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**THIS ACTION IS FUNDED BY THE EUROPEAN UNION**

**ANNEX II**

to the Commission Implementing Decision on the financing of the annual action plan in favour of the Philippines for 2023

**Action Document for Enabling Justice and Rule of Law in the Philippines**

This document constitutes the annual work programme within the meaning of Article 110(2) of the Financial Regulation, within the meaning of Article 23 of the NDICI-Global Europe Regulation.

## 1 SYNOPSIS

### 1.1 Action Summary Table

<b>1. Title CRIS/OPSYS business reference Basic Act</b>	<b>Enabling Justice and Rule of Law in the Philippines</b> OPSYS number: ACT-62120 Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe).
<b>2. Team Europe Initiative</b>	No
<b>3. Zone benefiting from the action</b>	The action shall be carried out in the Philippines
<b>4. Programming document</b>	Multi-annual Indicative Programme (MIP) Philippines (2021 – 2027)
<b>5. Link with relevant MIP(s) objectives / expected results</b>	Priority Area 2 – Peaceful and Just Society, Good Governance <u>Specific Objective 5 Good governance and access to justice</u> - The accessibility, efficiency and effectiveness of the justice system are increased and the role of oversight bodies and civil society to demand accountability from the Government is strengthened.
<b>PRIORITY AREAS AND SECTOR INFORMATION</b>	
<b>6. Priority Area(s), sectors</b>	151 Government & Civil Society-general
<b>7. Sustainable Development Goals (SDGs)</b>	Main SDG (1 only): Goal 16 - Peace, Justice and Strong Institutions: <i>Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.</i> SDG 16 : targets 16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all; 16.5 Substantially reduce corruption and bribery in all their forms; 16.6 Develop effective, accountable and transparent institutions at all levels Other significant SDGs: SDG 5: Gender Equality SDG 10: Reduced Inequalities

8 a) DAC code(s)	15130 40% Legal and Judicial Development 15160 29% Human Rights 15125 15 % Public Procurement 15180 10% Ending violence against women and girls 15113 6% Anti-corruption organisations and institutions			
8 b) Main Delivery Channel	13000 - Delegated co-operation 41000 – UN Agency or fund			
9. Targets	<input type="checkbox"/> Migration <input type="checkbox"/> Climate <input checked="" type="checkbox"/> Social inclusion and Human Development <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Biodiversity <input checked="" type="checkbox"/> Education <input checked="" type="checkbox"/> Human Rights, Democracy and Governance			
10. Markers (from DAC form)	<b>General policy objective @</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Nutrition @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Biological diversity @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Internal markers and Tags	<b>Policy objectives</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Digitalisation @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	digital connectivity digital governance digital entrepreneurship	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	/

	digital skills/literacy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	digital services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Connectivity @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	digital connectivity	YES	NO	
	energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	health	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
education and research	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Migration @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Reduction of Inequalities @	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Covid-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>BUDGET INFORMATION</b>				
<b>12. Amounts concerned</b>	Budget line(s) (article, item): 14.020131 Total estimated cost: EUR 16.5 million Total amount of EU budget contribution EUR 16.5 million The contribution is for an amount of EUR 16.5 million from the general budget of the European Union for 2024, subject to the availability of appropriations for the respective financial year following the adoption of the relevant annual budget, or as provided for in the system of provisional twelfths.			
<b>MANAGEMENT AND IMPLEMENTATION</b>				
<b>13. Type of financing</b>	<b>Indirect management</b> with the entity(ies) to be selected in accordance with the criteria set out in section 4.3.1			

## 1.2 Summary of the Action

The EU is **recognised as a valuable, longstanding partner** in the sector of good governance and rule of law. This action would further support the much-needed reforms as stipulated and committed by the new Government and the Supreme Court. Structured policy dialogue to advance the good governance agenda with the Philippines will continue through the relevant Partnership and Cooperation Agreement subcommittees. Also, via the provision of technical assistance, and through the proposed intervention on access to justice the EU will continue to participate in the definition of the policies that are currently being developed in particular in the Justice sector.

The action will respond to the two main challenges the justice system in Philippines faces: the quality of justice and the barriers faced by less privileged parts of society to access justice. The action will consist of three components: **1. Support to Justice sector: justice coordination** (headed by Supreme Court) through supporting coordination both at national level and local level. The focus will be in particular on promoting effective ‘justice zones’, where cities/local government and all relevant actors (e.g. judges, public prosecutor and public attorney’s offices, and the police, as well the Commission on Human Rights and civil society organisations) work together to improve criminal and civil justice provision. **2. Access to justice for all**, through improved access to legal aid with a focus on women and people living in vulnerable situations (urban poor, farmer/fisherfolk and upland

communities, indigenous peoples, LGBTIQ<sup>1</sup>, people with disabilities, and the youth), through capacity development of selected Local Government Units (LGUs) as entry point to the justice system and through increasing awareness of rights as well as capacity strengthening in particular to address gender based violence. **3.** The support for **anti-corruption measures** will reinforce the response to the new Government's willingness to address the structural, embedded irregularities and corruption in the Philippines public procurement.

The action is part of Priority 2 of the MIP for the Philippines, which is crucial to improve the enabling environment for attracting private sector investments in the country – a key priority for the current administration. As such it is also an important enabler for implementing the Global Gateway under Priority 1 which includes the promotion of investments from Europe. It also fully corresponds to the 2030 Agenda for Sustainable Development, which requires States under SDG 16 to “promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.” It meets the particular needs as highlighted in the November 2022 OHCHR Universal Periodic Review of the Philippines as well as the second cycle of review of the UNCAC (Convention against Corruption).

## 2 RATIONALE

### 2.1 Context

As stated in the 2021-27 MIP, improving the quality of governance in the Philippines is fundamental to the country's prosperity and stability. In particular, the Rule of Law, with an adequate justice system that enforces it, is a key pre-condition for economic and social development. The EU is currently the most important development partner in the reform of the justice system and it engages with the full spectrum of justice-related stakeholders, which gives it a unique position to promote and support a sector-wide approach in reforming the sector.

The legal system of the Philippines is a mixed civil law and common law system, reflecting the country's colonial past and its unique position as a bridge between East and West. Despite its positivist nature, the Philippine legal system also exhibits the characteristics of a pluralist legal system in that indigenous judicial systems, Muslim personal laws, and informal modes of dispute resolution coexist with a formalistic model.

Access to justice for the poor and the marginalised, including women, continues to be inadequate. Available research indicates the scale of the justice gap in the Philippines, where 35% of people experienced an access to justice problem in the last two years while only 20% were able to access help. Of those that were able to access help, it was mostly from friends and family (72%). Only 15% responded they were able to get a lawyer or some professional help, 9% were able to access a government legal aid office and 12% were able to access the court or some government body or the police to resolve their problem<sup>2</sup>.

Congestion in the Philippines' justice system is a major concern: the caseload of the judiciary in 2021 was 1.14 million in the lower courts and around 49,946 cases in the appellate courts including the Supreme Court (SC). Recent figures of the Bureau of Jail Management and Penology (BJMP) have slightly improved from the all-time highs reached during the “war on drugs” policy from the Duterte administration, but still reveal an average congestion rate of the detention facilities of 370%, while jails are congested up to three times their rated capacity<sup>3</sup>.

In recent years, there have been considerable efforts to reform the legal system and make it more efficient and effective, as per the previous Philippine Development Plan (PDP) 2017-2022 which contained a chapter on

<sup>1</sup> European Commission LGBTIQ Equality Strategy 2020-2025, [https://commission.europa.eu/system/files/2020-11/lgbtiq\\_strategy\\_2020-2025\\_en.pdf](https://commission.europa.eu/system/files/2020-11/lgbtiq_strategy_2020-2025_en.pdf)

<sup>2</sup> Global Insights on Access to Justice Report – Philippines Country Profile (World Justice Project, Washington, 2019)

<sup>3</sup> 2021 data.

“pursuing Swift and Fair Administration of Justice”<sup>4</sup>. One of those changes has been the introduction of justice sector coordination. This policy brings together the Supreme Court, the Department of Justice and the Department of Interior and Local Government in a “Justice Sector Coordinating Council (JSCC)” to identify common problems and develop sector-based solutions. Coordination is operationalised at the local level, with the establishment of Justice Zones (JZ), cities in which all relevant actors (judges, public prosecutor and public attorney’s offices, and the police) work together to improve criminal justice provision.

However, the fundamental rights civil justice, and criminal justice sub-indicators under the World Justice Project (WJP)<sup>5</sup> remain critical. Indeed, in the Rule of Law Index of the WJP, the overall score of the Philippines remains in the bottom half of the index (0.47), with a global rank of 97 out of 140 countries and with a regional ranking of 13 over 15 countries in the East Asia and Pacific region. Criminal justice’s performance is particularly alarming, with the lowest scores (0.32), ranking 117 out of 140 countries examined<sup>6</sup>. Likewise, the Philippines fares poorly in the Rule of Law (ranking 34.14) under the World Bank’s Worldwide Governance Indicators for 2022<sup>7</sup>.

The new PDP 2023-2028 acknowledges these figures, recognises that an efficient administration of justice is critical in ensuring sustained economic progress and highlights the current shortcomings: Fragmentation of the criminal justice system, backlogs in case processing, limited resources and low confidence. To tackle many of these issues, and to “improve the sector’s efficiency and accountability” the new PDP chooses to maintain and further expand the Justice Sector Coordination policy introduced in the previous PDP, with the strengthening and expansion of Justice Zones (JZs) — with the establishment of one new JZ per quarter until the end of 2028 — the operationalisation of coordination at the local level — and the institutionalisation of the Justice Sector Coordination Council (JSCC). The PDP also commits to a more inclusive justice, more specifically to strengthen victim legal protection and assistance, as well as coordination among the justice actors.

