible for implementing and monitoring the procedures followed for spending the funds allocated for each budget item, concerning employment of project staff and consultants, providing devices, equipment, and purchased furniture, covering all the expenses of activities planned by MOJ in conformity with UNDP rules and regulations for recruitment, accounting, and administration, and output monitoring methods.

**Project Period and Sustainability:**
The project extension will run from January 2016 to December 2017. In case the Ministry of Justice requests the extension of the project, this will be given due consideration.

**Project Management Unit**
The project will be implemented in accordance with the national implementation mechanism, provided that MOJ will be responsible for producing its outputs.
The project will be hosted at MOJ in Lazoghly – Cairo.
The Project Management Unit will consist of:
1. A National Project Director, designated by the Minister, will supervise the upgrading of DSOs and the upscaling of LAOs in family courts. He/She will be responsible for project technical aspects, as well as financial and administrative affairs, and for verifying efficiency of the project activities and its relevance to the time framework of the set plan. The National Project Director shall prepare annual and quarterly reports on project achievements, under direct supervision of Minister of Justice, and regularly report to MOFA (Department of International Cooperation) on these achievements.
2. Project Executive Assistant
3. Project Administrative Officer
4. Legal Researcher

**Project Board:**
The Project Board, which meets biannually, is the committee responsible for taking executive decisions to provide assistance to the National Project Director, upon his/her request, including approving project reports and annual action plan. Members of the Board from MOJ will evaluate project activities through the
necessary decisions to facilitate achievement of project objectives. The group will comprise of three persons: the executive body (will chair the board), representative of beneficiaries, and a representative of donor.

1) Board Chairman (MOJ)
2) National Project Director
3) Representatives from the selected courts (Beneficiaries)
4) MOFA Coordinator
5) UNDP Representative

Meeting minutes: The National Project Director will act as Committee Secretary General. He/she will be responsible for conducting the meeting, setting the agenda, supervising the preparation of required materials and preparing and circulating meeting minutes.

Implementation support services: Expenses of implementation support services will be covered from the same project budget line items, in accordance with the universal price list.

The budget will include 7% administrative expenses to UNDP.

OUDA will be responsible for hiring the local work team, purchasing equipment and devices and covering expenses of project implementation. Therefore, the project budget should include the amounts OUDA obtained for such purposes.

**Project Organizational Structure**

![Diagram of Project Organizational Structure]

**PMU**
- Operation Assistant
- Administrative support
- Legal Researcher
Monitoring & Evaluation

A results-based management approach will be used by both the National Project Director and UNDP, through developing and implementing the project plan, the detailed annual plan for the expected period of extension (2 years) as well as quarterly- and annual progress reports. The National Project Director is responsible for timely submission of these documents to UNDP, provided that each output has a separate report. The format of such reports shall be determined by the program. Tasks relevant to monitoring and supervision will be assigned to the UNDP Program Officer.

The National Project Director will pursue the monitoring methods, including the preparation of the following:
- Detailed project action plan
- Annual budget
- Detailed quarterly technical and financial report on the action plan
- Quarterly report on project progress
- Annual Financial report
- Annual report of achievements
- The minutes of the project board meeting
- Report on responsibilities of project contractors

Other methods of project monitoring are minutes of board meetings and any other project reviews. LAOs project administration in MOJ will contract a national consulting company to perform any review or evaluation of the project or its results, throughout the duration of the project or after its termination. The Project Board should approve the scope and terms of reference for the evaluation, taking into consideration the prior approval of the Minister of Justice, whether concerning the national consulting company, or the scope of the terms of reference for evaluation.

By the end of the project, a final review will be conducted as a base to evaluate project performance and its relevant results, and identify lessons learned to be shared. The evaluation will be performed by the three parties (MOJ, MOFA and UNDP). Taking into consideration the prior approval of the Minister of Justice, a neutral consultant may participate in the evaluation process. Lessons learned should be generated to ensure sustainable benefit and application within the organization. The project final report should be prepared in form of a "case study" to develop the learning process.

This project extension was signed in Cairo, 20/12/2015, in four original copies, in English language with Arabic translation each version being equally authentic. This project extension will be operational from January 2016 through December 2017. The end of this extension shall not affect the continuity and regularity of work at the Legal Aid Offices.
### Part II: Comprehensive Results Framework

**Expected results as per the Multi-Year Funding Framework (MYFF):** Foster and ensure the enforcement of human rights including the rights of vulnerable groups.

**Results indicators as per the Country Programme Results and Resources Framework including baselines and targets:** Improve access to judicial services through taking clear and effective measures.

