

Logical Framework for IR 1.3: Independent and Professional Application of the Rule of Law (ROL Project)

Under DO 1: Democratic checks and balances and accountable governance enhanced

Justice System Strengthened to Ensure Due Process, Judicial Independence, and the Protection of Human Rights

Narrative Summary	Objectively Verifiable Indicators	Means of Verification	Target Results	Important Assumptions/Risks
Goal: Democratic checks and balances and accountable governance enhanced	- Freedom in the World Index - Freedom House Nations in Transit Aggregate Score (Democracy Score)	Freedom House annual report	FH score of 2.5 FH score of 3.7	
Project Purpose: Justice system strengthened to ensure due process, judicial independence, and the protection of human rights	- Freedom House Nations in Transit Judicial Framework and Independence Score % of legal professionals who feel there is effective balance between disputing parties in courts % of legal professionals who feel citizens have the possibility to benefit from the protection the justice system offers	Freedom House annual report Periodic polls conducted by implementing partner	FH score of 4.25 Establish baseline % Establish baseline %	- Political will to ensure independence of judiciary is there. - Government is interested in continuing democratic reforms in the Justice system. - Human Rights remain to be priority of the GOG. - The project will coordinate with EG office economic development activities on the issues related to commercial law framework. - Capacity of civil society to effectively engage in justice system reform, including systemic participation in criminal justice sector reform, is present - Activism by religious or sexual minorities is often considered by the Georgian Orthodox Church and many Georgian citizens as a threat to deep-rooted Georgian traditions. The justice system players and legal professionals are often under the influence of these sentiments. - The project will promote consideration of

				gender equality in the course of legislation refinement work
Sub-Purpose 1: Legal framework strengthened OUTPUTS 1.1. Legal framework that conforms to international standards and best practices 1.2 Civil society is effectively engaged in the legislative development process INPUTS 1.1: • Technical assistance, study tours and training for judges, High School of Justice, High Council of Justice and judicial associations, Ministry of Justice and Parliament, to improve proceedings of judicial appointment, discipline, promotion, evaluation, and transfer • TA and training of the HCOJ, MOJ to alter current internal subordination system of the judiciary into the one that allows participation and inclusion of judges in decision-making • TA and training to promote consistent application of law by courts • TA, training to Parliament to ensure Constitution Reform Process is informed by international best practice examples	• Number of laws and regulations and procedures designed and adopted to enhance judicial independence adopted with USG assistance • Number and percentage of laws and regulations related to judicial affairs adopted consistent with citizen input • Number of laws, regulations and procedures designed and adopted to enhance due process and protection of human rights developed with USG support • Expert assessment of judicial independence, due process, and human rights protections against international standards • Custom outcome indicator that will measure the relative importance of law or amendment adopted.	Implementing partner reports, and implementing partner technical expert assessments	Establish baseline: Target will be # of amendments to 6 relevant laws	The legislation impacted by the ROL Project includes: Organic Law on the Courts, Law on Disciplinary Responsibility and Disciplinary Proceedings of Judges of the Common Courts, and Law on Distribution of cases among judges, law that regulates the social benefits of judges, law on the HSOJ, Code of Administrative Offenses. Indirectly the ROL project may impact (through NGO partners) the Criminal Code and the Criminal Procedure Code. Under JILEP, as of 2013, 10 amendments to laws were proposed and 4 were adopted. The four amendments were part of the Organic Law on the Courts and the Law on Disciplinary Responsibility and Proceedings of Judges of the Common Courts.

