



PROJECT REVISION

Project number: FS/GLO/02/R35
Project title: Strengthening the Legal Regime against Terrorism
Duration: Initially 2 years – extended until December 2006
Executing agency: United Nations Office on Drugs and Crime (UNODC)
Associate agency: United Nations Office for Project Services (UNOPS)
Starting date: 1 January 2003
Budget: Initially US\$ 2,437,523 – Revised budget US\$ 5,080,902

Brief Description: *The project aims at assisting requesting countries in taking concrete steps towards the ratification and implementation of the existing international instruments related to the prevention and suppression of terrorism. The activities under the project are carried out in close consultation with the Counter-Terrorism Committee of the Security Council and are guided by requests received and priorities set by the Committee. The project is implemented under the framework of the Global Programme against Terrorism.*

The project includes: i) the finalization and update of legislative tools for the implementation of the international instruments related to the prevention and suppression of international terrorism; ii) the establishment of a pool of experts for supporting UNODC and CTC activities in promoting the international instruments; iii) the provision of legal advisory services on the incorporation of the relevant provisions contained in the international instruments into national legislation; (iv) the support of regional and sub-regional cooperation against terrorism; (v) the strengthening of institutional structures and mechanisms to enable countries to implement the relevant international instruments; (vi) the provision of on-line advice on extradition and mutual legal assistance requests; and (vii) the provision of advice on international cooperation mechanisms through mentorship programmes, in order to ensure the implementation of the international instrument.

The project is carried out in close cooperation with the Office for Legal Affairs, other UN agencies, as well as other international and regional organizations working in this field. Existing in-house expertise will be drawn from UNODC's Global Programmes against Organized Crime and Money-Laundering and the Legal Advisory Section, as well as from UNICRI's work in the research field.

On behalf of UNODC

Antonio Maria Costa
Executive Director

Date

A. BACKGROUND TO REVISION

The global project has started in January 2003. The main focus of the activities under the project over the past 1 1/2 years has been on the provision of direct legal advisory services to requesting States on incorporation of the relevant provisions contained in the 12 universal anti-terrorism conventions and protocols into national legislation. This direct country-specific assistance, was delivered to over 40 countries as at 26 July 2004. A much higher number than was originally envisaged in the project document.

Six sub-regional workshops were held: for the Baltic States, Belarus, the Russian Federation and Ukraine; for States members of the Organization of American States that had ratified the Inter-American Convention against Terrorism; for West and Central African States; for the Central Asian States, Albania, Croatia, Serbia and Montenegro, Bosnia and Herzegovina and the former Yugoslav Republic of Macedonia; for States members of the Intergovernmental Authority on Development; and for the Central Asian States and States of the southern Caucasus.

Due to an immediate need to accelerate the work under the project in order to respond promptly to a magnitude of urgent requests for legislative assistance in the first months of project implementation, the activities carried out under the project focused on immediate objective 1, the supporting of countries in becoming parties to the universal anti-terrorism instruments and on immediate objective 3 the regional and sub-regional cooperation. Immediate objective 2 on capacity building and immediate objective 4 on international cooperation have not yet been fully implemented.

While the extended project will continue promoting the universal anti-terrorism instruments in direct legal advisory missions, it is also the intention of TPB to use the expansion of the project in terms of funding and duration, to ensure the proper follow-up to these first assistance missions and regional workshops, as were already identified in the original project document.

In addition and in line with the immediate objectives, outputs and activities established in GLO/02/R35, the activities will be oriented towards in-depth, qualitative follow-up aid to requesting countries for the implementation of the instruments. Thus, the full scope of assistance envisaged in the project will be reached. The existing network of experts will be broadened to follow up on progress made by States and to review proposed legislative solutions and provide specific input appropriate to the particular country's historical and legal traditions and jurisprudence. The focus will be on implementation assistance, that is, on strengthening institutional structures and mechanisms to enable States to implement the relevant international instruments, providing online advice on extradition and mutual legal assistance requests and giving advice on international cooperation mechanisms through the mentorship programmes, thus working towards the full implementation of the project GLO/02/R35.

In terms of implementation modalities, experience to date has shown that, instead of working exclusively with a global pool of expert consultants, it is required for the activities to be implemented effectively, to rely on an increased staffing component at Headquarters. This modification is also reflected in the attached budget revision which increases the staffing component of the project.