In parallel, the Supreme Court — at the helm of the judiciary — launched in 2022 its Strategic Plan for Judicial Innovations 2022-2027, anchored on four guiding principles: Timely and fair justice, transparent and accountable justice, equal and inclusive justice, technologically adaptive management. Lines of work foreseen under the SPJI target three outcomes: Efficiency, Innovation, and Access<sup>8</sup>. This new strategy — yet to be translated into an action plan — evidences the commitment with reform of the Justices of the Supreme Court.

The EU is already recognised as a valuable, longstanding partner in the justice sector with the first programme on this sector dating back to 2006. The last two support programmes in particular — GOJUST I and the still ongoing GOJUST II — had as counterparts the key actors in the reform of justice provision in the Philippines, and have been key on many of the areas that continue to be relevant, such as justice sector coordination, or institutional efficiency and effectiveness. This engagement has helped build a relationship that is a strong entry point to support the sector’s renewed efforts (as stated under the new PDP), to improve their efficiency, and accountability and to increase access to justice for all. This Action will further support the much-needed reforms as stipulated and committed by the new Marcos Jr. administration and the Supreme Court. This Action will also complement the Philippine Open Government Partnership, which is actively led by the Department of Budget and Management. It will provide space for participatory consultations and foster stronger multi-sectoral partnerships to promote good governance and improve efficiency both in the executive and the judiciary.

The action will directly contribute to the achievement of SDG 16 of the *2030 Agenda for Sustainable Development* as well as section 4.1 of the *2017 European Consensus on Development* which both promote peaceful and inclusive societies through, inter alia, the enhancement of the rule of law and equal access to justice for all, development of effective, accountable and transparent institutions at all levels, which are all key entry points of the envisaged EU Programme. The action will also contribute to the implementation of the Gender Action Plan III’s country level implementation plan for the Philippines 2021-2025 as it targets two of the CLIP areas of engagement, namely 1) ensuring freedom from all forms of gender-based violence (and access to justice) and 2) promoting equal participation and leadership.

<sup>4</sup> Philippine Development Plan 2017-2022, Chapter 6.

<sup>5</sup> Fundamental rights (29.00 vis-à-vis 15.71), civil justice (27.00 vis-à-vis 25.71) and criminal justice (29.00 vis-à-vis 16.43) sub indicators

<sup>6</sup> World Justice Rule of Law Index 2022, pages 11 and 141.

<sup>7</sup> Philippine Development Plan 2023-2028, page 305.

<sup>8</sup> <https://sc.judiciary.gov.ph/supreme-court-launches-the-strategic-plan-for-judicial-innovations-2022-2027/>

**Anti-corruption** poses significant threats in the Philippines where it is heavily embedded in all segments of society. Corruption weakens institutions, erodes trust and threatens the economy by undermining fair competition and discouraging investment and trade. Corruption in the Philippines disproportionately affects disadvantaged groups, specifically the poor, as well as ethnic and religious minorities, preventing social inclusion, promoting inequality and inhibiting prosperity. Corruption is also a major obstacle for the opening of the economy, as it prevents high-quality investments. A specific action will be important to open space for a dedicated policy dialogue on how to address corruption – linked i.a. to the roll out of the Global Gateway initiatives under priority 1 of the MIP. The action will support anti-corruption measures both at national and local level, contributing to a better conducive public administration and its services for the citizens. The action might envisage capacity building, monitoring and awareness raising of anti-corruption measures specific to public procurement for infrastructure investment projects (link to Global Gateway Initiatives). There will be also a connection to the ongoing work on Open Government Partnership and the move towards e-governance.

## 2.2 Problem Analysis

The main issues with the justice system in the Philippines are the **quality of justice provision and the barriers faced by people to access justice**. These challenges are proving difficult to overcome, as confirmed in the PDP 2023-2028<sup>9</sup>.

### **Lack of Coordination:**

The **administration of justice** is shared by the Executive and Judiciary branches of government. A relevant shortcoming, which affects the efficiency and effectiveness of the system is the lack of proper coordination between its different pillars – law enforcement, prosecution, courts, correction, and the community. Criminal investigations for example, are being carried out independently by the police instead of being supervised by the prosecution or the judiciary as in most civil law countries, which results in cases being brought to dockets lacking sufficient merits or being improperly built, therefore causing unnecessary clogging of dockets, and result often times in unnecessary, and possibly lengthy, detentions. Additionally, there is often a lack of shared understanding of concepts and procedures/protocols, and information systems may not be compatible such as the corrections system and the courts are not linked.

As mentioned in section 2.1 above, the need for improved coordination between the different justice sector actors had already been highlighted in the PDP 2017-2022's chapter on Justice, and the new PDP 2023-2028 is choosing to maintain and deepen this policy. Beyond the institutionalisation and expansion planned in the PDP, and with the support of the EU's GOJUST II, the Supreme Court, the DOJ and the DILG are also working to improve quality and results orientation of the work of JZs –which until now was largely unregulated and dependent on the interest of local officials – through the introduction of standards for planning and reporting.

Coordination of the justice agencies and initiatives is a mandate of the Justice Sector Coordinating Council (JSCC), the coordinating mechanism between the Supreme Court (SC), the Department of Justice (DOJ) which includes the Public Attorney Office, and the Department of the Interior and Local Government (DILG), including the PNP and the LGUs. Support to the JSCC will allow a multi-sectoral approach in the planning and implementation of reforms in the criminal justice system and the Justice Zones. In addition, the Inter-Agency Council on Violence Against Women and their Children (IACVAWC), a multi-sectoral body established to ensure effective implementation of the law and be the lead coordinator and monitoring body on VAWC initiatives, could play a role and might be supported in the context of this action.

New modalities, such as the “thematic” Justice Zones are currently being introduced (working for example on combatting trafficking in persons) and are supported by the EU's GOJUST II programme. Work in these new thematic zones will expand the coordination mechanism, involving national agencies outside the justice sector, local government authorities and Barangay committees with responsibilities on the issue, and even civil society

<sup>9</sup> Chapter 13 of the PDP 2023-2028 (Enhance Administration of Justice).

organisations. This could be a first but significant step in the direction of an open justice model<sup>10</sup>. This new mechanism can indeed prove key for improved justice provision at the local level and access to justice, and should also serve to generate learnings to be mainstreamed in other justice zones.

### **Lack of Access to Justice:**

Justice in the Philippines also reflects the high levels of **inequality** in the country. Those with lower socio-economic status, or those living in rural or remote areas, are less likely to be aware of their rights and the remedies available to them, and ultimately to obtain protection or defend themselves adequately, especially in a context where the system does not guarantee quality free or affordable legal aid for all. The clogging of the system also impacts disproportionately those without adequate legal representation, thus helping perpetuate inequality. This lack of **access to justice** often leads to exclusion, grievances, and ultimately, social, and political instability.

Part of the Department of Justice, the Public Attorney Office (PAO), is the institution in charge of providing the free legal counsel to those who wouldn't be able to afford it, so to implement the Constitutional guarantee of free access to courts, due process, and equal protection of the laws. In 2022 the PAO reports that each of its 2,400 lawyers had an average of 4,887 consultations from the public and handled 354 cases, which impacts on the quality of legal assistance they can provide to the public. The leadership of the PAO itself has admitted that its lawyers are overworked, and this leads to high rotation (the law sets a limit to the quantity of PAOs, and it has already been reached).

Recent indicators confirm the extent of challenges related to citizen's legal aid needs and their access to competent legal service providers. For example, the 2021 World Justice Project Rule of Law Index scored the Philippines at 0.52 (with 1.0 as having accessible justice and 0 as having no access). This places the country below the global average of 0.56, ranking 87<sup>th</sup> out of 140 countries in the world and 11<sup>th</sup> out of 15 countries in the East Asia and Pacific Region<sup>11</sup>.

The Supreme Court (SC) is ready to play a leading role to improve access to justice in the country. Over the years, the SC has launched several programmes to enhance access to justice by those sectors of population that live in most vulnerable situations (remote communities, people living in poverty, etc.), including the Justice on Wheels Programme (JOW) and the Clinical Legal Education Programme (CLEP). The JOW was created in 2004 to alleviate the backlog of courts and make justice more accessible to remote areas that lack functioning courts. The programme has allowed buses to serve as both a courtroom in the front and a mediation centre in the back. Initially, the programme sought to alleviate congestion in youth reception centres, juvenile facilities, and jails. The SC wants now to re-direct this effort to reach remote areas with difficult access to courts. The Clinical Legal Education Program (CLEP) is initiative from the Supreme Court –which is in charge of managing the Bar examination- that requires law schools to set up “clinics” in which students -under the guidance of experienced lawyers and law professors- are assigned to handle the legal cases of clients who are unable to afford the services of a lawyer. The review of Justice-on-wheels and Clinical Legal Education programmes is indicated in the SPJI as necessary actions to calibrate and adjust future legal aid. The PDP 2023-2028 confirms the importance of JOW and will support the SC in its expansion<sup>12</sup>.

The SC is also spearheading an initiative to bring together all relevant stakeholders (DOJ, PAO, Integrated Bar of the Philippines, Philippine Association of Law Schools, and alternative law groups) that will map available legal aid services per locality and create an online database of free legal aid providers, evaluate all the legal aid programmes in the country or conduct an impact evaluation of the judicial processes and services on marginalised groups and communities, in order to be able to make policy decisions.<sup>13</sup>.

In parallel to this, and to improve efficiency, the PDP also proposes the advancement in the use of Alternative Dispute Resolution (ADR). The aim is to reduce the overall backlog of the judiciary by reducing the number of cases that need to reach the formal justice system. One of those mechanisms, - the main one in terms of its

<sup>10</sup> An “open justice” approach involves including of CSOs not as observers or even implementers of some justice activities, but as co-creators of justice public policy.

<sup>11</sup> World Justice Rule of Law Index 2022, pages 11 and 141.