• TA, training for MOJ and Parliament, to revise administrative proceedings so that they provide due process guarantees • TA to MOJ and Parliament to develop mechanisms against discrimination of citizens through a participatory and transparent process • TA to MOJ (working group on commercial law reform) to develop legislation that responds needs of doing business and adequately defend property rights of business organizations and citizens 1.2: • TA, study tours, and training to NGOs to strengthen advocacy for improved legal proceedings of judicial appointment, discipline, promotion, evaluation, transfer • Round tables, conferences and other fora created for exchanges of ideas between civil society, academia, judges, judiciary leaders and government stakeholders on legal reform issues • TA, grants to NGO Coalition to ensure Constitution Reform process is participatory and transparent • TA, training for NGO Coalition to strengthen advocacy for refined administrative proceedings, to engage in advocacy for criminal legislation reform which provides an adequate discretion of a judge, to develop mechanisms against discrimination of citizens through a participatory and				
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transparent process • TA to NGO Coalition to engage in development of legislation that responds needs of doing business and adequately defend property rights of business organizations and citizens				
Sub-Purpose 2: Improved governance of justice system institutions OUTPUTS 2.1 Management systems in justice sector institutions improved 2.2 Civil society monitoring and oversight of justice system institutions strengthened 2.3 Cooperation and interaction among justice system institutions improved INPUTS 2.1: • TA to the Judiciary institutions to refine case assignment proceedings in order to make them clear and objective • TA to judicial institutions on social regulations ensuring equal treatment of all judges that are consistent with international best practices • Technical assistance to HCOJ, HSOJ, and Supreme Court to improve Human Resource Management of judiciary institutions • Technical assistance to judiciary institutions, MOJ and NGOs to clearly define functions of court chairs and court managers, leading to improved	• % of legal professionals who positively assess performance of justice system institutions (Ministry of Justice, High Council of Justice, High School of Justice, Legal Aid Service, Courts, Prosecutor and legal professional associations) • Number of domestic NGOs engaged in monitoring or advocacy work on human rights receiving USG support • % of citizens who recognize and identify domestic NGOs engaged in monitoring of advocacy work on human rights • % of citizens who are confident in courts • % of justice sector users who are satisfied with their experience (disaggregated by service and demographics) • % of citizens aware of justice system reform in	Periodic polls conducted by implementing partner Implementing partner reports IRI poll DG Survey DG Survey	Establish baseline % Establish baseline # 65% Establish baseline % Establish baseline % Establish baseline %	• Other USG agencies (DOJ, INL) will continue provide technical assistance and support to MIA and Prosecutors Office. USAID will strengthen civil society oversight of the reforms in those agencies. • USAID, DOJ and INL will coordinate their efforts to promote increased interaction and understanding among justice system institutions. The three USG agencies might apply joint planning and joint financing as strategies to accelerate results.

court management • TA to HCOJ to increase its capacity to make policy decisions • TA and training to HCOJ, Supreme Court and HSOJ to improve outreach and public affairs management systems that would ensure transparency of judiciary • TA, training to Free Legal Aid Service on organizational capacity development, as well as different models of legal aid delivery 2.2: • TA, training and grants to local CSOs (NGO Coalition for Transparent and Independent Judiciary) to improve their research capacity and advocacy for independence of judiciary • TA, training and grants to NGO Coalition to monitor progress of reforms in justice system and inform general public on the reform implementation process • TA, training and grants to NGO Coalition to advocate for reduced political influence over law enforcement, monitoring operations of law-enforcement and police compliance with Human Rights standards • TA and training to GBA to enhance its capacity of advocating for and monitoring over Implementation of adversarial criminal proceedings • TA, training and grants to NGO Coalition to monitor operations of Prosecutors Office	select communities versus nationwide			
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• Grants to CSOs/NGO Coalition to monitor operation of the LAS. 2.4: • Joint training and TA support to courts and bar TA to promote institutionalization of interaction channels among justice system players – judges, lawyers and prosecutors • Support to create various channels for interaction among justice system players at central and local levels (Bench and Bar meetings, local councils) • Facilitate and coordinate activities of grass-root community councils in predetermined regions. Create small grants fund to address problems identified by the select community councils				
Sub-Purpose 3: Skills and knowledge of legal professionals enhanced OUTPUTS 3.1 University-level legal education system prepare a strong cadre of graduates equipped with practical skills and knowledge 3.2 Self-governance of legal professionals strengthened 3.3 Performance of legal professionals and courts comply with “fair trial” standard set by international human rights law	• Number of law students, lawyers, judges and court personnel benefitting from improved teaching facilities and curricula supported by the USG • % of test takers who pass the bar exam • % of legal professionals who assess quality of legal education as adequate for the market demand	Implementing partners’ records/reports; Public data from Georgian Bar Association; Assessment by Implementing partner of opinion leaders based on interviews, polls, and secondary reports and sources	Establish baseline 6,000 Establish baseline Baseline from close of JILEP project	DOJ will continue extensive training of defense bar and judges in criminal legislation and trial skills, as well as training for criminal law judges in reasoning of judicial decisions