B. CONTEXT

Terrorism strikes at the very heart of core values the United Nations stands for. It presents a

global threat to democracy, the rule of law, human rights and peace and security. The Security Council in its resolution 1373 of 28 September 2001, declared acts, methods and practices of terrorism contrary to the purposes and principles of the United Nations. The Council in the same resolution emphasized the need for enhanced coordination of national and international efforts in order to strengthen a global response. The financing, planning and inciting of terrorist acts had to be prevented and combated in a joint effort.

An important part of a concerted international effort to combat terrorism in all its forms and manifestations is the work of the United Nations in the establishment of the necessary legal framework for the prevention and suppression of terrorism. Over the past four decades, the international community has adopted twelve universal legal instruments relating to the prevention and suppression of international terrorism¹.

In principle, these instruments should offer a flexible framework for international cooperation. However, there is great variation in the degree to which each of these instruments have been signed and ratified. While these instruments form the backbone of international cooperation, the implications of these instruments and the obligations they impose on acceding UN Member States are not well known in many quarters. In some cases, ratification has not led to the necessary adaptation of national legislation. In other cases, both international accession and national adaptation of laws have taken place but implementation in terms of law enforcement practices is falling short of expectations, which facilitates the creation of safe-havens for terrorists and, in turn, results in deficiencies in international cooperation, including weaknesses in extradition and mutual legal assistance.

Security Council resolution 1373 calls on Member States to become parties, as soon as possible, to the relevant universal instruments related to the prevention and suppression of international terrorism. This will often require far reaching reforms of the criminal justice systems of Member States with regard to new legislation and new institutional structures, as in the case of financial oversight mechanisms.

The Counter Terrorism Committee (CTC) of the Security Council was established to make an inventory of where Member States are and to monitor progress in their efforts to comply with Security Council resolution 1373. The CTC has since become the UN's leading body to promote collective action against international terrorism. With regard to technical assistance, the CTC facilitates national "self help" and encourages donors to respond to requests for bilateral assistance. However, it does not consider the provision of technical assistance directly. In the meantime, the reports received by the CTC in response to Security Council resolution 1373 often contain requests for such technical assistance, primarily in the areas of legislative drafting and institution and capacity building.

¹ Convention on Offences and Certain Other Acts Committed on Board Aircraft, 1963; Convention for the Suppression of Unlawful Seizure of Aircraft, 1970; Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1971; Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 1973; International Convention against the Taking of Hostages, 1979; Convention on the Physical Protection of Nuclear Material, 1979; Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1988; Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988; Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, 1988; Convention on the Marking of Plastic Explosives for the Purpose of Detection, 1991; International Convention for the Suppression of Terrorist Bombings, 1997; International Convention for the Suppression of the Financing of Terrorism, 1999. International Instruments related to the Prevention and Suppression of International Terrorism, United Nations Publication, New York, 2001, preface by the Secretary-General, page vi.

Member States have shown a growing interest in intensifying efforts to promote universal adherence to, and implementation of, the existing universal legal instruments dealing with the prevention and suppression of international terrorism. Promoting the ratification of these instruments is a matter of utmost importance for the CTC. The speedy entry into force, as well as the implementation of these instruments will have a tangible impact on the improvement of collective action against terrorism.

C. PROJECT JUSTIFICATION

The mandates of the United Nations Office on Drugs and Crime (UNODC) in the area of the prevention and combating of terrorism have been reiterated and solidified during the past year. In particular, General Assembly resolutions 56/253, 56/123 and 56/261 reaffirmed the role of UNODC in providing to Member States, upon request, technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the areas of prevention and control of transnational organized crime and terrorism. In its resolution 56/123, the General Assembly also supported the high priority given to technical cooperation and advisory services in this field and stressed the need to enhance the operational activities of the Office to assist, in particular, developing countries and countries with economies in transition. In addition, the Secretary-General was invited to consider, in consultation with Member States and the Commission on Crime Prevention and Criminal Justice, the ways in which the Office could contribute to the efforts of the United Nations system against terrorism, in accordance with relevant General Assembly and Security Council resolutions.