<sup>12</sup> PDP 2023-2028, page 312

<sup>13</sup> [https://www.unodc.org/documents/justice-and-prison-reform/UN\\_principles\\_and\\_guidelines\\_on\\_access\\_to\\_legal\\_aid.pdf](https://www.unodc.org/documents/justice-and-prison-reform/UN_principles_and_guidelines_on_access_to_legal_aid.pdf)



countrywide presence and institutionalisation - is the Barangay Justice System (BJS) This community mediation mechanism - consecrated in the Local Government Code of 1991 - aims to deliver speedy, cost-efficient and quality justice through non-adversarial processes. It is present in each barangay - the smallest political and administrative unit in the country- and adjudicates in civil matters and criminal matters with penalties under one year.

The BJS is the most accessible and preferred dispute resolution system for citizens given the high cost of litigation and the slow pace of justice in the Philippines. In general, the BJS is considered an effective and satisfying dispute resolution mechanism. 76% of the respondents to the Justice Needs Survey, conducted by the Social Weather Station (SWS) in 2021 and commissioned by GOJUST II, reported a high satisfaction with the Barangay conciliation system. However, the BJS is not sufficiently inclusive and does not respond to the needs of all the community's members. The qualitative study accompanying the survey, which organised focus group discussions with sectors of the population living in vulnerable situations<sup>14</sup>, reported an apparent growing tendency for dissatisfaction from marginalized and minority groups. Many local officials, particularly those running the Barangay Justice System -the Lupon, or "Council of Elders" a group of appointed members from the local community- may still maintain mindsets and perspectives that these laws precisely seek to counteract, such as, for example, treating domestic violence as a private family affair contrary to the provision of RA 9262 on Anti-Violence against Women and Their Children Act of 2004. This runs counter also to the legal role of Barangays on VAWC: they can issue of Barangay Protection Orders, a first recourse for victims.

Indeed, the change of mind set among justice actors has not kept pace with the change in the legal framework on gender-based violence, and women victims are unable to fully benefit from laws protecting their human rights. Lack of accessible and gender-sensitive support services contribute to the high attrition rates of cases filed by women and other people living in vulnerable situations. Other shortcomings of the BJS include lack of legal knowledge and training among Lupon members, lack of resources, and lack of enforcement power. The legislative changes proposed by the PDP in what regards the increase of the jurisdiction of the BJS should therefore be accompanied by adequate professionalization at the central and at the local level. –For this there is a need to progress towards more institutionalised on-boarding and continuous education training mechanisms.

Gender inequality persist in access to justice, with women and girls - in particular victims of violence - facing various barriers, including gender bias, discrimination, lack of legal awareness, lack of trust in the judicial system, the stigma associated with reporting gender based violence and limited access to legal aid services. The 2017 National Demographic and Health Survey evidenced the impact of some of these challenges on women's access to justice: 1 out of 20 women and girls aged 15-49 in the Philippines have experienced sexual violence in their lifetime, but 41% of them do not seek help, because it could lead to further violence, social exclusion, being shamed or blamed. While official indicators suggest improved conditions and protection for women, independent accounts and personal experiences suggest differently. According to a study conducted by the United Nations Development Programme (UNDP) and the Philippine Commission on Women (PCW) in 2019, the legal aid services in the Philippines are not gender-responsive, and women from marginalized groups face additional challenges in accessing these services. The study highlights the need for legal aid providers to be more aware of the specific needs and issues faced by women, particularly those from people living in vulnerable situations.

Gender parity is a goal in the composition of the judiciary, and the SC Committee on Gender Responsiveness of the Judiciary, is working to transform policies, practices and conduct of the courts for a more equal and inclusive justice system, like, for example, the issuance by the Court in 2022 of guidelines on the use of gender-fair language and gender- fair courtroom etiquette. However there are only two female justices out of 15 and female judges are disproportionately represented in family courts, indicating the persistence of gender stereotyping. There is also still a need to increase gender sensitivity and awareness among justice personnel to transfer specific knowledge on how to provide appropriate support and assistance to women victims, especially those victims of gender-based violence and discrimination. The PDP 2023-2028<sup>15</sup> acknowledges this and commits to making access to justice more inclusive "especially among marginalized sectors such as women, children, Persons With Disabilities (PWDs), senior citizens, and indigenous peoples through victim-centred, child-friendly, and gender-sensitive assistance

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<sup>14</sup> Focus group discussions aimed to give a voice to urban poor, farmer/fisherfolk and upland communities, indigenous peoples, women, people living with disabilities, LGTBQ, and the youth.

<sup>15</sup> Philippine Development Plan 2023-2028, pages 312.



mechanisms” and to strengthen victim legal protection and assistance, as well as coordination among the justice actors.

**Corruption:**

In Transparency International Corruption Perception Index 2022 Philippines gained one place to 116 out of 180 countries, after it had dropped in 2021. Fight against corruption is insufficiently enforced by the weak and non-cooperative law enforcement agencies. Given the focus on growth and private sector investment, the current Government is now willing to introduce effective anti-corruption measures, including its policies and strategies in relation to public expenditure and public procurement.

Government spending on capital outlays (COs) and most of maintenance, operating, and other expenses (MOOE) fall under public procurement in the Philippines and for the last two years, these expenditure categories account for an average of 60 percent of the total budget or USD43 billion. The recent spike in CO budget is triggered by the government’s ambitious ‘Build, Build, Build Program’ with a total planned budget of USD171 billion under the current administration.

The Philippine Public Procurement System has undergone several reforms during the last two decades, which yielded significant achievements toward strengthening its legal and institutional framework particularly through the adoption of the public procurement Republic Act (RA) in January 2003, establishment of the Government Procurement Policy Board (GPPB) as the public procurement regulatory and normative body, introduction of the Agency Procurement Compliance and Performance Indicators (APCPI) system for periodic monitoring and evaluation of performance, and establishment of the Philippine Government Electronic Procurement System (PhilGEPS) - the e-procurement system for publication of bidding opportunities and contract award information. However, many challenges remain to be addressed in further reforms, especially with respect to eligibility and rules of participation, procurement approaches for optimal value for money, independent complaints review body, and PhilGEPS operational functionality and efficiency.

The public procurement reform priorities need to be aligned with the immediate development challenges of the government post COVID-19 to improve results and bring savings of public money while following principles of transparency, integrity, and accountability. Some of the key incentives for the Philippines further procurement reforms were identified as (a) capitalizing on the substantial and consistent reform efforts over the last two decades toward improving and aligning the country procurement legal and regulatory framework with international standards and practices and also by fast-tracking digitalization for the entire procurement process, (b) translating Green Public Procurement Strategy into procurement documents and technical specification as part of Sustainable Public Procurement Agenda including use of LCC to achieve value for money, (c) modernizing single procurement portal (PhilGEPS), and (d) harvesting saving potentials as shown by Data Analytics of 2019 which estimated that the Philippines could save between 26 percent and 29 percent of the total procurement spent through designing and implementing better procurement strategies and policies.

Identification of main stakeholders and corresponding institutional and/or organisational issues (mandates, potential roles, and capacities) to be covered by the Action under the outcomes 1 “Coordination of the Justice System”, 2 “Access to justice for all” and outcome 3 Anti-corruption:

- **The Supreme Court (SC)** heads the judicial branch of government.
- **The Department of Justice (DOJ)** plays a key role in law enforcement, prosecution and corrections. The National Bureau of Investigation (NBI), the National Prosecution Service (NPS), the Public Attorney’s Office (PAO), and the Bureau of Corrections (BuCOR), all fall under the DOJ.
- **The Department of Interior and Local Government (DILG)** is primarily in charge of all local governments (LGUs - including the VAW desks) and of law enforcement (Philippine National Police (PNP) including the PNP women and children’s protection units and the PNP women and children protection center, and the Bureau of Jail Management and Penology (BJMP)<sup>16</sup>.
- **The Justice Sector Coordinating Council (JSCC)** is a coordinating mechanism between the Supreme Court (SC), the Department of Justice (DOJ), and the Department of the Interior and Local Government (DILG), for a sectoral approach in the planning and implementation of reforms in the criminal justice system. The JSCC is responsible for deciding the establishment of new Justice Zones and regulating their work.
- **Justice Zones (JZs)** are cities where local justice sector actors such as police, prosecutors, public attorneys, judges and prison staff, work together to identify common problems and generate common solutions to address them, thus operationalizing the principle of justice coordination at the local level.
- **The Public Attorney's Office (PAO)** exists to provide the “indigent litigants, the oppressed, marginalized, and underprivileged members of the society free access to courts, judicial and quasi-judicial agencies, by rendering legal services, counselling and assistance”,
- **Free legal aid providers:** Other groups that provide free legal aid include the Integrated Bar of the Philippines (IBP), Legal Aid Clinics of law schools, and public interest law organizations such as the Alternative Law Groups, the Free Legal Assistance Group, Mabini, and the National Union for People’s Lawyers.
- **The Commission on Human Rights (CHR)** is the National Human Rights Institution (NHRI) created under the 1987 Philippine Constitution.
- **The Inter-Agency Council on Violence Against Women and their Children (IACVAWC)**, a multi-sectoral body established to ensure effective implementation of the law and be the lead coordinator and monitoring body on Violence Against Women and their Children (VAWC) initiatives. The council is composed of 14 government agencies.
- **The Office for Alternative Dispute Resolution (OADR)** is an attached agency of the Department of Justice. The OADR is well equipped to deliver training on mediation skills, they lack however the human resources to do this in a systematic manner (e.g. to train officials in all barangays).
- **The Philippine Commission on Women**, a national government agency that is responsible for promoting and protecting the rights of women in the Philippines.
- **Civil Society Organizations (CSOs)** in the Philippines are well organized but tend to lack capacity in access to justice policy advocacy, programming and coalition building/networking. .
- **Department of Budget and Management; responsible for** formulating the overall resource application strategy to match the government’s macroeconomic policy;
- **The Development Budget Coordination Committee (DBCC)**
- **Government Procurement Policy Board** an independent inter-agency body that is impartial, transparent and effective, with private sector representation.
- **Commission on Audit:** the country’s Supreme Audit Institution,
- **Parliamentary Budget Oversight Commission,**
- **Civil Society Organisations**

### 3 DESCRIPTION OF THE ACTION

#### 3.1 Objectives and Expected Outputs

The Overall Objective of this Action is to **contribute to the Philippine socio-economic development through a more effective, inclusive and accountable justice system.**

The Specific(s) Objective(s) of this Action are:

- 1. To develop more coordinated, efficient, gender sensitive and people-centred justice services**
- 2. To enhance access to justice for all, especially for women and people living in vulnerable situations.**
- 3. To enhance anti-corruption mechanisms for increased transparency and accountability of the public procurement system**

The Outputs to be delivered by this Action contributing to the corresponding Specific Objectives (Outcomes) are:

### **1. Justice Coordination**

1.1, Improved capacity of JZs and JSCC as the main coordinating mechanism between justice institutions, DILG, CHR and CSOs

1.2 Justice Zone model expanded, standardised and deepened with a focus on tackling substantive justice issues at the local level.