INPUTS 3.1: • TA, training for law school faculty and law professors on interactive teaching methodology developing analytical thinking of students • TA, training and grants to law schools so that they create possibilities for law students to apply their knowledge in practice. Organizing mock trials, student competitions, summer/winter schools etc. with the focus on Human Rights and Commercial law issues • Training, grants to law professors/law schools aimed at developing Georgian language textbooks and teaching materials, TA and grants for creation better law libraries • Support to create online legal database with legislation, case law, judicial opinions etc. in an easy-to-use searchable format • TA, training to law schools/law professors to improve teaching of human rights and to promote better teaching of gender equality law in law schools 3.2: • Create multiple fora, Conferences, round table discussions, for Judges to actively interact with civil society and other stakeholders in Rule of Law sector on justice system reform issues • TA, training, grants to judicial associations to support their				
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institutional capacity development and their ability to engage in advocacy • TA, training, to GBA governing bodies and its training center to ensure the progress up to date is institutionalized • Promote empowerment of women judges so that they become more active in decision-making roles 3.3: • TA, training, and exchanges for GBA training center to enhance Continuing Legal Education (CLE) implementation • TA, Training to Ethics Commission of the GBA to ensure ethical standards for lawyers comply with international standards. Training for lawyers to ensure application of ethical standards of lawyers • Continue training of lawyers to develop their presentation, writing and trial skills • Create training programs for lawyers on human rights law and commercial law issues • TA, training to MOJ, HCOJ, HSOJ as well as NGO Coalition to revise institutional set-up of the HSOJ and introduce a sound CLE system for judges and judicial personnel • TA and Training to HSOJ to improve its capacity of training judges and judicial personnel • TA to the Human Rights Centre of the Supreme Court. TA and Training to ensure judges and court clerks have access to international standards and ECHR case-law. TA and training to				
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promote application of international best practice/ECHR standards in judicial decisions • TA, Training aimed at improving reasoning of judicial decisions and court room communication skills of judges. • Training and TA to empower women judges so that they become more active in decision-making roles • Joint training for judges, lawyers and prosecutors to promote consistency of legal practice				
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Sub-Purpose 4: Increased access to justice by marginalized groups OUTPUTS 4.1 Legal aid support to marginalized individuals or communities by legal professionals and civil society organizations increased 4.2 Awareness of legal professionals about their roles and responsibilities in ensuring equality before the law increased INPUTS 4.1: • Grants to CSOs/NGO Coalition to promote awareness raising of marginalized groups of their legal rights • Grants to NGOs to provide free legal assistance to women, ethnic/religious minorities and other vulnerable groups • TA, training and grants to CSOs/NGO Coalition to engage in research and advocacy for providing alternatives for improved equal treatment for all by justice system agencies/legal professionals 4.2: • Create training programs for the GBA, law schools and HSOJ on human rights and gender equality issues • Training for legal professionals in human rights law, legal standards related to minority groups	• % level of satisfaction among representatives of vulnerable groups who received legal advice and/or representation to remedy their violated rights • Number of legal precedents set that promote equality before the law • Number of cases referred to justice system with USG assistance • Number of legal professionals benefitting from training on rights of marginalized groups provided with USG assistance (disaggregated by occupation and demographics)	DG Survey Reports from Implementing partner	Establish baseline % Establish baseline # Establish baseline # Establish baseline #	Sub-Purpose 4 is examining a new area of activity and requires input at a later stage to determine targets.
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• Training, round table discussions to promote understanding of gender-specific problems among legal professionals				
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