During the eleventh session of the Commission on Crime Prevention and Criminal Justice, the use of the Office's institutional knowledge, practical experience and field presence, as a contribution to the anti-terrorism work of the United Nations as a whole, was endorsed. On the recommendation of the Commission, the Economic and Social Council adopted on 24 July 2002 its resolution 2002/19 on "Strengthening international cooperation and technical assistance within the framework of the activities of the Centre for International Crime Prevention in preventing and combating terrorism".

In compliance with resolution 11/1 of the Commission on Crime Prevention and Criminal Justice at its eleventh session, the Symposium on "Combating International Terrorism: The Contribution of the UN" was held in Vienna, 3-4 June 2002, funded by the Austrian Government. During the Symposium, the Chairman of the Counter-Terrorism Committee elaborated possible areas for UNODC to assist in the process of upgrading the global capacity to prevent and fight terrorism. He stressed the importance of providing guidance to States with less experience in legislating and implementing anti-terrorism measures and noted the important role the Office could play in preparing guidance notes and implementation kits to help states to ratify the universal instruments against terrorism. Along the same lines, he emphasized the need for UNODC to provide guidance to countries on how to use domestic legislation against international terrorism. Further, he noted UNODC's role in assisting States in their efforts to establish mechanisms for international cooperation – whether judicial assistance or in the form of police cooperation and early warning. On the basis of the mandates received by the General Assembly and ECOSOC and taking into account the recommendations emanating from the Symposium, UNODC has developed the Global Programme against Terrorism, setting the framework for the Office's envisaged operational activities in the area of terrorism prevention and suppression. Under the umbrella of the Global Programme, UNODC has prepared the project proposal on Strengthening the Legal

Regime against Terrorism. Building on the draft tools developed under UNODC's preparatory assistance project on strengthening the legal regime against terrorism, funded by the U.S. Government, this full-fledged project aims at assisting countries in taking concrete steps toward becoming parties and implement the universal instruments related to the prevention and suppression of international terrorism². However, in order to respond to international terrorism and to implement the international instruments globally, countries have also to put in place mechanisms for international cooperation. Extradition, mutual legal assistance in criminal matters, as well as the transfer of proceedings and sentenced persons, are crucial measures to tackle any form of crime across borders. The existing system of international cooperation is not yet adequate. Often national legal systems require bilateral, sub-regional or regional agreements to make international cooperation work. In many cases these agreements do not exist for enforcing the international instruments against terrorism. The project will assist countries in developing treaty relations at the bilateral, sub-regional and regional level in particular on the basis of the revised United Nations Model Treaties on Extradition and Mutual Legal Assistance where appropriate. It will provide on-line assistance in drafting extradition and mutual legal assistance requests, as well as direct assistance to countries through mentorship programmes in implementing the instruments for international cooperation.

The project will complement the work and be guided by the policy decisions of the Counter-Terrorism Committee. It will be conducted in cooperation with the Office of Legal Affairs in New York. In addition, the activities of this project will be carried out with other appropriate agencies in accordance with paragraph 9 of General Assembly resolution 56/123 which "Encourages relevant programmes, funds and organizations of the United Nations system, in particular the United Nations Development Programme, international financial institutions, in particular the World Bank, and regional and national funding agencies, to support the technical operational activities of the Office." Furthermore, building upon past cooperative efforts, it is also foreseen that project activities will, wherever possible, be carried out with the cooperation of the OAS, the OSCE, the Commonwealth Secretariat, the Institut de la Francophonie, and other regional and sub-regional organizations.

The Office will continue utilizing existing expertise within UNODC, in particular in the area of suppression of financing of terrorism and money laundering, where UNODC will coordinate the activities with the Global Programme against Money Laundering (GPML) and the Legal Advisory Section. In the area of research and analysis, the project will rely on the experience and work carried-out by UNICRI.

D. CRIME PREVENTION OBJECTIVE

The project will contribute to promoting the ratification, acceptance, and approval of, and accession to, as well as the implementation of the international legal instruments related to the prevention and suppression of terrorism. It will further promote international cooperation as an effective tool for tackling international terrorism world wide. The implementation of these instruments will be an important step forward in fighting the scourge of international terrorism.