### **2. Access to Justice for All**

2.1. Improved access to legal aid services and in particular address cultural and social barriers that prevent women from accessing justice

2.2. Improved capacity of LGUs as right holders' first entry point in the justice system

2.3. Increased awareness of rights and available remedies for right holders, including women and people living in vulnerable situations

2.4. Enhanced capacities of actors of the justice system on the issues faced by women and other people living in vulnerable situations.

### **3. Anti-corruption**

3.1. Review and enhance the legal public procurement framework in line with best international standards

3.2 Strengthen the capacities of the public expenditure oversight bodies

3.3. Enhanced capacities of civil servants in public procurement procedures and best practices at national and local level especially in relation to transparency and accountability

## **3.2 Indicative Activities**

### **Output 1.1. Improved capacity of JSCC and JZs as the main coordinating mechanisms between justice sector institutions, CHR and CSOs**

Activities might include:

- Support the institutionalisation of justice sector coordination and the strengthening two-way communication processes between the JSCC and the JZs for improved and more effective interaction between the two by consolidating the planning for a convergence budget as part of the general budget planning process for the justice sector institutions; helping establishment of a permanent secretariat for the JSCC and for the JZs; supporting the setting up of a monitoring and standardised framework for the JSCC to oversee JZs' work (mandating JZs to carry out a gender and social inclusion (GESI) analysis, and the inclusion in annual plans of gender mainstreaming etc.), etc.

<sup>16</sup> Offenders convicted by the courts to serve sentences of three years or more are kept at the prison facilities of the DOJ's BuCOR. Those serving lower sentences as well as those with pending cases are detained jails under the DILG's BJMP.

- Supporting the deployment of shared databases and information tools etc. by justice sector actors, as well as initiatives to improve data collection, analysis and information sharing so that decisions within the justice sector are made based on empirical evidence.
- Help establish mechanisms for information exchange and policy coordination system between right holders and duty bearers, and/or public participation, with a focus on women and people living in vulnerable situations, to work towards an open justice model.

**Output 1.2. Justice Zone model expanded, standardised and deepened with a focus on tackling substantive justice issues at the local level.**

Activities might include:

- Logistical support to the organization of events, seminars, focus groups with JZs, CHR and CSOs to identify people's needs in a specific area. and logistics support if necessary
- Accompanying individual JZs in their planning exercises, supporting seminars or events to identify justice needs in a specific area, carrying out GESI analysis and training members in its mainstreaming, setting up of a monitoring and reporting framework with a results-based methodology, etc.
- Support the establishment of regular communication channels between justice sector institutions in the JZ and CSOs, and the involvement of the Commission on Human Rights and its regional offices in the work of JZs.

**Output 2.1 Improved access to legal aid services**

Activities might include:

- Support the Supreme Court in a systemic mapping and review of available legal aid programmes in the country. Including the reassessment of the Justice-on-wheels and Clinical Legal Education programmes, and assess how they respond to the needs of the different people living in vulnerable situations.
- Support legal aid initiatives to give access to people living in vulnerable situations, including support for public interest lawyering initiatives<sup>17</sup> (e.g. collective threats faced by indigenous people's or farmers).
- Supporting centres that provides all services under one roof to women and families that are victim of violence, i.e. access to lawyers, prosecutors, medical and psychological support.
- Promote sustainability of legal aid services, including through supporting possible institutional and legal reforms.

**Activities related to Output 2.2 Improved capacities of LGUs as right holders' first entry point in the justice system:**

Activities might include:

- Support the provision of guidance and monitoring by JZs actors of the implementation of relevant justice provision responsibilities of the LGUs and Lupons.
- Strengthening the capacities of both LGUs and Lupon members to carry out their duties through legal knowledge and mediation skills; awareness/sensitivity on Human rights of women, children, LGBTIQ persons, people living with disabilities, and 'access to justice' needs and concerns of the above groups; monitoring and evaluation systems to track progress on gender sensitive service delivery and identify

<sup>17</sup> Public interest lawyering are legal practices undertaken to help poor, marginalized, or under-represented people, or to effect change in social policies in the public interest.

areas for improvement, so duty bearers deliver services in a gender sensitive manner, etc. Capacity strengthening of VAWC desks officers, and other LGU authorities on VAWC, including and the role played by the Barangay in the issuing of Protection Orders, involving barangay authorities, as well as VAW desks, of DSWD social workers, crisis centers personnel, Justice Zone actors, etc..

**Activities related to Output 2.3 Increased awareness of rights and available remedies for right holders:**

Activities might include:

- Based on the gains of GOJUST II, establish a proactive grant facility for civil society organisation/partners to support rights awareness, legal empowerment/training of paralegals and emerging justice service needs to Justice Zones. Focus will be on legal/rights literacy among disadvantaged women, or persons living in vulnerable situations, and those in remote communities.
- Supporting the CHR's work to increase public awareness on human rights and available remedies for human rights violations in partnership with other national and international stakeholders.

**Activities related to Output 2.4 Enhanced capacities of actors of the justice system on the issues faced by women and other people living in vulnerable situations**

Activities might include:

- Review and monitor full and effective implementation of a body of laws against GBV, including on Sexual Harassment and Child Marriage. Identify gaps in legislation with the standards set by the UN Bangkok Rules<sup>18</sup> for women deprived of liberty.
- Support the work of the judiciary on gender equality and social inclusion (GESI), including the monitoring of the status of complaints and judicial decisions referring to cases of VAWC/GBV, and support the building of capacity of other justice sector actors.

**Activities related to Output 3.1: Review of the legal public procurement framework**

Activities might include:

- Assess existing gaps and deficiencies in public procurement laws, regulations and practices based on the recent assessments and recommendations.
- Support improving and aligning the country procurement legal and regulatory framework with international standards and practices; especially focus on the gaps related to the accountability, integrity and transparency of the public procurement system (incl necessary legislative amendments and guidelines issued by MoF).

**Activities related to 3.2: Strengthen the capacities of the public expenditure oversight bodies**

Activities might include:

- Train the Parliamentary Budget Oversight Commission to audit expenditures of selected contracting authorities.
- Strengthen the Commission on Audit by supporting the Risk Management Framework and Risk Management Policy, as well as the roll-out of impact and performance audits.
- Support to follow-up on external audit recommendations and enforce sanctions where relevant

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<sup>18</sup> Adopted by the United Nations General Assembly on 21 December 2010, the Bangkok Rules are the first international instrument which provides specific and detailed guidelines on responding to the gender specific needs of women in the criminal justice system, as well as of the children of such women

- Strengthen cooperation with civil society organisations and media in terms of control and transparency of procurement systems.

### **Activities related to Output 3.3: Enhanced capacities of civil servants in public procurement procedures and best practices**

Activities might include:

- Trainings of key procurement actors (to ensure adequate implementation of the legislative framework on public procurement and common understanding of the guidelines issued by MoF).
- Capacity development of the national administrations on prohibited practices, conflict of interest, and associated responsibilities, accountabilities, and penalties as stipulated in the public procurement legislation or other relevant legislation.
- Review internal controls mechanisms and train contracting authorities in accordance with best practices.
- Support the Anti-corruption framework and integrity trainings, including code of conduct for civil servants.

## **3.3 Mainstreaming**

### **Environmental Protection & Climate Change**

#### **Outcomes of the SEA screening** (relevant for budget support and strategic-level interventions)

The Strategic Environmental Assessment (SEA) screening concluded that no further action was required.

#### **Outcomes of the EIA (Environmental Impact Assessment) screening** (relevant for projects and/or specific interventions within a project)

The EIA (Environment Impact Assessment) screening classified the action as Category C (no need for further assessment).

#### **Outcome of the CRA (Climate Risk Assessment) screening** (relevant for projects and/or specific interventions within a project)

The Climate Risk Assessment (CRA) screening concluded that this action is no or low risk (no need for further assessment).

Nevertheless, the expected launch of a Justice Zone focusing on environmental protection in Palawan is likely to increase access to justice around environmental issues through support to develop specialised legal capacities and expertise and enhance environmental and climate change awareness. The experience of that Justice Zone could be mainstreamed in other Justice Zones with support from the Action.

#### **Gender equality and empowerment of women and girls**

As per the OECD Gender DAC codes identified in section 1.1, this action is labelled as G1. This implies that the action considers Gender equality as a significant objective (marker 1): specific objective 1 and specific objective 2 are targeting gender equality. The intervention will be gender mainstreamed throughout its implementation and evaluation processes; sex-disaggregated data and gender-sensitive indicators will be used to allow the identification of specific and targeted actions. Women victims of gender-based violence experience various difficulties and barriers in accessing justice in the Philippines.

