



ANNEX C1: Twinning Fiche¹

Project title: Support for the Institutional Strategic Plan of the Dominican Republic's Judiciary, Visión Justicia 2020-24

Beneficiary administration: Judiciary of the Dominican Republic

Twining Reference: DO 18 EDF JH 01 21

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EU funded project
TWINNING TOOL

(It is recommended that the complete Twinning Fiche should not exceed 10 pages, excluding annexes)

¹ In case of different language versions of the Twinning Fiche it must be clearly indicated which language version prevails.

1. Basic Information

1.1 Programme: **Support for the Institutional Strategic Plan "Visión Justicia 20|24" (direct management)**

For UK applicants: Please be aware that following the entry into force of the EU-UK Withdrawal Agreement² on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union and to goods originating from an eligible country, as defined under Regulation (EU) No 236/2014³ and Annex IV of the ACP-EU Partnership Agreement⁴, are to be understood as including natural or legal persons residing or established in, and to goods originating from, the United Kingdom⁵. Those persons and goods are therefore eligible under this call.

1.2 Twinning Sector: JH - **Justice and Home Affairs, (Rule of Law and Fundamental Rights/ Judiciary and Fundamental Rights Sub-Sector/ Judiciary Rights Sub-Field)**

1.3 EU funded budget: 1,000,000 EUR

1.4 Sustainable Development Goals (SDGs): This programme contributes to SDG16 which aims to build strong and just institutions in support of peaceful and inclusive societies around the world by 2030, among others, by: (i) promoting the rule of law, transparency, accountability, good governance, and non-discrimination at all levels of government and (ii) ensuring equal access to justice for all and protecting everyone's fundamental freedoms.

2. Objectives

2.1 Overall objective(s):

To promote citizen's confidence and satisfaction in the judicial services offered by the Dominican Judiciary.

2.2 Specific objective:

To increase the efficiency, quality and integrity of the judicial services offered by the Dominican Judiciary.

2.3 The elements targeted in strategic documents i.e. **National Development Plan/Cooperation Agreement/Association Agreement/Sector reform strategy and related Action Plans**

The Dominican Republic has been promoting a strong commitment to institutional modernisation and rigour in planning processes, as a decisive tool for effective and efficient management. Thus, since 2010, in compliance with the provisions of the country's new

² Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

³ Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action.

⁴ Annex IV to the ACP-EU Partnership Agreement, as revised by Decision 1/2014 of the ACP-EU Council of Ministers (OJ L196/40, 3.7.2014).

⁵ Including the Overseas Countries and Territories having special relations with the United Kingdom, as laid down in Part Four and Annex II of the TFEU.

constitution, a detailed reform agenda is being developed to guide the transition from a traditional and bureaucratic model of administration and state powers, to a modern model of results-oriented public management.

One of the great contributions of this reform was law No. 498-06 of the Planning and Public Investment National System together with decrees No. 493-07 and 231-07. This system consists of a series of instruments, the first and most important of which is the National Development Strategy (END 2030). The END 2030, which responds to a constitutional (article 241) and legal (law No. 498-06) mandate, defines the image-goal of the country and comprises the definition of the long-term vision of the nation (Prospect, year 2030). It is structured around 4 strategic axes that are specified in different objectives and lines of action. It also refers to a set of indicators and goals that the country intends to achieve in the implementation of the strategy's time frame, as well as the commitments assumed in this regard by the state powers.

It should also be noted that in September 2015 the Dominican Republic signed the most important international agreement within the framework of the United Nations System: The Sustainable Development Goals (SDGs). With this Dominican Republic commits to achieving 17 major global development objectives, 169 goals and a set of more than 200 monitoring indicators, which seek to ensure the economic, social and environmental sustainability of the countries. The country has also signed the agreements on population and development in Latin America and the Caribbean known as the "Montevideo Consensus", which define 9 themes, 98 priority actions and their corresponding objectives, lines of action and goals.

The judiciary is linked to the National Development Strategy 2030 through:

- The first strategic axis, which seeks a social and democratic rule of law, with efficient and transparent institutions, serving responsible and participatory citizens. It guarantees security and promotes development and peaceful coexistence.
- General objective 1.2, regarding the "rule of law and citizens security".
- General objective 2.3, referring to "equal rights and opportunities".
- The specific objective refers to "guaranteeing the implementation of the law and the non-impunity through an agile, accessible and efficient judicial system".

This link creates a framework of specific strategic references with regards to the judiciary:

- To strengthen the independence and autonomy of the judicial system, in order to ensure equity, impartiality, transparency, predictability and legal security in its actions and in the sanction of the breach of law.
- To further the judicial system reform and guarantee the technical and behavioural suitability of all actors in the justice system.
- To develop and consolidate progress in the judiciary, respecting gender equity when accessing posts at all levels of the justice system.
- To institutionalize and strengthen mechanisms that improve access of all the population to the judicial administration system and to alternative forms of conflict resolution.
- To train the staff of all institutions of the justice system and raise awareness among them on human rights issues, with emphasis on the rights of women, children and teens.
- To strengthen and improve guidance mechanisms for the population on their rights and duties, as well as to promote knowledge of the services the administration of justice provides in order to foster a culture of effective exercise of citizens' rights.

In a context where the Dominican population is increasingly demanding quality and prompt services, the judiciary must more than ever provide timely, diligent, integral and inclusive

justice. The new "Visión Justicia 20|24", promoted by the Judicial Council (the highest administrative body of justice), seeks to address this. This vision aims to achieve an institutional transformation and is the result of a study and a participatory process that included 28 working groups, with the active participation of more than 500 users, judges and court officials, as well as the main key sectors of Dominican society. This consultation process allowed the exchange of ideas and knowledge on the decisive factors that allowed to subsequently define the new strategy.