² While the project document refers to all twelve universal instruments related to the prevention and suppression of international terrorism, particular emphasis will be put on the most recent instruments: the International Convention for the Suppression of Terrorist Bombings, 1997, and the International Convention against the Taking of Hostages (1979). With regard to the International Convention for the Suppression of the Financing of Terrorism (1999) due account will be paid to the work carried out by IMF and the World Bank which have begun work in financial areas to support the implementation of this Convention.

E. IMMEDIATE OBJECTIVES, OUTPUTS, ACTIVITIES AND INPUTS

1. IMMEDIATE OBJECTIVE 1

To support the efforts of Member States for the expeditious ratification, acceptance and approval of, and accession to the universal legal instruments related to the prevention and suppression of terrorism and in fulfilling their obligations under these instruments.

Output 1.1: *Updated legislative tools for the implementation of the universal instruments related to the prevention and suppression of international terrorism.*

Activity 1.1.1 Identify a group of international experts, with due respect to the various legal systems such as common law, civil law, Islamic (Sharia) law etc., to review and finalize the updated legislative guide, as well as the draft legislative guidelines for French speaking civil law countries prepared with the ad hoc assistance of the French Government. The experts will be government legal drafters and/or come from an academic background.

Activity 1.1.2 Provide the experts with the draft legislative guide and request a written review, including best practice examples from their respective legal system.

Activity 1.1.3 Recruit an international consultant for a period of three months to prepare a consolidated report on the reviews received, present the report to the expert workshop and update the legislative guide on the basis of the discussions during the expert workshop.

Activity 1.1.4 Organize an expert workshop (Four-day workshop, 15 experts, two UNODC staff members, one OLA and CTC staff member each) to review and update the legislative guide. Experts from regional organizations will be invited to attend at their own expense.

Activity 1.1.5 Translate, reproduce and disseminate updated guide, through UNODC's website, paper copies and CDs.

Inputs:

- One UNODC staff member to prepare background documentation for and organize and follow-up to the expert workshop.
- Recruit one international consultant for three months to prepare a consolidated report and updated legislative guide.
- Travel and DSA for one CTC expert and one OLA staff member to participate in the expert workshop.
- Travel, DSA and where required fee for 15 experts, with equitable geographical distribution.
- UNOV language services to translate the finalized tools into all official languages.

Output 1.2 *A tool for reviewing domestic legislation to prevent and suppress terrorism*

Activity 1.2.1 On the basis of the key-provisions identified in the legislative guide, prepare updated “checklists” including the requirements for basic compliance with the universal instruments against terrorism. The checklists will assist countries in carrying out a self-assessment of their needs and, where required, will assist UNODC in identifying the countries’ requirements for direct legal technical assistance.

Activity 1.2.2 Translate, reproduce and disseminate the checklist through UNODC’s website and paper copies.

Inputs:

- One UNODC staff member to update the checklists.
- UNOV language services to translate the checklist into all official languages.

Output 1.3 *Provision of tailor made legislative incorporation assistance through legal advisory services from a pool of experts*

Activity 1.3.1 Identify a group of experts (from various legal systems and equitable geographical distribution) to assist UNODC, CTC and OLA in promoting the universal instruments related to the prevention and suppression of international terrorism and subsequently to incorporate the provisions of the universal instruments into domestic legislation, based on a common methodology.

Activity 1.3.2 On the basis of the checklist and the legislative guide, review existing domestic legislation in 80 countries requesting such assistance either through the CTC or directly from UNODC.

Activity 1.3.3 Provide legal advisory services through a review of the legislation, proposing changes to the authorities, monitoring the progress in drafting legislation and final review of the new legislation on the required changes in domestic legislation to bring it into conformity with the universal legal instruments, taking into account the individual needs of the countries. After an initial review of the existing legislation, a national plan including the required legislative steps will be developed together with government counterparts. The advisory services will be carried out by a team of experts on the basis of the legislative guide.

Activity 1.3.4 Carry-out legal advisory missions. Taking into account the individual needs of the countries, it is envisaged that 80 countries will require direct assistance in the drafting of new legislation to bring their domestic legislation into conformity with the universal legal instruments. An average of two field missions to each of these countries is estimated to review the existing legislation, propose changes to the authorities and develop a national plan on the required legislative steps, monitor progress in implementing the national plan and a final review of the new legislation. These field missions will be carried out by a combination of experts in the field, as well as UNODC staff.