The Action will ensure the mainstreaming of gender in the work on Justice Sector Coordination, including the provision of capacity building on gender equality to the sectors' actors, and the identification of relevant actions to improve access by women and girls at the local level in our support to Justice Zones. Work to improve the Barangay Justice System will continue the line started with the CSO/local authorities partnership initiatives funded

under GOJUST II<sup>19</sup>, which are currently working for example on the implementation of the country's Safe Spaces Act. The Action will also support the involvement of CSOs –including women's rights organisations- in the dialogues at the justice sector coordination mechanisms, to allow for stronger sensitisation of justice sector actors on the issues of gender equality and social inclusion and improved decision-making. Finally, the action will also use a gender lens in its review of legal aid programmes in the country, and for the selection of legal aid initiatives to be supported.

The Action intends to have transformative and intersectional approach, and will mainstream gender in all policies and actions. It aims to address structural causes of gender inequality and gender-based discrimination in justice provision and access to justice. Finally, to leave no one behind, the action plan seeks to tackle all intersecting dimensions of discrimination, paying specific attention for example to women with disabilities, migrant women, and discrimination based on age or sexual orientation, in the design of its activities.

## **Human Rights**

A stronger rule of law through more efficient and sound provision of justice should of course have a positive impact on human rights, protecting both those seeking legal remedies to their plights, and those being accused. This Action also will contribute to improve the protection and promotion of human rights in the Philippines by promoting the involvement of the Commission on Human Rights, and of CSOs representing people living in vulnerable situations in the justice sector coordination mechanisms. The introduction of an open justice paradigm could lead to a more efficient open justice system, and to a reduction of the justice gap, as the needs and views of the targeted populations are taken into account for the design, implementation and evaluation process of policies. Therefore, they will be more efficient to close the justice gap.

The second component of the Action is devoted to access to justice, with legal aid and rights information activities all aimed at ensuring a better protection of human rights in the Philippine society with a rights-based approach. The emphasis on legal assistance and access to justice supports the right of people -especially women and people living in vulnerable situations- to a fair, speedy trial and the right to free legal assistance guaranteed under the Constitution.

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## **Disability**

As per OECD Disability DAC codes identified in section 1.1, this action is labelled as D1. This implies that working with and for people with disability will be mainstreamed and prioritised especially in activities with LGU, CSO and private sector. The inclusion of persons with disabilities as active participants and stakeholders will also be ensured.

## **Reduction of inequalities**

Both the actions to improve the efficiency and legal soundness of justice provision, and the work to improve access to justice for those people living in vulnerable situations, will help bridge inequalities.

International standards on accounting, internal and external audit would allow a much higher degree of accountability and transparency in the public sector.

This situation could only be achieved by educating civil society, especially about exposing mismanagement of public funds and electing decision-makers with the same ambitions as the voters. Respect to the international standards of accountability and transparency will enlighten civil society and potentially alleviate much of the poverty and improve the standard of living of those most at risk in today's society.

## **Democracy**

Promotion of democratic principles and efficient, transparent and accountable public administration will be important elements of this Action. This will include: CSO activities related to access to information, advocacy and

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<sup>19</sup> Some grants under GOJUST II are supporting the implementation of Republic Act No. 11313 or The Safe Spaces Act (Bawal Bastos Law) covers all forms of gender-based sexual harassment (GBSH) committed in public spaces, educational or training institutions, workplace and online space.



partnerships with LGUs, support to LGU's on efficient public administration, including Public Finance Management (with emphasis on green budgeting and anti-corruption); support to promotion of sustainable Public Private Partnerships.

#### **Conflict sensitivity, peace and resilience**

Ensuring better access to justice can help prevent conflict and promote peace. When people have access to a fair and effective justice system, they are more likely to trust in the rule of law and are less likely to resort to violence to resolve disputes. Involving CSOs and the CHR will help building the bridge needed between the Filipinos and their judicial institutions. In addition, improving access to justice, and specifically ADR, can also help deactivate early conflicts and build resilience in communities affected by conflict. By providing legal aid, support for alternative dispute resolution mechanisms, and mediation, communities can better address grievances and resolve disputes in a peaceful and sustainable manner. The inclusion of women in conflict resolution is essential to break deeply rooted gender inequalities.

#### **Disaster Risk Reduction**

Not applicable.

#### **Other considerations if relevant**

Not applicable.

### 3.4 Risks and Lessons Learnt

<b>Category</b>	<b>Risks</b>	<b>Likelihood (High/ Medium/ Low)</b>	<b>Impact (High/ Medium/ Low)</b>	<b>Mitigating measures</b>
1- External environment	Risk 1  Challenges to democratisation and the separation of powers.	M	H	Efforts continue to be made to insulate/disassociate the programme from political issues by promoting the programme as an implementation of PDP 2023-2028.
2 – Planning, processes and systems	Risk 2  Difficulty in gathering data, especially with sex-disaggregation, resulting in insufficient impact measurement	L	M	The programme shall improve capacity of agencies to collect manage, organize and interpret data (sex- disaggregated as a minimum)
3 – People and the organization	Risk 3  The successors of the current Principals are reluctant to honour the organisational commitments made	L	H	The adoption of a sector-wide approach to justice sector reform as stipulated in the PDP 2023-2028 and whose development was supported by GOJUST and GOJUST II programmes is a clear indication that the new Principals honour the organizational commitments made by previous

	with respect to the sector wide reform agenda.			<p>leaderships. The proposed action is fully aligned with the PDP chapter 13.2.</p> <p>The gains from the programme will result in political and performance gains for the Principals.</p>
3 – People and the organization	<p>Risk 4</p> <p>The establishment of a fully functional and properly manned JSCC Inter-Agency Secretariat is delayed.</p>	L	H	This risk can be mitigated by ensuring that the work of the Secretariat is done well and appreciated by the principals. Since GOJUST II, the PMO of the SC is increasingly taking ownership and being directly involved in the operation of the JSCC.
3 – People and the organization	<p>Risk 5</p> <p>Lack of stakeholder commitment and support at local level</p>	L	H	Regular dialogue, confidence building and information sharing initiatives to link national level justice policy priorities with local level stakeholders as well as ensuring two-way communication between the JSCC and the JZs all contribute to clarify roles, strengthen ownership to local action plans and facilitate coordination efforts.
3 – People and the organization	<p>Risk 6</p> <p>Relevant government agencies refuse to prioritize the investigation, prosecution and resolution of cases against human rights violators.</p>	M	M	Develop relationship through MOUs and MOAs that have clear objectives, delineation of tasks and timelines.
3. People and the organization	The responsible government authorities refuse to take appropriate measures against corruption and lower-level officials will mount resistance.	M	M	It is of high importance to form alliances with other donors and top national management on a strategy to combat corruption. If hastily designed or implemented without these alliances, endeavours will fail. So, a carefully designed strategy is important and key co-players must be on board before launch. One additional strategy to mount pressure is to involve civil society at an early stage in the formulation of the strategy.
<p>Lessons Learnt:</p> <p>3.1 Lessons learnt</p>				

The following main lessons learnt from previous actions implemented by EU, in particular EPJUST II, GOJUST I and GOJUST II, recent multi-stakeholder consultations and global policy recommendations, have been taken into consideration:

- A growing body of evidence demonstrates that expenditure on people-centred justice can deliver a high return on investment.<sup>20</sup>
- The Study on Access to Justice in the Philippines, and the Survey on Justice Needs carried out by GOJUST II in 2021, confirmed that Alternative Dispute Resolution mechanisms, and in particular the Barangay Justice System, are the instance first approached by the people of the Philippines when facing a conflict, because of ease and trust. Improving knowledge and sensitivity of members of this mediation mechanism is therefore crucial to ensure access to justice for people living in vulnerable situations.
- The Study also recommended incorporating the Barangay Justice system and Barangay Lupon or conciliation personnel into the EU's GOJUST program and in Justice Zone coordination at both JSCC and Justice Zone levels, either by direct participation or by directing programs to their benefit.
- Justice Needs Survey respondents in the Justice Zones showed a more positive response with respect to issue resolution and satisfaction, vis-à-vis the national average. The qualitative Study on Access to Justice showed that trust in the justice sector within a Justice Zone also increased in people living in vulnerable situations (urban poor, farmer/fisherfolk and upland communities, indigenous peoples, women, LGTBQ, people living with disabilities, and the youth), possibly evidencing the positive impact of the targeted access to justice interventions of GOJUST II, and maybe even a stronger awareness/sensitivity by justice sector operators in the JZs. These are initial indications of the relevance of this localisation approach.
- The Gender and Social Inclusion (GESI) study commissioned by GOJUST II brings up the issue of the need to move towards a rights-based approach to justice (as opposed to a needs-based or reactive approach) in justice reform, in particular by engaging other actors such as other institutions (such as the Commission on Human Rights Regional Offices), civil society, academe and alternative law groups in justice sector coordination. The experience through GOJUST II is that civil society participation in the Justice Zones was not expected by actors from the formal justice sector, but the programme has gradually been able to bridge that gap through the grant component, which gave CSOs resources to tackle specific access issues. This, in turn, meant that JZs actors were interested in engaging with to deliver better results (i.e. clinical legal education programmes that supported jail decongestion through examining records of inmates and identifying those overstaying).
- Sector-wide approach requires strategically positioned interventions, rather than involving all the stakeholders in implementation. The design of the EPJUST II Programme was overambitious. Under the sector-wide strategy, it attempted to address various needs of over a dozen stakeholders. The results, assessed one and half years after the completion of the Programme, demonstrate that only the strategically positioned interventions can generate a significant impact, such as the Justice Zone supported by the JSCC, which embraced key pillars in the criminal justice system. In contrast, the fragmented support offered to many individual agencies only resolved their short-term needs without generating lasting impact.
- A systems approach supports strategic prioritisation and integration. The GOJUST and GOJUST II actions have been a targeted effort, with a relatively modest budget and delivering strong results. It has focused on creating platforms for coordination and problem-solving at national as well as at the local level and thus should be further supported.