"Visión Justicia 20|24" is embodied in the new institutional strategic plan, which takes as its starting point the commitment to place planning at the centre of efficient and transparent management.

One of the main challenges is to achieve a balanced distribution of workload and to boost the productivity and quality of judicial decisions. The current organization of the justice centres proves to be dispersed and tends to generate confusion among users and operators of the system. It is therefore essential to adapt the organizational structure to the operational needs and to make the administrative services more dynamic, thus favouring a more efficient use of resources. In this area, very intense work is already being carried out along very clear lines of action and therefore it is outside the scope of the current collaboration proposal.

Aspects such as the standardization of processes and procedures, user services, improvement of infrastructures or the training and qualification of judicial servants, also stand out as relevant references at the present time when judicial delays are highlighted as the most important weakness.

This review would begin by identifying priority procedural reforms that allow to adapt to the efficiency that justice nowadays demands. This is a task which requires the promotion of good practices and standardization, always in search of a timely and efficient judicial service based on the use of information technology.

The structure of the new Institutional Strategic Plan "Vision Justicia 2020-2024" is based on strategic axes, strategic objectives, lines of action and results. The presentation of the axes and objectives allows us to confirm the extent to which the objectives and recommendations proposed for the present Twinning collaboration are fully aligned with the strategy and priorities set for the judiciary:

- Strategic Axis 1. Justice for all
 - O1.1. Facilitate access to justice for the population in vulnerable conditions
 - O1.2. Adapt infrastructure to make it more inclusive and dignified
 - O1.3. Facilitate conflict resolution through alternative methods
 - O1.4. Support the population through digital media
- Strategic Axis 2. Timely and efficient judicial service
 - O2.1. Achieving an efficient and reliable justice service, supported by ICTs
 - O2.2. Optimize the regulatory framework to strengthen the service
- Strategic Axis 3. Integrity for a trusted justice
 - O3.1. Increasing institutional commitment
 - O3.2. Promote transparent judicial management

- O3.3. Strengthen the judiciary and capacity building for a results-based management

3. Description

3.1 Background and justification:

The judiciary in the Dominican Republic benefits from functional, administrative, and budgetary autonomy granted by the Constitution and by Law No. 46-97 of 18th of February 1997, modified by Law No. 194-04 of July 28, 2004. As a result of the 2010 Constitution, the judiciary has separate jurisdictional and administrative powers, which are constitutionally designed with democratic criteria, where the function of the Supreme Court of Justice is fundamentally jurisdictional. The Constitution establishes in article 149, paragraph I, that the judicial function of the judiciary "consists of administering justice to decide on conflicts between individuals or legal entities, in private or public law, in all types of processes, judging and enforcing what is judged," while article 156 establishes that the Council of the judiciary is the permanent body responsible for the administration and discipline of the judiciary.

The judiciary is currently represented by the Supreme Court of Justice, the Courts of Appeals, the Local Courts and the Peace Courts. At the national level, the organization of the judiciary is structured on a territorial basis, in judicial departments and judicial districts as established by the law.

Justification:

Court backlog is considered, by the judiciary itself, as the greatest current weakness of the entire system.

The failure to comply with deadlines or delays on the reasonable duration of processing a judicial case until its conclusion are therefore a fundamental constraint that must be overcome, ensuring that the processes are carried out within a reasonable time.

Currently there is no uniformity or alignment between courts, which leads to complaints raised because of the different criteria applied in each of them. In aspects such as judicial notifications or summonses, there is a wide margin to improve efficiency, especially from the point of view of the automation of certain processes and the use of new technologies. This will reduce time and simultaneously support the courts' management, providing statistical information to establish management goals and verify its performance and that of all judicial servers. To this end, it is necessary to fight against the digital divide that exists between different parts of the territory.

Also, regarding management monitoring, without constant supervision and an effective and updated follow-up system, it will not be possible to validate the correct implementation of new processes or certify to what extent they are contributing to the expected increase in efficiency.

Another identified problem relates to user services, citizens often do not know where to go, nor are they aware of what the administration of justice system can offer and the rights they have, or how to exercise them. This is a constraining factor that limits the access to the system. This access must be reinforced through effective communication mechanisms.

This last circumstance is aggravated by the breadth and diversity of matters, deadlines and communications, and by the absence of a quality control that would allow monitoring and verifying compliance with previously defined and agreed standards.

The new "Visión Justicia 20|24" is committed to digitalization. The possible improvements made to that extent can facilitate the consultation of files and speed up the request and issuance of certifications. In short, it guarantees easier access to information as it testifies to a more timely, efficient and agile service.

Regarding the subject of access to justice, many employees lack the necessary training and awareness to guarantee the rights of these vulnerable people, and there are no protocols or tools available that focus on this particular matter. Specific profiles that are adapted to the particularities of these positions have not been defined, nor do they take advantage of all the possibilities offered by the new technologies.

With regard to ensuring integrity, currently the judiciary does not have the tools to monitor, prevent and avoid misconducts. The investigation mechanisms themselves are not very efficient. The Inspector General's Office uses a series of traditional, non-automated tools for the development of its processes - from the registration of complaints to the preparation of reports or case information - and the procedures are not as agile, precise and efficient as they should be.

Moreover, the different criteria applied on deciding what is considered a disciplinary offense creates confusion and does not make clear what behaviours are punishable. Most of the disciplinary offenses are imprecise and open, and the disciplinary procedures are not solid enough either.

In conclusion, this proposal is broken down into three different blocks, which define the elements proposed for this Twinning: (i) management of processes - both jurisdictional and administrative -, (ii) user services and (iii) reinforcement of integrity. This will strengthen the provision of a service that is timely (agile, provided within a reasonable time), accessible (with special attention to people in vulnerable situations), committed (with a high degree of institutional membership) and reliable (guaranteeing independence and legal security).