**Service line required under the MYFF:**  \( \text{Justice and Human Rights} \)

**Engagement Strategy:** Ministry of Justice (MOJ) and the United Nations Development Programme (UNDP).

**Project Title and ID:** Justice Sector Modernization.

**Project Budget:** USD 2.5 million

**Implementation Period:** 1.5 years

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<th>Expected Results</th>
<th>Responsible Entity</th>
<th>Output Goals</th>
<th>Phase I Pilot Activities (Preparation Phase)</th>
<th>Inputs</th>
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</table>
| 1) Boost operational efficiency, integrity and transparency within family courts and prosecutions | PMU, UNDP | 2017 - 2017 | 1) Automate litigation procedures to enhance the performance of LAOs and Dispute Settlement Offices (DSOs)  
- Hire a national judicial consultant to conduct a comprehensive study on ways to overcome shortcomings in the document cycle of family courts.  
- Hire a national IT consultant with the help of the Ministry of Communications and Information Technology (MCIT) to develop systems for the automation of litigation procedures in family courts.  
- Establish a conference unit in one of Upper Egypt's courts (Luxor Court).  
- Monitor and develop the operational software needed for the automation of litigation procedures within family courts and carry out maintenance of networks, devices and equipment. | Consultant, Consultant, Supply of Conference Equipment |
|                  | Ministry of Justice |              |                                            |        |
|                  | Nasser Bank        |              |                                            |        |
- Strengthen the role of LAOs.
- Facilitate access of women to their alimony from Nasser Bank.

**There are other goals in addition to the abovementioned as follows:**

**First:** assess and determine the target needs that should be fulfilled by the legal aid system.

**Second:** select a group of employees working in LAOs affiliated with family courts then develop their capacities through training them in administrative and judicial affairs.

**Third:** provide legal aid units affiliated with family courts with the needed furniture and equipment and provide selected court rooms with the required devices and equipment.

**Fourth:** Develop an action plan on ways to disseminate the legal aid system in other family courts across Egypt.

- Improve electronic networking between family prosecutions, LAOs, DSOs and Nasser Bank to facilitate access of women litigators in family courts to their financial rights.

1) **Build the capacities of family courts staff**

- Hire a national HR consultant to determine the training priorities for LAOs and DSOs staff training.
- Hold workshops for family courts judges.
- Hold training courses for LAOs and DSOs staff.
- Hold a panel discussion during which presidents of family courts can share their experiences and discuss ways to strengthen the role of LAOs and DSOs.
- Hold courses aiming at the exchange of experiences with the relevant international agencies. In these courses, international experts would share their experience regarding the modern frameworks for strengthening the role of LAOs and DSOs as well as the role of legal mediation in the achievement of swift justice.
- Exchange of experiences with regards to

**Cooperation Protocol with Nasser Bank**

**Total:** USD ①①,①①,①①

**Training Courses**

**Workshops**

**- Exchange of International Experience**

**Total:** USD ①①,①①,①①
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<th>Expected Results</th>
<th>Responsible Entity</th>
<th>Output Goals</th>
<th>Phase I Pilot Activities (Preparation Phase)</th>
<th>Inputs</th>
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| *(1)* Improve the efficiency and quality of services provided to citizens by DSOs | PMU |  | *(v)* Promote the establishment of LAOs and the Development of DSOs in Family Courts nationwide  
➢ Form a committee comprising MOJ representatives so that they can determine which courts need the establishment of LAOs or the development of DSOs. This committee should present its recommendations in this regard to the Minister of Justice assistant for the affairs of specialized courts so that he can review them and grant his final approval on them.  
➢ Promote the establishment, furnishing and equipping of *(^)* LAOs in family courts in non-frontier governorates. The courts in which these LAOs will be established will be determined in light of the reports developed by the abovementioned committee and their establishment will be approved by the assistant to the Minister of Justice for the affairs of specialized courts.  
➢ Develop and furnish *(^)* DSOs in family courts. | - Devices  
- Equipment  
- Furniture  
 Total: USD \$\$\$  
 Total: *(\$)*  
 - Manuals  
 - Press Events and Information Meetings  
 Total: *(\$)* |
1) Raise the awareness of litigators of the role of LAOs and DSOs
   - Issue legal publications and manuals to be distributed over LAOs and DSOs in family courts.
   - Raise the awareness of citizens about the importance of the role played by LAOs in cooperation with the relevant public authorities such as the Ministry of Interior, The Ministry of Social Solidarity and the Ministry of Transportation through putting up posters, conducting press visits and holding information meetings.

2) Establish a Project Management Unit (PMU)
   - The Minister of Justice will delegate a judicial advisor (Project Manager) to be responsible for monitoring and supervising all project activities (without receiving any remuneration in return for such).
   - The established PMU will comprise an Executive Assistant, an Administrative Officer, and a Legal Researcher.
   - The PMU will hold meetings to carry out all project activities monitoring tasks. The project's financial activities will be supervised by the Operational Unit for Development Assistance (OUDA) affiliated with the Ministry of International

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## Annual Work Plan

**Egypt - Cairo**

**Report Date:** 17/12/2015

### Year: 2015

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**TOTAL**

663,899.15

**GRAND TOTAL**

663,899.15
### Annual Work Plan

**Egypt - Cairo**

**Report Date:** 17/12/2015

**Project:** 00044541

**Project Title:** Support legal Aid & Dispute settlement in Family Courts

**Year:** 2016

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**TOTAL**

270,972.00

**GRAND TOTAL**

270,972.00
### Annual Work Plan

**Egypt - Cairo**

**Project:** 00044541  
**Project Title:** Support legal Aid & Dispute settlement in Family Courts  
**Year:** 2017

#### Key Activities

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**TOTAL**  
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**GRAND TOTAL**  
238,862.02