<sup>20</sup> Task Force on Justice, Justice for All – Policy Recommendations (New York: Center on International Cooperation, 2019).

### 3.5 The Intervention Logic

With GOJUST II the focus of EU support to justice provision moved away from an exclusively supply side intervention –i.e. supporting only the institutions in charge of justice administration- to a mixed approach working also on the demand side with a strong access to justice component. This new Action intends to take one step further towards a people-centred justice intervention by strengthening the access to justice approach and intervening both on legal aid options and alternative dispute resolution mechanisms at the local level. The localisation of justice reform efforts in justice zones with justice coordination policy, provides a potential entry point for many of the proposed interventions, as it allows for a better focus on justice needs, and the potential engagement of other actors at the local level, as well as the tackling of first levels of justice provision or access-i.e. barangay justice system.

The expected impact of this Action is to contribute to a better socio-economic development in the Philippines through a more effective, inclusive and accountable justice system. Strengthening the justice system would be achieved (i) by developing more coordinated, efficient and people-centred justice services –including the existing ADR or mediation mechanisms- in line with the needs of the population and reducing poverty in the country; (ii) by improving legal aid provision, and access to relevant information enhancing access to justice for all, especially for women and people living in vulnerable situations, can help ensure that everyone, regardless of their gender, vulnerabilities, social status or economic background, has access to justice.

In particular, IF the activities to support the JSCC as a joint forum for dialogue among the justice actors are implemented; the justice information harmonisation and sharing is strengthened with the development of the necessary platforms and supporting institutional automation systems through technical advice, training and roll out; events, seminars, focus groups with the JSCC, CHR and CSOs are organized to include the right holders in the institutional dialogue; planning and implementation of joint initiatives among justice sector institutions is supported, with a focus on people living in vulnerable situations;

AND the country does not face any political instability, institutions confirm their will to cooperate and their full commitment, as shown in the last EU support,

THEN the capacity of JSCC and JZs will be improved allowing them to play the role of coordinating mechanism between justice institutions, CHR and CSOs.

The intervention logic behind the Outcome 3 is that by supporting the review/amendments of the Philippines' public procurement legislation and the enhancement of the capacities of civil servants, especially oversight bodies, the action can contribute that the country's legal framework is robust and effective in tackling public procurement irregularities and promote good governance, strengthen the capacity of the government, enhance the partnership between the EU and the Philippines, and address corruption as a national and global challenge.

In particular, IF

- existing public procurement laws and regulations are reviewed and amended to bridge gaps and tackle weaknesses in the current legal framework, and
- capacity building of public administration, including oversight bodies, is undertaken to reduce irregularities and have a more transparent and accountable system

AND the involved institutions confirm their commitment in reforming the public procurement system;

THEN anti-corruption and accountability of public institutions will be strengthened.

### 3.6 Logical Framework Matrix

This indicative logframe constitutes the basis for the monitoring, reporting and evaluation of the intervention.

On the basis of this logframe matrix, a more detailed logframe (or several) may be developed at contracting stage. In case baselines and targets are not available for the action, they should be informed for each indicator at signature of the contract(s) linked to this AD, or in the first progress report at the latest. New columns may be added to set intermediary targets (milestones) for the Output and Outcome indicators whenever it is relevant.

- At inception, the first progress report should include the complete logframe (e.g. including baselines/targets).
- Progress reports should provide an updated logframe with current values for each indicator.
- The final report should enclose the logframe with baseline and final values for each indicator.

The indicative logical framework matrix may evolve during the lifetime of the action depending on the different implementation modalities of this action.

The activities, the expected Outputs and related indicators, targets and baselines included in the logframe matrix may be updated during the implementation of the action, no amendment being required to the Financing Decision.

PROJECT MODALITY (3 levels of results / indicators / Source of Data / Assumptions - no activities)

Results	Results chain (@): Main expected results (maximum 10)	Indicators (@): (at least one indicator per expected result)	Baselines (values and years)	Targets (values and years)	Sources of data	Assumptions
Impact	To contribute to the Philippine socio-economic development providing a more effective, inclusive and accountable justice system.	<ol style="list-style-type: none"> <li>Proportion of human rights violations in the last 12 months reported by monitoring bodies and followed through by the judicial authorities</li> <li>Percentage of Filipinos (women, men) who express satisfaction with the quality of legal and judicial processes and institutions</li> <li>Percentage of Filipinos (women, men) who believe access to justice system is inclusive and responsive, by gender, age, disability and population group</li> </ol>	<ol style="list-style-type: none"> <li>TBD</li> <li>WJP Fundamental Rights Index in 2022 (15.71) WJP Criminal Justice Index in 2022 (16.43) Rule of Law Index in 2021 (26.92)</li> <li>WJP Accessibility and affordability of civil justice in 2022 (0.52)</li> </ol>	<ol style="list-style-type: none"> <li>TBD</li> <li>Fundamental Rights Index in 2028 (25)  Criminal Justice Index in 2028 (25)  Rule of Law Index in 2028 (35)</li> <li>WJP Accessibility and affordability of civil justice in 2028 (0.65)</li> <li>Control of corruption index in 2028 (42)</li> </ol>	<ol style="list-style-type: none"> <li>TBD</li> <li>World Justice Project (WJP)</li> <li>World Justice Rule of Law In</li> <li>WJP</li> </ol> <p>Other sources: Philippine Statistics Authority (PSA)</p> <p>Commission on Human Rights (CHR)</p> <p>Freedom House's Freedom in the World Score</p> <p>Bertelsmann Transformation Index (BTI) – Rule of law index score</p> <p>Global Gender Gap Report</p>	Not applicable

		4. Perception of corruption in the country	4. Control of corruption index in 2021 (34.13)		UN Women's Data on Philippines  Philippine Commission on Women's Status of Filipino Women Report  Transparency International's Corruption Perceptions Index  World Bank's LPI Government Integrity  Public surveys as part of the project M&E system	
<b>Outcome 1</b>	1. Developed more coordinated, efficient, gender sensitive and people-centred justice services	1.1 Number of mechanisms e.g. Memorandum of Understanding, periodical coordination meetings, new policies / regulations on specialised courts, to improve coordination developed  1.2 Average expert assessment score on responsiveness of the justice system to people's needs both at national and local levels (comparing Justice Zones with the national average)  1.3 Trust of the population in formal justice, and in the Barangay Justice System and other mediation systems, disaggregated by gender, age, disability and population group and comparing Justice Zones with the national averages)	1.1 TBD 1.2 TBD 1.3 TBD	1.1 TBD 1.2 TBD 1.3 TBD	1.1 JSCC 1.2 Independent expert's report 1.3 At least two rounds of expert survey as part of the project M&E system (including quantitative and qualitative studies)	The GPH continues to resource the justice sector at least at current levels  The GPH confirms a strong commitment to implement Chapter 13 of the PDP 2023-2028
<b>Outcome 2</b>	2. Enhanced access to justice	2.1 Number of people who are able to access legal	2.1 TBD	2.1 TBD	2.1. PAO Accomplishment Report	The GPH confirms a strong commitment to implement

	for all, especially for women and people living in vulnerable situations	<p>aid (divided by disaggregated by sex, age, disability)</p> <p>2.2 Proportion of victims of violence who reported their victimization to competent authorities or other officially recognized conflict resolution mechanisms (disaggregated by gender, sex, age, marginalised groups)</p> <p>2.3 Number of people who received public representation free of charge (disaggregated by sex, age, disability, and type of case: civil, criminal or administrative)</p> <p>2.4 Percentage of the annual public budget allocated to legal aid and annual ratio of allocated vs. executed budget for legal aid</p>	<p>2.2 TBD</p> <p>2.3 TBD</p> <p>2.4 TBD</p>	<p>2.2 TBD</p> <p>2.3 TBD</p> <p>2.4 TBD</p>	<p>2.1. Other Legal Aid Providers</p> <p>2.2. At least two rounds of expert surveys as part of the Project M&amp;E system</p> <p>2.2. At least two rounds of public surveys as part of the project</p> <p>2.3. SC/PAO report</p> <p>2.4. Budget data provided by the government, at the beginning and end of intervention</p>	<p>Chapter 13 of the PDP 2023-2028</p> <p>The SC is committed to implement its Strategic Plan for Judicial Innovations</p> <p>Status of the CHR as an independent body remains</p>
<b>Outcome 3</b>	Enhanced anti-corruption mechanisms for increased transparency and accountability of public procurement	<p>3.1 Perception of corruption in the country</p> <p>3.2 Assessment of the effectiveness of legal framework in tackling corruption in public procurement</p>	<p>3.1. Corruption Perception Index in 2022 (33);</p> <p>3.2 2023 MAPS</p>	<p>TBD</p> <p>TBD</p> <p>TBD</p>	<p>3.1. Transparency International</p> <p>3.1. World Justice Project</p> <p>3.2. Independent expert's report</p>	<p>The GPH is willing to resource anti-corruption at least at current levels;</p> <p>The GPH confirms a strong commitment to implement Chapter 6 of the PDP 2023-2028</p> <p>Solid partnerships and communication channels built on trust and mutual respect are established with relevant counterparts</p>