3.2 Ongoing reforms

The judiciary of the Dominican Republic has experienced great changes during the last fifteen years, achieving a significant consolidation at an institutional level. During this period, very important progress has been made in almost every aspect of the judiciary system through the promotion of substantial reforms. Profound reforms have been promoted and implemented, which have contributed to achieve institutional independence, professionalisation of the judicial officials, the establishment of a clear and defined policy and regulatory framework. To facilitate people's access to the judicial system services and to obtain a legal certainty for all. If the period from 2000 to 2010 can be considered as one focused on strengthening the judiciary, from 2010 onwards, a new phase began, aiming at improving the quality of and access to justice, by focusing on the effective functioning of the jurisdiction.

Despite the achievements and progress made, there is still a long road ahead in order to adapt the judiciary to the challenges, which a developed modern society demands. The judiciary is compelled to provide more and better justice services, given that the Dominican society currently is not satisfied. The Judiciary's Council shares the idea that the institutions' attention

needs to be focused on the jurisdictional aspects, its productivity, and on working to achieve a judicial service, that covers the community's needs. The institution has raised the most imminent challenges that the judiciary must face, highlighting those that will impact on a higher quality and more accessible justice service. For instance, the use of new technologies in the management of the justice system, developing and implementing computer solutions to support decision-making processes and improve the efficiency and effectiveness of the justice administration processes. In this context of reform, European experiences and good practices may well serve as lessons learned.

In the specific areas which have been proposed for the current collaboration, some initiatives are already being developed. Some of the most significant and recent ones are the following:

- Management
 - Layout of processes and proceedings by jurisdictions
 - Documentation of the Supreme Court of Justice processes
 - Include quality controls of the judicial service processes: a management control unit is available and uses templates, control boards, indicators, and user surveys. These indicators are on the process of being automated.
 - Implementation of webinars in order to introduce new computer tools (Office 365, Electronic signature, judicial service)
 - Teleworking training programme.
- User Services
 - Elaboration of a "Good Practices Guide Focusing on Users, with special emphasis on vulnerable groups with a gender perspective (Guide to Decent Treatment)". Ongoing.
 - Launch of a Judicial Service Contact Centre which allows remote access by free telephone calls, e-mail, through the judicial service's website and the inclusion of new technologies.
 - Creation of face-to-face service centres to take care of court user services.
- Integrity
 - Assessment report on the plan for the prevention and sanctioning of misconduct, within the existing regulatory framework.
 - Summary and analysis of sworn statements.
 - Summary table of the different disciplinary offenses.
 - Proposal to amend resolution No. 25/2018 approving the disciplinary regulations to be applicable to judges in the judiciary.
 - Proposal for a disciplinary regulation to be applicable to public officials.
 - Proposal for a disciplinary regulation to be applicable to administrative judicial officers.
 - Development and implementation of a management system for the Inspectorate-General of the Judiciary's Council.

The Dominican Republic is currently engaged in a broad process of public administration reform, promoting the priority actions identified in order to achieve an efficient and transparent State, underpinned by the National Development Strategy. A reform that focuses on three main points (with which the priorities of the judiciary and the objectives and components/results of the present Twinning are also aligned):

- Professionalization of the public service and institutional strengthening as key areas when regulating labour relations in the public sector

- Use of excellency models in management in order to establish a culture of quality and constant improvement, aimed at reinforcing the quality of the public services that are offered to citizens
- Implementation of Information and Communication Technologies (ICTs) in order to boost management

3.3 Linked activities:

Through the EU funded programme “Apoyo a la Reforma de la Administración Pública y a la Calidad de los Servicios Públicos” (PARAP II), in November 2019 information was collected on the main administrative and legal-administrative processes. This information helped to obtain some input to identify possible points of collaboration and exchange of experiences between the judiciary of a European Union country and the Dominican judiciary. It is worth mentioning that this process has provided the basis to elaborate this Twinning application.

Likewise, in the framework of the Technical Assistance and Information Exchange Instrument of the European Commission (TAIEX), in July 2020 a workshop was carried out on "the transition from a face-to-face modality of providing services to users of the justice system, to a modern modality based on offering services in a virtual environment". The aim of this workshop was to exchange experiences on the new modality of virtual services in the justice system with three EU countries (Estonia, Italy and Spain), which had previously put in place virtual services for users. This activity took place in the context of Covid-19, where the demand for online services in the judiciary had notably increased due to a rise in the demand of efficient and rapid online solutions.

This seminar was followed up by a second TAIEX event in November 2020, aimed to specifically learn from the Estonian e-governance model in the justice sector. The topics that were discussed were: the electronic files, a methodology of technological systems' development, the identification and handling of the parts (people involved in legal processes) and the digital signature. Also, there was an exchange of best practices for the use of algorithms and artificial intelligence devoted to support judges in their decision-making process.

Spain has been the EU Member State that has contributed the most to the strengthening of the judiciary since 1999. The Spanish Agency for International Development Cooperation (AECID) has supported and accompanied the criminal justice system reform, the implementation of the judicial office management model in the criminal field and the training process in the new criminal procedure code. Additionally, the AECID has collaborated in the formulation of several institutional strategic plans; the creation and structuring of the Dominican Judicial Documentation and Information Centre, and the creation and structuring of the Citizen Information and Orientation Centres. Lastly, the judicial career system has been strengthened in aspects such as performance evaluation and judicial ranking systems and provision of judicial positions as well as gender equity among others.

In addition, the Dominican Republic has become a beneficiary of the Programme for Social Cohesion in Latin America (EUROsociAL+). The coordination of the country's intervention is led by the Ministry of Economy, Planning and Development (MEPyD) and currently the judiciary is developing a work proposal in the area of democratic governance. More precisely, in relation to the access to justice, working in initiatives such as the design and implementation of the restorative juvenile justice system; the implementation of the 100 Brasilia Rule (reformulated), on access to justice for people in vulnerable conditions; and also addressing the inclusion of the gender perspective in judicial decisions.