Activity 1.3.5 Recruit one national consultant for a period of three months per country to assist government authorities in drafting new legislation, where required.

(It is estimated that in 40 countries a national consultant from academia or the private sector will need to be recruited, due to a lack of government capacity to prepare the new legislation.)

Activity 1.3.6 Support organization of one national expert workshop (4 days, 15 participants) to review new draft legislation, where required. It is envisaged that this assistance will be provided to 40 countries to support the costs of travel, accommodation and fees for participants.

Inputs:

- UNODC staff members with inputs from CTC, OLA and other relevant organizations to identify experts
- One UNODC staff member to monitor the pool of experts.
- Recruit experts on a retainer basis to be based in the field for the duration of the project and an average working period of eight months each.
- Experts to provide legal advisory services.
- Two UNODC staff members to provide legal advisory services and monitor and evaluate work of the experts.
- Travel and DSA for UNODC staff members and experts to carry out field mission to 80 countries (two five-day missions per country, two travellers per mission).
- Fees for national experts in 40 countries (three months each).
- Travel, accommodation and meals for participants for ten four-day workshops.

2. IMMEDIATE OBJECTIVE II

To strengthen national expertise and capacity to enable Governments to apply and enforce the domestic legislation implementing the universal legal instruments related to the prevention and suppression of international terrorism.

Output 2.1 *Establishment of domestic mechanisms for basic compliance with the universal legal instruments related to the prevention and suppression of international terrorism.*

Activity 2.1.1 Assist countries in the development of legal action plans enabling countries to fully implement the universal legal instruments related to the prevention and suppression of international terrorism and to establish adequate legal frameworks for special investigative techniques, joint investigations and law enforcement cooperation.

Activity 2.1.2 Organize, where appropriate, national seminars for practitioners, i.e. judges, prosecutors and police officers tasked with the implementation of the domestic legislation to introduce the new provisions. It is envisaged that during the duration of this project 40 countries will require such assistance. The seminars will be held over a three-day period with 25 participants each, including the national legislative drafters, as well as the respective international experts who provided the legal advisory services (output 1.3). It is envisaged that during the duration of the project, 30 national seminars will be held.

Activity 2.1.3 Develop and organize mentorship programmes, in cooperation with the

International Association of Prosecutors, to countries requiring such in depth assistance on the implementation of the new legislation against terrorism. Depending on the needs, these mentorships will have an average duration of three months and it is estimated that 20 mentorships will be carried-out during the duration of the project.

Inputs:

- Travel and DSA for one UNODC staff member to service the seminars
- Travel and DSA for int'l expert consultants to attend the seminars
- Travel, accommodation and meals for participants for three-days.
- Travel and DSA for one UNODC staff member to discuss and finalize modalities for cooperation with International Association of Prosecutors (one two day mission to The Hague)
- One UNODC staff member to monitor mentorship programme.
- Select and recruit mentors.
- Travel and DSA for mentors for an average duration of three months each.
- Travel and DSA for one UNODC staff member to evaluate mentorship programme.

3. IMMEDIATE OBJECTIVE III

To support regional and sub-regional cooperation related to the prevention and suppression of terrorism through promoting compliance with Security Council resolution 1373, as well as harmonized legislation and strengthened cooperation, through working with regional organizations.

Output 3.1 *Enhanced regional cooperation through harmonized legislation and information exchange*

Activity 3.1.1 Organize 10 regional or sub-regional working meetings to review progress made with regard to the incorporation of provisions contained in the universal instruments related to the prevention and suppression of international terrorism into domestic legislation throughout the region and discuss the related issues of regional cooperation. The meetings will be organized for a three-day period with an estimated number of 35 participants each. Participants will be government officials responsible for legislative drafting, parliamentarians and the focal points established in each country under Security Council resolution 1373. The working meetings further aim at reinforcing political commitment for becoming parties to the relevant instruments and surveying immediate legal cooperation requirements.

Activity 3.1.2 Encourage national focal points to establish a dialogue among the countries of the region and identify regional focal point to promote dialogue with other regions on extradition, mutual legal assistance and law enforcement cooperation experiences.