						All beneficiary institutions show active commitment to public procurement reform and buy-in to the project, as evidenced by, inter alia, the allocation of sufficient and stable human resources for training and other activities.
<b>Output 1 relating to Outcome 1</b>	1.1 Improved capacity of JZs and JSCC as the main coordinating mechanism between justice institutions, DILG, CHR and CSOs	<p>1.1.1 Number of meetings of JSCC involving CHR and CSOs organised</p> <p>1.1.2 Working Group established between JSCC, CHR and CSOs to guide the actions following justice issues emanating from the population</p> <p>1.1.3 Number of joint initiatives between JSCC and/or CHR and CSOs, with a focus on women and people living in vulnerable situations, implemented.</p> <p>1.1.4 Number of JSCC members trained on gender-equality and human-rights based approach (low and high management levels)</p>	<p>1.1.1. TBD</p> <p>1.1.2. TBD</p> <p>1.1.3. TBD</p> <p>1.1.4. TBD</p>	<p>1.1.1. TBD</p> <p>1.1.2. TBD</p> <p>1.1.3. TBD</p> <p>1.1.4. TBD</p>	<p>1.1.1. JSCC/SC/DOJ/DILG or EU intervention monitoring and reporting systems: (i) interim and final reports from involved institutions, (ii) ROM reviews and (iii) evaluations</p> <p>1.1.2. Same as above</p> <p>1.1.3. At least two rounds of expert surveys as part of the project M&amp;E system</p> <p>1.1.4. Project M&amp;E system: text of MoU the project supported, or minutes of coordination meetings the project organized, including the list of participants</p>	<p>The JZs and JSCC principals are willing to participate constructively and will secure sustained commitment and support of relevant government agencies to justice sector reform (SC, DOJ, DILG)</p> <p>CHR and CSOs are willing to cooperate with JZs and JSCC</p>
<b>Output 2 relating to Outcome 1</b>	1.2 Justice Zone model expanded, standardized	1.2.1 Number of events, seminars, focus groups with JZs, CHR and CSOs organised	<p>1.2.1. TBD</p> <p>1.2.2. TBD</p> <p>1.2.3. TBD</p>	<p>1.2.1. TBD</p> <p>1.2.2. TBD</p> <p>1.2.3. TBD</p>	1.2.1 Project M&E system: TBD or EU intervention monitoring and reporting systems: (i) interim and final reports from	

	and deepened with a focus on tackling substantive justice issues at the local level.	<p>to identify people's needs in a specific area</p> <p>1.2.2 Interinstitutional working group established in the JZs to work on common goals and share best practices</p> <p>1.2.3 Number of JZs members trained on gender equality and human-rights-based approach in the justice sector</p>			<p>involved institutions, (ii) ROM reviews and (iii) evaluations</p> <p>1.2.2 Same as above</p> <p>1.2.3 Project M&amp;E system: database of event participants (disaggregated by type, date and location of event, date, as well as sex of participant)</p>	
<b>Output 1 relating to Outcome 2</b>	2.1. Improved access to legal aid services and in particular address cultural and social barriers that prevent women from accessing justice	<p>2.1.1 Assessment of legal aid programmes in the country conducted</p> <p>2.1.2 Assessments of the Justice on Wheels Programme conducted</p> <p>2.1.3 Assessment of Clinical Legal Education Programme conducted</p>	<p>2.1.1 TBD</p> <p>2.1.2 TBD</p> <p>2.1.3 TBD</p>	<p>2.1.1 TBD</p> <p>2.1.2 TBD</p> <p>2.1.3 TBD</p>	<p>2.1.1 Project M&amp;E system: TBD</p> <p>2.1.2 SC Judiciary Annual Report</p> <p>2.1.3 SC Judiciary Annual Report</p>	The SC confirms its commitment to implement its SPJI
<b>Output 2 relating to Outcome 2</b>	2.2. Improved capacity of LGUs as right holders' first entry point in the justice system	<p>2.2.1 Number of LGU officials trained by the action who can demonstrate increased knowledge in the specific areas</p> <p>2.2.2 Working group established between the OADR and DILG to assess needs of the LGUs and Lupons</p> <p>2.2.3 Number of Lupons members trained on the specific access to justice needs</p>	<p>2.2.1 TBD</p> <p>2.2.2 TBD</p> <p>2.2.3 TBD</p>	<p>2.2.1 TBD</p> <p>2.2.2 TBD</p> <p>2.2.3 TBD</p>	<p>2.2.1 Project M&amp;E system: database of event participants (disaggregated by type, date and location of event, date, as well as sex of participant)</p> <p>2.2.2 OADR and DILG and/or EU intervention monitoring and reporting systems: (i) interim and final reports from involved institutions, (ii) ROM reviews and (iii) evaluation</p>	Relevant stakeholders open and committed to the action objectives and results

		of women and people living in vulnerable situations, ADR and human rights.			2.2.3 Project M&E system: database of event participants (disaggregated by type, date and location of event, date, as well as sex of participant)	
<b>Output 3 relating to Outcome 2</b>	2.3. Increased awareness of rights and available remedies for right holders, including women and people living in vulnerable situations	<p>2.3.1 Number of communities reached with human rights and remedies awareness activities.</p> <p>2.3.2 Number of people reached with activities to promote rights awareness, legal empowerment and emerging justice service needs in the Justice Zones (disaggregated by gender, sex, age, disability, situations of vulnerability, rural or urban, etc.)</p> <p>2.3.3 Number of people reached with awareness raising activities on available legal aid services.</p>	<p>2.3.1 TBD</p> <p>2.3.2 TBD</p> <p>2.3.3 TBD</p>	<p>2.3.1 TBD</p> <p>2.3.2 TBD</p> <p>2.3.3 TBD</p>	<p>2.3.1 – 2.3.2 – 2.3.3</p> <p>Project M&amp;E system: database of event participants (disaggregated by type, date and location of event, date, as well as sex of participant)</p>	Relevant stakeholders open and committed to the action objectives and results.
<b>Output 4 relating to Outcome 2</b>	2.4. Enhanced capacities of actors of the justice system on the issues faced by women and other people living in vulnerable situations	<p>2.4.1 Effective implementation of laws against GBV monitored</p> <p>2.4.2 Number of actors of the justice system trained by the action who can demonstrate increased knowledge in the issues faced by women and other vulnerable groups</p>	<p>2.4.1 TBD</p> <p>2.4.2 TBD</p> <p>2.4.3 TBD</p>	<p>2.4.1 TBD</p> <p>2.4.2 TBD</p> <p>2.4.3 TBD</p>	<p>2.4.1 – 2.4.3 EU intervention monitoring and reporting systems: (i) interim and final reports from involved institutions, (ii) ROM reviews and (iii) evaluation</p> <p>2.4.2 –Project M&amp;E system:</p> <p>a. database of training participants (disaggregated by sex, CSO, training topic, duration and location)</p>	Relevant stakeholders open and committed to the action objectives and results.

		2.4.3 Number of complaints and judicial decisions on VAWC/GBV monitored			b. database with results of pre- and post- training tests	
<b>Output 1 relating to Outcome 3</b>	3.1. Reviewed and enhanced legal public procurement framework in line with best international standards	3.1.1 Number of reports on anti-corruption in the country published  3.1.2 Number of existing anti-corruption laws and regulations reviewed and analysed  3.1.3 Number of existing laws and regulations on public procurement reviewed and analysed  3.1.4 Number of people reached through advocacy strategies and campaigns funded by the EU in new or amended laws on anti-corruption	3.1.1 TBD  3.1.2 TBD  3.1.3 TBD  3.1.4 TBD	3.1.1 TBD  3.1.2 TBD  3.1.3 TBD  3.1.4 TBD	3.1.1 – 3.1.2- 3.1.3 EU intervention monitoring and reporting systems: (i) interim and final reports from involved institutions, (ii) ROM reviews and (iii) evaluation  3.1.4 Project M&E system: for measuring campaign reach: listenership of radio/TV programme and number of event participants; For assessing level of knowledge before and after the campaign: two specialized surveys of target communities	The GPH confirms a strong commitment to implement Chapter 6 of the PDP 2023-2028  DBM and respective national bodies committed to public procurement reforms in line with 2023 MAPS findings/recommendations.

<b>Output 2</b>  <b>relating to Outcome 3</b>	3.2 Strengthened capacities of the public expenditure oversight bodies	3.2.1 Number of Trained Parliamentary Budget Oversight Commission 3.2.2 Number of Risk Management Framework, Risk Management Policies and impact audits rolled out 3.2.3 Number of effective sanctions and audit follow-up enforced systems	3.2.1 TBD  3.2.2 TBD  3.2.3 TBD	3.2.1 TBD  3.2.2 TBD  3.2.3 TBD	3.2.1 – 3.2.2 – 3.2.3 – 3.2.4 – 3.2.5 – 3.2.6 – 3.2.7 – 3.2.8 – 3.2.9 Project M&E system:  a. – database of training participants (disaggregated by sex, CSO, training topic, duration and location)  b. database with results of pre- and post- training tests	Relevant stakeholders open and committed to the action objectives and results.
<b>Output 3</b>  <b>relating to Outcome 3</b>	3.3. Enhanced capacities of civil servants in public procurement procedures and best practices at national level; especially in relation to transparency and accountability	3.3.1 Number of civil servants trained on transparency and accountability in public procurement who can demonstrate increased knowledge in the specific areas.	3.3.1 TBD	3.3.1 TBD	Inception and final reports	Relevant stakeholders open and committed to the training objectives and results.

\* disaggregated by gender and/or age

## 4 IMPLEMENTATION ARRANGEMENTS

### 4.1 Financing Agreement

In order to implement this action, it is envisaged to conclude a financing agreement with the Republic of the Philippines

### 4.2 Indicative Implementation Period

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented, is 48 months from the date of entry into force of the financing agreement. Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this Financing Decision and the relevant contracts and agreements.

### 4.3 Implementation Modalities

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures<sup>21</sup>.