With regards to other organizations that cooperate with the judiciary in the strengthening and modernization of the administration of justice, there is the United States Agency for International Development (USAID). They provide support, for instance, through the organisation of capacity – buildings in the area of criminal justice and in alternative conflict resolution methods.

It is important to ensure that there is no duplication with the Twinning project once it starts. Synergies will have to be built with the ongoing projects if they are touching upon the same areas as the Twinning project.

3.4 List of applicable *Union acquis*/standards/norms:

-Brazilian Rules on access to justice for people in a condition of vulnerability.

3.5 Components and results per component

Three components/results are proposed.

Component 1. Comprehensive management model based on quality established

An increased efficiency of the service provided by the administration of justice will contribute to the dynamism of processes and promote the strengthening of the management, which will, in turn, stimulate rapid responses. In this context, one of the fundamental challenges to overcome is the definition and implementation of documented standardized procedures; working on procedures and processes by promoting standardization and harmonization.

Mandatory Result 1: Increased effectiveness and agility through clear and homogeneous documented processes.

Judicial delays are the greatest current weakness of the entire system. Justice must be diligent and swift, and judicial delays - understood as failure to comply with deadlines, or as delays with respect to the reasonable duration of any process until its conclusion - constitute a fundamental limitation that should be avoided, ensuring that the processes are sustained within a reasonable period of time.

An increase in the efficiency of the justice administration service requires an enhanced agility in the processes in order to promote the speed of response. Identifying and correcting the causes that motivate high proportions of delays would lead to a more efficient and agile management.

In this context, one of the fundamental challenges is the definition and consistent application of homogeneous documented procedures. Both administrative and jurisdictional processes must be standardized, simplified and optimized as far as possible, which leads to the definition of effective management models that strengthen quality.

Mandatory Result 2: Consolidated change management with quality objectives and indicators.

All the modifications that are adopted for the implementation of a new model involve a process of change that must be managed delicately and effectively. The incorporation of new tools and the implementation of new procedures and processes will require change management, training

and raising awareness about the new model and proposing initiatives that facilitate its implementation.

At the same time, the new quality-based model must include the definition of clear objectives with their corresponding indicators, in order to monitor and verify and evaluate the extent to which progress is being made towards the achievement of the expected results.

Component 2. Improved quality and satisfaction in user services

This improvement will involve strengthen user services areas through simplification and better communication and enhanced access channels. Easier access to information ensures a more timely, efficient and agile service. The new "Visión Justicia 20|24" is committed to digitalization and the possible improvements made to that extent will facilitate the consultation of files and speed up the request and issuance of certifications.

Mandatory Result 3: Optimized user service.

In relation to user service, citizens often do not know where to go, nor do they know the possibilities of the Justice administration system and the rights that assist them or the ways to exercise them, which constitutes a limiting factor for the access to justice that must be reinforced through information and guidance. This improvement will involve a reinforcement of the user attention service points and a simplification and increased efficiency of the communication and access channels.

There is a significant dispersion and lack of homogeneity in the procedures, protocols and user attention services. This last circumstance is aggravated by the breadth and diversity of matters, deadlines and communications, and by the absence of a quality control that allows monitoring and verifying compliance with previously defined and agreed standards.

Mandatory Result 4: Accessibility and service strengthened by promoting and reinforcing digital channels.

The entire field of service and communication with users should be updated and improved. Leveraging lessons learned and good practices gathered in other experiences can make a significant and valuable contribution. In general, the greater objective of facilitating access to Justice implies reinforcing information and attention to citizens, reviewing the judicial organization for the sake of a better distribution of resources, and ensuring adequate treatment of people in situation of vulnerability, who demand specific attention.

It becomes difficult for users to easily obtain information on judicial processes. A more intensive use of digital media would make it possible to reduce these access limitations. The new Justice Vision 2020-2024 is firmly committed to digitalization, in such a way that the possible improvements introduced in the management of information can be transferred to users, facilitating the consultation of files and speeding up the request and issuance of certifications. Ultimately, guaranteeing easier access to information as an example of a more timely, prompt, efficient and agile service.

Component 3. Reinforced judicial integrity

Contributing to the definition of policy frameworks and sharing models and procedures of inspection and control systems will undoubtedly help to strengthen integrity and transparency, and ultimately guaranteeing the effective delivery of justice.

Mandatory Result 5: Disciplinary regulations reviewed and unified.

The dispersion of disciplinary types is very accentuated, which creates some confusion and does not make it clear what the punishable behaviours are. Most disciplinary types are imprecise and open, and disciplinary procedures are not robust enough either. A critical review of disciplinary regulations is required, and a systematization process must be undertaken, by: (i) Readjusting the current disciplinary regulations, (ii) defining and delimiting its typology and framework of action, as well as (iii) strengthening its procedures.

Mandatory Result 6: Inspection and control system strengthened.

Currently, the Judicial Power does not have solid tools that allow monitoring, preventing and avoiding non-integrity conducts. The investigation mechanisms themselves are not very efficient. The Inspector General's Office uses a series of traditional, non-automated tools to develop its processes - from complaint registers to the preparation of reports or information on cases - and the procedures are not as agile, precise and efficient as they should be.

Working for better justice implies a strengthening of credibility and independence and constant supervision of the service. In this sense, the proper functioning of the institutional integrity system is decisive and the current system must be reinforced, so that accountability, prevention of misconduct and evaluation are strengthened.

3.6 Means/input from the EU Member State Partner Administration(s):

The project will be implemented in the form of a Twinning contract between the Dominican Republic and EU Member State(s).