Inputs:

- Travel and DSA for two UNODC staff members to service the meetings.

- Travel and accommodation for 35 participants from the region and venue rental.
- Translation and interpretation for the duration of the working meetings.

Output 3.2 *Enhanced capacity of countries in the region to comply with CTC reporting requirements*

Activity 3.2.1 Devote a one-day session during each of the working meetings (see activity 2.1.1) to promoting compliance with SC resolution 1373, including a presentation by CTC expert on findings from the first reports and presentations from participants containing factual information as well as problems with compiling the reports.

Activity 3.2.2 Encourage national focal points to establish a dialogue among the countries of the region with a view to regional cooperation and assistance in complying with SC resolution 1373.

Inputs:

- As above output 3.1.

4. IMMEDIATE OBJECTIVE IV

To increase coordination with international, regional and sub-regional organizations.

Output 4.1 *Regular ongoing working arrangements with the main international, regional and sub-regional organizations*

Activity 4.1.1 Promote the establishment of focal points in relevant international, regional and sub-regional organizations working in the area of anti-terrorism and establish contacts with these organizations, to allow the regular exchange of information on new developments.

Activity 4.1.2 Maintain and regularly update a database of focal points.

Activity 4.1.3 Participate in regular working meetings with the Counter-Terrorism Committee and OLA.

Activity 4.1.4 Disseminate regularly information on activities carried out by UNODC through mail, as well as UNODC's web page. In addition, encourage the creation of links to UNODC web site in relevant web pages of other organizations and regularly update links on UNODC's web page.

Activity 4.1.5 Ensure that all relevant organizations are invited to UNODC meetings where appropriate. Participate in meetings organized by other organizations where possible and appropriate.

Activity 4.1.6 In the context of national assistance projects, ensure involvement of the relevant regional and sub-regional organizations

Inputs:

- UNODC staff to maintain data base and disseminate information.
- UNODC staff to regularly update web page and introduce links with other web pages.
- Travel and DSA for UNODC staff member missions to maintain close working relations with the Counter-Terrorism Committee and OLA.

- Travel and DSA for UNODC staff for participation in meetings, as appropriate.

5. IMMEDIATE OBJECTIVE V

To strengthen international cooperation against terrorism

Output 5.1 *Legal framework for enhanced international cooperation against terrorism*

Activity 5.1.1 Promote the development of mechanisms for international cooperation in the context of the legal advisory services provided under output 1.3, particularly bilateral extradition and mutual legal assistance agreements. Bilateral agreements are often a prerequisite for enforcing the implementation of international instruments among countries. The revised United Nations Model Treaties on Extradition and Mutual Legal Assistance will assist countries in drafting new bilateral agreements. In addition, new mechanisms for international cooperation, such as joint investigations, special investigative techniques, protection of victims and witnesses, as contained in the Convention against Transnational Organized Crime should be duly taken into account where possible.

Inputs:

- Same as above output 1.3

Output 5.2 *Technical assistance for international cooperation against terrorism on-line*

Activity 5.2.1 Develop and maintain a website containing a database for on-line assistance in drafting extradition and mutual assistance requests.

Activity 5.2.2 Design the database to allow for countries to request direct assistance on a case by case basis. The requests will be linked to a short term mentorship programme which will be organized in cooperation with the International Association of Prosecutors, for the provision of advice on specific cases of international cooperation. It is envisaged that the average duration for these mentorships will be one month each and that 20 mentorships will be carried-out during the duration of the project.

Inputs:

- Travel and DSA for one UNODC staff member to review cooperation with International Association of Prosecutors (one two day mission to The Hague)
- One national consultant to set-up and maintain database for on-line requests for assistance (six work months)
- One UNODC staff member to monitor mentorship programme and on line requests received.
- Select and recruit mentors.
- Travel and DSA for mentors for an average duration of one month each.
- Travel and DSA for one UNODC staff member to evaluate impact of mentorship programme.

Output 5.3 *Enhanced domestic capacity for international cooperation*

Activity 5.3.1 Promote the establishment and designation of a national central authority or authorities to process requests for international cooperation and assistance. The information will be linked to the on-line data base maintained by UNODC's Legal Advisory Section.