#### 4.3.1 Indirect Management with an entrusted entity

A part of this action may be implemented in indirect management with an entrusted entity, which will be selected by the Commission's services using the following criteria:

##### Applicable to SO1

- Demonstrated experience working in the Philippines;
- Positive relations with the various state and non-state actors involved in the implementation of the justice reform system and Rule of Law;
- Demonstrated experience supporting complex and vast range of activities related to the national Justice system framework;
- Demonstrated experience in implementing gender and conflict sensitive and human rights based development programmes;
- Demonstrated experience in capacity building for national, regional and local government entities; and
- Established operational capacity in the Philippines and experience in the management of funds.
- Demonstrated ability to continue, build on, and adapt existing EU-supported governance programmes in Justice Sector (GOJUST I and GOJUST II).

The implementation by this entity entails the activities related to Outcomes and expected Outputs as outlined in section 1.1 and 1.2 for SO1.

##### Applicable to SO2

- Demonstrated ability to continue, build on, and adapt existing EU-supported justice sector interventions in the Philippines
- Positive relations with the various state and non-state actors in the sector
- Technical expertise in managing and implementing justice and rule of law actions
- Demonstrated experience in capacity building and sub-granting for regional and local government entities, CSOs and academic institutions
- Established operational capacity in the Philippines and vast experience in the management of funds, including those for vulnerable groups

The implementation by this 'entrusted entity' entails the activities related to Outcomes and expected Outputs as outlined in section 2.1, 2.2, 2.3 and 2.4 for SO2.

##### Applicable to SO3

- Demonstrated experience working in the Philippines;

- Positive relations with the various state and non-state actors involved in the implementation of the public procurement reforms
- Demonstrated experience supporting complex implementation of PFM, responsive planning and budgeting, budget execution and specific to public procurement transparency and accountability;
- Demonstrated experience implementing development programmes including in PFM;
- Demonstrated experience in capacity building for national and/or local government entities
- Established operational capacity in Philippines and experience in the management of funds

The implementation by this ‘entrusted entity’ entails the activities related to Outcomes and expected Outputs as outlined in section 3.1, 3.2 and 3.3 for SO3.

#### 4.3.2 Changes from indirect to direct management mode (and vice versa) due to exceptional circumstances (one alternative second option)

If, due to circumstances outside of the Commission’s control, it is not possible to implement the part of this action in indirect management with one or more pillar-assessed entities to be selected in accordance with the criteria set out in section 4.3.1, the alternative implementation modality will be:

##### Direct Management (Procurement)

The procurement will contribute to SO 1 and SO 3 as specified in Section 3.

##### Direct Management (Grants)

**(a) Purpose of the grant(s):** The grants will contribute to SO 2 as specified in Section 3.

**(b) Type of applicants targeted:** Potential applicants are specific types of legal entities such as international organisations, local or international non-governmental organisations, international (inter-governmental) organisations, public sector operators or local authorities

#### 4.4 Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply,.

The Commission’s authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realization of this action impossible or exceedingly difficult (Article 28(10) NDICI-Global Europe Regulation).

#### 4.5 Indicative Budget

Indicative Budget components	EU contribution (amount in EUR)
<b>Implementation modalities</b> – cf. section 4	
<b>SO1 Justice Coordination</b> composed of	
Indirect management with an entrusted entity- cf. section 4.4.1	4 000 000
<b>SO2 Justice for All</b> composed of	
Indirect management with an entrusted entity_ cf. section 4.4.1	8 500 000
<b>SO3 Anti-corruption</b> composed of	



Indirect management with an entrusted entity- cf. section 4.4.1	3 200 000
<b>Evaluation</b> – cf. section 5.2	300 000
<b>Audit</b> – cf. section 5.3	
<b>Contingencies</b>	500 000
<b>Totals</b>	16 500 000

#### 4.6 Organisational Set-up and Responsibilities

The Justice Sector Coordinating Council (JSCC) is a coordinating mechanism between the Supreme Court (SC) – the main driver for change and is envisaged as the potential partner - responsible for the overall implementation of the Action subject to Government approval – and the other two key agencies in the justice sector: the Department of Justice (DOJ) and the Department of the Interior and Local Government (DILG).

Action Steering Committees: the main tasks of the project steering committee (PSC) are to ensure the strategic oversight of progress, provide strategic input into the development of the intervention, provide a dialogue platform which allows the alignment and coordination as well as evaluation strategy. The PSCs should also ensure that all decisions are in accordance with Philippines law and requirements. This action will have two steering committees, one for outcomes 1, and 2, which relate to justice, and one for the anti-corruption outcome (outcome 3). The Steering Committees (PSCs) will be composed of representatives of the government agencies involved, and the implementing partners, but could also include, on ad hoc bases, representatives from ongoing foreign funded projects, civil society, and private sector. The EU Delegation will have a full membership or even co-chair the PSCs. They shall be set up to oversee and validate the direction and policy of the project. The PSCs shall meet at least twice a year.

Two technical teams or Working Group (one for outcomes 1 and 2, and one for outcome 3): Composition: Representatives from the individual Contribution Agreements, and whenever appropriate organisations: CSOs and private sector. The main tasks of the working group include the implementation advice and ensure regular (monthly) coordination, synergizing and complementing and avoiding of redundancy.

As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission may participate in the above governance structures set up for governing the implementation of the action and may sign or enter into joint declarations or statements, for the purpose of enhancing the visibility of the EU and its contribution to this action and ensuring effective coordination.

## 5. PERFORMANCE MEASUREMENT

### 5.1 Monitoring and Reporting

Roles and responsibilities for data collection, analysis and monitoring: The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (Outputs and direct Outcomes) as measured by corresponding indicators, using as reference the logframe matrix (for project modality) and the partner's strategy, policy or reform action plan list (for budget support).

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

In some instances, data collection and reporting may include gender and conflict sensitive (mixed method) qualitative and quantitative surveys to measure changes in perceptions in relation to the EU's support. In other

cases, surveys conducted by other entities may also be used to monitor both positive and potential unintended negative outcomes.

When possible and appropriate all data will be disaggregated based on a variety of potential variables including age, gender, location, religion, tribe, ethnicity, status of disability and displacement, political and other potential affiliations.

In addition to the above, this Action will include ongoing gender and conflict sensitivity analyses as well as climate and environmental risk assessments. It is envisaged that these will be conducted by a third party in close collaboration with the EU and its implementing partners. It is also anticipated that this third party will provide regular verbal and written briefings to the EU and its partners.

To empower women, youth, IPs and other vulnerable and marginalised populations representatives of CSOs will be consulted in the design, application, and use of monitoring activities and reports including approaches to data collection, dissemination of findings, and adaptation based on findings. When and where appropriate government officials at the regional and LGU level may also be involved in such participatory and inclusive monitoring, learning, adaptation, and reporting processes.

If and when appropriate the EU may partner with and/or support international, national, regional, and local universities, think tanks, and/or independent experts to conduct more in-depth research into specific topics related to the Action and its specific objectives. This may include longitudinal study to monitor change over time.

Roles and responsibilities for data collection, analysis and monitoring:

- Baselines and targets will be provided at contracting level. Information will be collected by Implementing Partners, which will foresee adequate human resources and arrangement to allow for this process.
- Data collection and reporting: Surveys will be carried out by dedicated staff of Implementing Partners, who will foresee adequate human resources and arrangements for this purpose.
- M&E Capacities: This action foresees to provide support to and strengthen the M&E capacities of local actors/CSOs to monitor progress. All implementing partners will put adequate resources in place to ensure appropriate monitoring and evaluation.
- For the sake of accountability vis-à-vis stakeholders, their participation will be ensured by a constant consultation which will accompany all interventions.
- Gender equality and inclusion results will be monitored in line with each of the actions provisions.

The application of a HRBA will be monitored, in line with the working principles (human rights for all, non-discrimination and equality, participation, transparency and access to information and accountability).

## 5.2 Evaluation

Having regard to the nature of the action, mid-term and final evaluations will be carried out for this action or its components via independent consultants contracted by the Commission. A mid-term evaluation will be carried out for problem solving, learning purposes, in particular with respect to adapting existing interventions and potentially launching an additional phase of the programme.

A final or ex-post evaluation will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that the action is responding to a comprehensive framework for supporting the implementation and consolidation of the peace process in Mindanao. More specifically, the EU has been one of the leading donors involved in supporting peace and development in the BARMM. Lessons from this experience can potentially be applied to other comparative situations globally.

A component of the foreseen evaluation will assess the impact of relevant interventions on the bottom (poorest) 40 per cent or socio-economically disadvantaged individuals, households, or groups.

This may be done by adapting the Distributional Impact Assessment tool (DIA) to the context of the Action and/or individual interventions.

The Commission shall inform the implementing partner at least two months in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation

experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports may be shared with the partners and other key stakeholders following the best practice of evaluation dissemination.<sup>22</sup> The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, apply the necessary adjustments.

Evaluation services may be contracted under a framework contract

### 5.3 Audit and Verifications

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audit or verification assignments for one or several contracts or agreements.

## 6. STRATEGIC COMMUNICATION AND PUBLIC DIPLOMACY

The 2021-2027 programming cycle will adopt a new approach to pooling, programming and deploying strategic communication and public diplomacy resources.

In line with the 2022 “[Communicating and Raising EU Visibility: Guidance for External Actions](#)”, it will remain a contractual obligation for all entities implementing EU-funded external actions to inform the relevant audiences of the Union’s support for their work by displaying the EU emblem and a short funding statement as appropriate on all communication materials related to the actions concerned. This obligation will continue to apply equally, regardless of whether the actions concerned are implemented by the Commission, partner countries, service providers, grant beneficiaries or entrusted or delegated entities such as UN agencies, international financial institutions and agencies of EU member states.

However, action documents for specific sector programmes are in principle no longer required to include a provision for communication and visibility actions promoting the programmes concerned. These resources will instead be consolidated in Cooperation Facilities established by support measure action documents, allowing Delegations to plan and execute multiannual strategic communication and public diplomacy actions with sufficient critical mass to be effective on a national scale.

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<sup>22</sup> See best [practice of evaluation dissemination](#)