The implementation of the project requires one Project Leader (PL) with responsibility for the overall coordination of project activities and one Resident Twinning Adviser (RTA) to manage implementation of project activities, Component Leaders (CLs) and pool of short-term experts (STEs) within the limits of the budget. The RTA will work directly with the Judiciary of the Dominican Republic. It is essential that the team has sufficiently broad expertise to cover all areas included in the project description. Short term experts will work together with the staff of the beneficiary institution under the overall direction of the beneficiary institution and the Project Steering Committee. In addition to providing the Twinning partner with adequate staff and other resources to operate effectively, the senior management of the beneficiary institution is expected to be involved in the development and implementation of policies and institutional change required to deliver the project results.

Proposals submitted by Member States shall be concise and focussed on the strategy and methodology and an indicative timetable underpinning this, the administrative model suggested, the quality of the expertise to be mobilised and clearly show the administrative structure and capacity of the Member State entity/ies. Proposals shall be detailed enough to respond adequately to the Twinning Fiche but are not expected to contain a fully elaborated project. They shall contain enough detail about the strategy and methodology and indicate the sequencing and mention key activities during the implementation of the project to ensure the achievement of overall and specific objectives and mandatory results/outputs.

The interested Member State(s) shall include in their proposal the CVs of the designated PL and the Resident Twinning Advisor, as well as the CVs of the potentially designated component Leaders-CLs.

The Twinning project will be implemented by close co-operation between the partners aiming to achieve the mandatory results in sustainable manner.

The set of proposed activities will be further developed with the Twinning partners when drafting the initial work plan and successive rolling work plan every three months, keeping in mind that the final list of activities will be decided in cooperation with the Twinning partner. The components are closely inter-linked and need to be sequenced accordingly.

Member States may also form a consortium, which could result in a wide range of qualified senior experts, gathered from the public administrations or mandated bodies from Member State, provided that national approaches can be harmonized within this consortium.

3.6.1 Profile and tasks of the PL:

The project leader from the EU Member State should be a senior civil servant or equivalent staff from a mandated body with a sufficient rank to ensure an operational dialogue at political level. S/he should work in the field relevant to this project (judiciary) and had been at least three years in a management position within the institution.

The project leader will be responsible for the achievement of project results, ensuring the activities for the co-operation and information exchange between the EU Member States and the beneficiary. S/he will coordinate the Project Steering Committee meetings on the EU Member State side.

Profile:

Qualification and skills:

- University level education in law or 8 years equivalent professional experience in the related field
- Broad knowledge of all processes in the areas that the project is dealing with
- Good inter-personal skills
- Good management skills
- Experience in working in intercultural projects will be an asset
- Fluency in English will be required. Good knowledge of Spanish will be an asset

Specific professional experience:

- Minimum three years of specific experience
- Management and project experience, preferably obtained in an international context
- Sound theoretical and practical experience in areas related to the administrative justice and its international context.

Tasks:

- Overall project co-ordination;
- Co-chairing, with the Dominican PL, the regular project implementation steering committee meetings;
- Mobilizing short term experts;
- Executing administrative issues (i.e. signing reports, administrative order etc.).

3.6.2 Profile and tasks of the RTA:

The Resident Twinning Advisor will be in charge of the day-to-day implementation of the Twinning project in the Dominican Republic. S/he will coordinate the implementation of

activities according to a predetermined work plan and liaise with the RTA counterpart in the Dominican Republic.

The RTA will bring in a significant professional input, especially at the beginning of the Twinning project. The RTA is expected to co-ordinate all activities of the project. He/she will be located at the Supreme Court premises in Santo Domingo. He/she has to be a person with significant experience as a manager and should have the capacity for managing projects and coordinating large-scale capacity building projects.

Profile

Qualification and skills:

- University level education in law or 8 years equivalent professional experience in the related field
- Good PC literacy (Word, Excel, PowerPoint)
- Good inter-personal and diplomatic skills
- Good management skills
- Fluency in English is required. Good knowledge of Spanish will be an asset

Specific professional experience:

- Experience in preparation/revision of major strategic documents and policy papers in the area of judiciary and fundamental rights
- Experience in developing, co-ordinating and conducting capacity building activities, preparation/revision of legal documents and training programmes
- Knowledge of court expert systems in any of EU Member State
- Experience of working outside of the home country administration, would be considered an asset
- Recent experience in a senior position in a public institution\mandated body responsible for court expert systems will be an asset

Duration of RTA secondment: 24 months

Tasks:

- To design a work plan for the implementation of the programme
- To assist in the preparation of all strategic project documents (inception study, sector strategy/policy/plan, quarterly monitoring reports, final project report, training manuals etc.)
- To ensure continuity of implementation through: the enforcement of the day to day management, working on a daily basis with the Judiciary staff to implement the project
- To plan and coordinate outputs
- Together with the project leader: to nominate and mobilize the short-term experts or supervise the short-term experts;
- To ensure proper quality of outputs
- Co-ordination - together with judiciary for the organization of consultation process and awareness raising activities
- Co-ordination - together with the judiciary in the design and delivery of a training programme and provision of technical and operational advice
- Facilitation of EU Member States to transfer best practices and high-quality potential inputs -for their implementation in the court system in the Dominican Republic
- To provide detailed reports on the impact of the project.

3.6.3 Profile and tasks of Component Leaders:

Component leaders will ensure the implementation of the project components/results and plan the agreed activities in a timely manner with high quality. They report to the RTA and liaise with the RTA counterpart.

Qualifications and skills:

- University level education in law or 8 years equivalent professional experience in the related field
- Capacity to integrate into a large expert team
- Willingness to work in a different cultural environment
- Working level of English will be required. Knowledge of Spanish will be an asset

Specific professional experience:

- Minimum 3 years of specific experience in working with the judiciary in the project components/results.

3.6.4 Profile and tasks of other short-term expert

Indicative General Profile of the short-term experts

Qualifications and skills:

- University level education in law or 8 years' equivalent professional experience in the related field
- Capacity to integrate into a large expert team
- Willingness to work in a different cultural environment
- Fluency in English. Good command of Spanish will be considered as an asset.