Activity 5.3.2 Develop and organize medium term mentorship programme, in cooperation with the International Association of Prosecutors, for the exchange or secondment of prosecutors to provide advise on extradition and mutual legal assistance procedures, including on establishing practical mechanisms to share with other countries information or evidence needed to establish criminal, civil or administrative liability pursuant to the offences set forth in the international instruments against terrorism. Depending on the needs, these mentorships will have an average duration of three months and it is estimated that ten mentorships will be carried-out in the countries during the duration of the project.

Inputs:

- One UNODC staff member to monitor establishment of central authorities.
- Select and recruit mentors.
- Travel and DSA for for an average duration of three months each.
- Travel and DSA for one UNODC staff member to evaluate impact of mentorship programme.

F. OVERALL INPUTS

In addition to the specific output related inputs itemised in Section D, above, the following overall inputs will be provided:

- Chief Technical Adviser/ Expert (L-5) for the duration of the project (4 years)
- Project expert (L-3) for the duration of the project (recruited in 2004 – 3 years)
- Liaison Officer (L-3) CTC New York (2 years)
- Associate experts (2 x L-2; 1 year)
- Project assistance for the duration of the project (4 years)
- Six computer work stations, one printer, one fax machine and related consumables
- Maintenance of the equipment for the duration of the project
- Communication for the duration of the project

G. PROJECT RISKS

Successful implementation of the project will depend on forthcoming requests of, and the commitment of, Governments, to fully support the ratification and implementation process.

H. PRIOR OBLIGATIONS AND PREREQUISITES

The Governments shall nominate their respective Ministries of Foreign Affairs, Internal Affairs or Justice as Government counterpart agencies to provide all required national counterpart services for the implementation of this project. The Governments will facilitate all expert,

technical and monitoring missions to be undertaken in the context of this project and related UNODC activities.

The Governments will provide all related inputs specified. Access to information is a fundamental prerequisite to this project. The Governments will also ensure that appropriate national consultants are identified. The Governments will ensure the provision of adequate premises for the organisation of regional meetings.

J. PROJECT REVIEWS, REPORTING AND EVALUATION

This project can be reviewed by UNODC at any stage during its implementation. The Governments benefiting from UNODC technical assistance through this project will be requested to facilitate any review missions by UNODC, as requested. The monitoring of the execution of the project will be the responsibility of UNODC.

The Chief Technical Advisor will prepare an annual Project Performance Evaluation Report (PPER), detailing the activities and achievements of the project, drawing attention to difficulties encountered and measures introduced to overcome them, semi-annual project progress reports and a terminal project implementation report.

UNODC can evaluate this project at any time. The terms of reference, duration and purpose of any evaluation mission will be determined by UNODC, in consultation with other parties, as appropriate. UNODC proposes to arrange an in-depth, external and independent evaluation in the second half or towards the end of project implementation. Provision for the evaluation has been made in the project budget.

The project is subject to examination by both United Nations Office for Internal Oversight and the United Nations Board of External Auditors. Upon their request, the auditors' access to project documentation and correspondence, accounts, expenditure and inventory records will be facilitated. The project expenditures incurred by UNOPS as Associated Agency are subject to UNDP Internal and External Audit in accordance with Financial Regulations and Rules applicable to UNOPS.

K. LEGAL CONTEXT

The implementation of the activities by UNODC under this project is subject to the availability of adequate funding. Available funds will be committed through an annual budget allocation based on annually costed workplan. Should required funding not be available, UNODC reserves the right to terminate its assistance under the project.

Compensation clause

In the absence of gross negligence or wilful misconduct on the part of UNODC or its officials, and except in respect of staff members, consultants or contractors hired by UNODC, it is understood that UNODC is not liable to pay compensation in respect of any death or disability caused by injury or illness attributable to the performance of official duties of any staff members, consultants or other persons contracted by a UN agency (other than UNODC), an NGO or the Government in the implementation of this UNODC-assisted project. The UN agency, NGO or Government will not request the UNODC to reimburse it for compensation payable in such event,

and hereby confirms that adequate compensation coverage for such eventualities exists which shall apply to all persons employed by the UN agency, NGO or Government on this UNODC-assisted project.