General professional experience:

At least 3 years of professional experience in the relevant field.

Tasks:

- To contribute to the project activities with a short-term provision of inputs with specialised knowledge in the area of judiciary and court expert system
- To provide inputs for the consultation process and awareness raising as well as design and implementation of new court expert model
- To prepare training programme and materials and delivery of sessions
- To provide advice from a national EU ministry of justice and other relevant stakeholders.

4. Budget

The maximum budget available for the grant will be 1,000,000 euro.

5. Implementation Arrangements.

5.1 Implementing Agency responsible for tendering, contracting and accounting (AO/CFCE/PAO/European Union Delegation/Office):

Delegation of the European Union to the Dominican Republic
Mr. Ramon Espinosa
Head of Finance and Contracts

Calle César Nicolás Penson 85A,
Gascue, Santo Domingo

5.2 Institutional framework

The Council of the Judiciary of the Dominican Republic will be the main beneficiary of this project. The Council of the Judiciary is the constitutional body in charge of the administration and discipline of the Dominican Republic's judiciary, whose administrative activity is carried out through its operational support bodies. During the technical implementation of this project, the General Technical Directorate -GTD- of the judiciary will be in charge of the supervision and coordination. The GTD is an operational support body responsible for guiding, conducting, coordinating and contributing to the implementation of the administrative reform and modernization processes of the judiciary. This is done through its technical bodies, in charge of: planning and budgeting, the information systems, information technologies and international cooperation. The GTD will be responsible of ensuring the implementation of the project in the corresponding areas.

The Internal Administrative Control Regulations of the Council of the Judiciary assigns the GTD the authority to design, implement, monitor and evaluate programmes and projects financed by its own resources or those of international organisations and for the development and modernisation of the judiciary. It also has the authority to carry out the standardisation and efficiency of administrative and legal-administrative procedures and systems through studies and analysis of the organisational models in force; while developing and implementing management systems to facilitate work in the courts and administrative areas.

During the implementation of the project, efforts will be focused in the following units:

- Planning Department
- General Administration of the Judicial Service
- General Inspectorate of the Judiciary

5.3 Counterparts in the Beneficiary administration:

5.3.1 Contact person:

Dominican Judiciary
Licda. Rosa M. Reynoso Robiou
International Cooperation Manager
Planning Department
General Technical Director
Av. Enrique Jiménez Moya esq. Juan de Dios Ventura Simó
Centro de los Héroes, Santo Domingo, Distrito Nacional
The Dominican Republic

5.3.2 PL counterpart:

Dominican Judiciary
Licda. Melisa Bretón Castillo
General Technical Director
Av. Enrique Jiménez Moya esq. Juan de Dios Ventura Simó
Centro de los Héroes, Santo Domingo, Distrito Nacional
The Dominican Republic

5.3.3 RTA counterpart:

Dominican Judiciary
Engineer Maynel Miranda Martínez
Project Director
Av. Enrique Jiménez Moya esq. Juan de Dios Ventura Simó
Centro de los Héroes, Santo Domingo, Distrito Nacional
The Dominican Republic

5.3.4 Component Leaders counterparts

Component n. 1:

Dominican Judiciary
Engineer. Héctor Taveras Espaillat
Planning Director
Av. Enrique Jiménez Moya esq. Juan de Dios Ventura Simó
Centro de los Héroes, Santo Domingo, Distrito Nacional
The Dominican Republic

Component n. 2:

Dominican Judiciary
Lic. Hamlet Montás
General Administrator of the Judiciary
Av. Enrique Jiménez Moya esq. Juan de Dios Ventura Simó
Centro de los Héroes, Santo Domingo, Distrito Nacional
The Dominican Republic

Component n. 3:

Dominican Judiciary
Lic. Jacinto Castillo M.
Inspector General of the Judiciary
Av. Enrique Jiménez Moya esq. Juan de Dios Ventura Simó
Centro de los Héroes, Santo Domingo, Distrito Nacional
The Dominican Republic

6. Duration of the project

24 months of implementation

7. Management and reporting⁶

7.1 Language

The official language of the contract will be English. All formal communications related to the project, including interim and final reports, will be in the language of the contract.

7.2 Project Steering Committee

A Project Steering Committee (PSC) will oversee the implementation of the project. The main duties of the PSC include verification of the progress and achievements via-à-vis the mandatory results/outputs chain (from mandatory results/outputs per component to impact), ensuring good coordination among the actors, finalising the interim reports and discuss the

⁶ Sections 7.1-7.3 are to be kept without changes in all Twinning fiches.

updated work plan. Other details concerning the establishment and functioning of the PSC are described in the Twinning Manual.

7.3 Reporting

All reports will have a reporting and a financial section. They shall include at least the information detailed in sections 5.5.2 (interim reports) and 5.5.3 (final report) of the Twinning Manual. Two types of reports are foreseen in the framework of the Twinning: quarterly interim reports and a final report. A quarterly interim report will be presented for discussion at each PSC meeting. The reports should go beyond describing activities and inputs. The reporting part will mainly assess progress and achievements in the outputs and provide recommendations and corrective measures that will be decided upon to ensure the progress of the project.

8. Sustainability

The Dominican Republic judiciary has been in a process of institutional strengthening and modernization of the justice administration system for 20 years. However, it is necessary to continue promoting initiatives that allow the judicial branch of the state to face the challenges of a society in constant development, and to provide a better service to citizens.

This Twinning is part of the Institutional Strategic Plan "Visión Justicia 20|24", and the resources necessary to sustain the improvements achieved in the justice administration services will be part of the operational costs, in the cases that merit it, or of the budgetary plan that is structured on an annual basis.

Similarly, the improvements incorporated into processes and procedures will become institutional actions of permanent execution, in addition to the creation and dissemination of policies that guarantee their correct implementation.

9. Cross-cutting issues

The Twinning itself focuses on the universal cross-cutting issue of access to justice. Strengthening trust, credibility and transparency has direct implications on access, and as long as the efficiency, quality and integrity of the system is increased, a better service will be guaranteed and solid access will be promoted to allow the exercise and safeguarding of rights as laid down in the key European and international conventions.

Concerning **equality of the sexes** (SDG 5), the project will contribute to women empowerment by strengthening the equal access to Justice and advocating for an increased participation and representation of women within judicial services.

Since the project includes supporting the ongoing **digitalization** of the justice administration, it will promote safeguards to the preservation of privacy and data protection. Actions in support to digitalisation will be accompanied by measures to protect personal data and privacy that will include: (i) review of the ongoing Dominican legislation on data protection and its alignment with best international practices; (ii) if necessary, support to drafting legal improvement to the current data protection legal set up; (iii) assessment on how effectively data protection rights and obligations are implemented.

10. Conditionality and sequencing

There are no preconditions defined for this Twinning project.

11. Indicators for performance measurement

INDICATORS			
Percentage of improvement in the evaluation of the quality/credibility/confidence of the service by the users of the system in the different services channels.			
Baseline: 74.72%			
Goal: 90%			
Level of response, percentage of cases addressed within the established timeframe.			
Days	0-3	0-10	0-30
Baseline	32.03%	56.79%	73.44%
Goal	35%	75%	90%
Reduction in the percentage questions/petitions directed to the courts attended within the defined time ranges.			
Requests in process (open)			
Days	0-3	0-10	0-30
Baseline	2.93%	6.09%	11.78%
Goal	2.5%	4%	8%
Number of claims/complaints of unethical conducts or faults.			
For Judges:			
Baseline: it will be determined at the time the twinning starts, considering the new access channels.			
Goal: 20% decrease from the baseline.			
For Judicial Servants:			
Baseline: it will be determined at the time the twinning starts, considering the new access channels.			
Goal: 20% decrease from the baseline.			
Note: In the first semester of 2021, a more expeditious channel will be launch for the population to submit their claims and complaints.			
Percentage of standardized processes.			
Baseline: 28%			
Goal: 85%			
Percentage of documented and approved processes.			
Baseline: 5%			
Goal: 85% of the total documented.			
Percentage of reduction in the accuracy of critical and non-critical errors.			
Critical error			
Baseline: 90.5% compliance with no errors.			
Goal: 95% compliance without errors.			
Non-Critical Error			
Baseline: 86% compliance with no errors.			
Goal: 90% compliance without error.			
Number of protocols regarding user services that have been strengthened and implemented.			
Baseline: 11 Protocols			
Goal: 22 Protocols strengthened, considering the standardization of processes, so the goal may vary			
Note: A survey will be carried out to update the processes that require documentation.			
Percentage of improvement in the rate given by users regarding the "responsiveness" of the service agents.			
Baseline: 83.45%			
Goal: 90%			

<i>Note: telephone communication, other channels in process.</i>
Percentage of improvement in the rate given by users regarding the "quick response" of the service agents. <i>Baseline: 83.45%</i> <i>Goal: 90%</i>
<i>Note: telephone communication, other channels in process.</i>
Percentage of queries made through the electronic channels. <i>Baseline: 66%</i> <i>Goal: 75%</i>
Percentage of the disciplinary offenses and procedures reviewed and unified. <i>Baseline: 25%</i> <i>Goal: 100%.</i> <i>Note: Four procedures have been identified, of which one has already been reviewed and three are pending review, namely: Disciplinary Procedure Applicable to Judges, Disciplinary Procedure Applicable to Administrative Servants, Disciplinary Procedure Applicable to Public Officials and Unique Code of Disciplinary offenses Types.</i>
Number of standardized reports on the actions carried out by the General Inspectorate. <i>Baseline: 0</i> <i>Goal: 6.</i> <i>Note: Number of initiatives (6) carried out to strengthen the Institutional Integrity System: Risk Management Program Manual; Tool for estimating assets using affidavits; Tool for segmentation based on risks; Report for documentation of models used; Risk Matrix; Second Report on the Rising of Agreements in the Matter of Intrafamily and Gender Violence.</i>

12. Facilities available

The Judiciary is committed to the execution of this project and will therefore make available to the resident Twinning advisor (RTA) and the team accompanying him/her all the means to carry out their functions. In this regard, work spaces will be provided to the team (RTA, RTA Assistant(s) and other MS experts) for the implementation of the project (shared spaces, meeting rooms and training rooms among others), as well as access to the websites and management systems. It will be provided for the needed purposes during the time of their assignments.

ANNEXES TO PROJECT FICHE

1. The Simplified Logical framework matrix as per Annex C1a (compulsory)

DESCRIPTION	INDICATORS	SOURCE OF VERIFICATION	RISKS
Overall Objective To promote citizen's confidence and satisfaction in the judicial services offered by the Dominican Judiciary.	Percentage of improvement in the evaluation of the quality/credibility/confidence of the service by the users of the system in the different services channels. <i>Baseline: 74.72%</i> <i>Goal: 90%</i>	Judicial Service Surveys (General Administration of the Judicial Service).	
		Report of complaints and suggestions made by users of the system through the established channels (General Administration of the Judicial Service).	
		Reports from the Public Politics Department on the trust and credibility showed by users.	

	<p>Level of response, percentage of cases addressed within the established timeframe.</p> <table><tr><td>Days</td><td>0-3</td><td>0-10</td><td>0-30</td></tr><tr><td>Baseline</td><td>32.03%</td><td>56.79%</td><td>73.44%</td></tr><tr><td>Goal</td><td>35%</td><td>75%</td><td>90%</td></tr></table>	Days	0-3	0-10	0-30	Baseline	32.03%	56.79%	73.44%	Goal	35%	75%	90%	Records on service agreements (Quality Management).					
Days	0-3	0-10	0-30																
Baseline	32.03%	56.79%	73.44%																
Goal	35%	75%	90%																
<p>Specific Objective To increase the efficiency, quality and integrity of the judicial services offered by the Dominican Judiciary.</p>	<p>Reduction in the percentage questions/petitions directed to the courts attended within the defined time ranges.</p> <table><tr><td colspan="4">Requests in process (open)</td></tr><tr><td>Days</td><td>0-3</td><td>0-10</td><td>0-30</td></tr><tr><td>Baseline</td><td>2.93%</td><td>6.09%</td><td>11.78%</td></tr><tr><td>Goal</td><td>2.5%</td><td>4%</td><td>8%</td></tr></table>	Requests in process (open)				Days	0-3	0-10	0-30	Baseline	2.93%	6.09%	11.78%	Goal	2.5%	4%	8%	Management reports (General Administration of the Judicial Service).	Improvements in efficiency, quality and integrity may not be clearly perceived by users.
	Requests in process (open)																		
Days	0-3	0-10	0-30																
Baseline	2.93%	6.09%	11.78%																
Goal	2.5%	4%	8%																
	<p>Number of claims/complaints of unethical conducts or faults.</p> <p>For Judges: Baseline: it will be determined at the time the twinning starts, considering the new access channels. Goal: 20% decrease from the baseline.</p> <p>For Judicial Servants: Baseline: it will be determined at the time the twinning starts, considering the new access channels. Goal: 20% decrease from the baseline.</p> <p>Note: In the first semester of 2021, a more expeditious channel will be launch for the population to submit their claims and complaints.</p>	Regular report of the Judicial Inspectorate of the Judiciary.																	
COMPONENT 1																			
Comprehensive management model based on quality established.																			
<p>MANDATORY RESULTS/ OUTPUTS 1 Increased effectiveness and agility through clear and homogeneous documented processes.</p>	<p>Percentage of standardized processes.</p> <p>Baseline: 28% Goal: 85%</p>	Quality Monitoring (Quality Management).																	
	<p>Percentage of documented and approved processes.</p> <p>Baseline: 5% Goal: 85% of the total documented.</p>	Quality Reports (Quality Management).																	
<p>MANDATORY RESULTS/ OUTPUTS 2 Consolidated change management with quality objectives and indicators.</p>	<p>Percentage of reduction in the accuracy of critical and non-critical errors.</p> <p>Critical error Baseline: 90.5% compliance with no errors. Goal: 95% compliance without errors.</p>	Management Control Quality monitoring reports (Quality management).	The institution's public servants may be resistant to new approaches and proposals for changes.																

	<p><i>Non-Critical Error</i> <i>Baseline: 86% compliance with no errors.</i> <i>Goal: 90% compliance without error.</i></p>		
COMPONENT 2	Improved quality and satisfaction in user services.		
MANDATORY RESULTS/ OUTPUTS 3 Optimized user service.	<p>Number of protocols regarding user services that have been strengthened and implemented.</p> <p><i>Baseline: 11 Protocols</i> <i>Goal: 22 Protocols strengthened, considering the standardization of processes, so the goal may vary</i></p> <p><i>Note: A survey will be carried out to update the processes that require documentation.</i></p>	List including user services protocols that have been strengthened and implemented (Quality Management).	
	<p>Percentage of improvement in the rate given by users regarding the "responsiveness" of the service agents.</p> <p><i>Baseline: 83.45%</i> <i>Goal: 90%</i></p> <p><i>Note: telephone communication, other channels in process.</i></p>	Survey on the satisfaction of the judicial service (General Administration of the Judicial Service).	
	<p>Percentage of improvement in the rate given by users regarding the "quick response" of the service agents.</p> <p><i>Baseline: 83.45%</i> <i>Goal: 90%</i></p> <p><i>Note: telephone communication, other channels in process.</i></p>		
MANDATORY RESULTS/ OUTPUTS 4 Accessibility and service strengthened by promoting and reinforcing digital channels.	<p>Percentage of queries made through the electronic channels.</p> <p><i>Baseline: 66%</i> <i>Goal: 75%</i></p>	Management reports (General Administration of the Judicial Service).	As the post-pandemic social situation stabilizes, there may be a reduction in the use of digital channels.
COMPONENT 3	Reinforced judicial integrity.		
MANDATORY RESULTS/ OUTPUTS 5 Disciplinary regulations reviewed and unified.	<p>Percentage of the disciplinary offenses and procedures reviewed and unified.</p> <p><i>Baseline: 25%</i> <i>Goal: 100%</i></p> <p><i>Note: Four procedures have been identified, of which one has already been reviewed and three</i></p>	Inspectorate regulations reviewed and approved (General Inspectorate).	

	<p><i>are pending review, namely: Disciplinary Procedure Applicable to Judges, Disciplinary Procedure Applicable to Administrative Servants, Disciplinary Procedure Applicable to Public Officials and Unique Code of Disciplinary offenses Types.</i></p>		
<p>MANDATORY RESULTS/ OUTPUTS 6 Inspection and control system strengthened.</p>	<p>Number of standardized reports on the actions carried out by the General Inspectorate.</p> <p><i>Baseline: 0 Goal: 6.</i></p> <p><i>Note: Number of initiatives (6) carried out to strengthen the Institutional Integrity System: Risk Management Program Manual; Tool for estimating assets using affidavits; Tool for segmentation based on risks; Report for documentation of models used; Risk Matrix; Second Report on the Rising of Agreements in the Matter of Intrafamily and Gender Violence.</i></p>	<p>List of standardized reports implemented by the General Inspectorate.</p>	<p>The new system that facilitates the channelling of complaints and reports may not reduce unfounded claims, which slow down processes.</p>